

1 State of Arkansas *As Engrossed: H3/14/13 H3/21/13*

2 89th General Assembly

A Bill

3 Regular Session, 2013

HOUSE BILL 1688

4

5 By: Representative Davis

6 *By: Senator Hester*

7

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For An Act To Be Entitled

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AN ACT TO ASSIST THE COLLECTION OF DELINQUENT SEWER

10

UTILITY BILLS; AND FOR OTHER PURPOSES.

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12

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Subtitle

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TO ASSIST THE COLLECTION OF DELINQUENT

15

SEWER UTILITY BILLS.

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BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

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SECTION 1. DO NOT CODIFY. Findings and legislative intent.

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(a) The General Assembly finds that:

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(1) Arkansas is a rural state, and many citizens have sewer

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utility service provided by relatively small sewer utilities that do not

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control customers' water service but are required to meet stringent state and

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federal water quality standards and collect service fees from customers to

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properly operate the sewer utility;

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(2) Many sewer utilities are owned by private entities,

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neighborhood associations, or improvement districts that do not have the

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resources to incur collection costs when payment for sewer utility services

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are not made;

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(3) A sewer utility that does not control its customers' water

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service is prevented from discontinuing sewer utility service to a customer

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due to nonpayment despite the need to continue sewer utility service to avoid

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unsanitary conditions and potential health risks; and

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(4) A sewer utility that does not control its customers' water

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service needs a mechanism to collect unpaid sewer utility service fees from



1 its customers.

2 (b) It is the intent of this act to assist a sewer utility that does
3 not control its customers' water service by providing a mechanism to collect
4 unpaid sewer utility service fees from its customers and requiring
5 cooperation from the provider of its customers' water service.

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7 SECTION 2. Arkansas Code Title 14, Chapter 234, is amended to add an
8 additional subchapter to read as follows:

9 Subchapter 7 – The Sewer Utility Collection Act.

10 14-234-701. Title.

11 This subchapter shall be known and may be cited as the “Sewer Utility
12 Collection Act”.

13
14 14-234-702. Definitions.

15 As used in this subchapter:

16 (1) "Corresponding water utility" means an individual or entity
17 that:

18 (A) Owns or operates in this state equipment or facilities
19 for diverting, developing, pumping, impounding, distributing, or furnishing
20 water to or for the public for compensation; and

21 (B) Is not under common ownership with a sewer utility;
22 and

23 (2) "Sewer utility" means an individual or entity that maintains
24 a sewage collection system or a sewage treatment plant, intercepting sewers,
25 outfall sewers, force mains, pumping stations, ejector stations, and other
26 appurtenances necessary or useful for the collection or treatment,
27 purification, and disposal of liquid and solid waste, sewage, or wastewater.

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29 14-234-703. Cooperation between sewer and water utilities –
30 Termination of water service.

31 (a)(1) A sewer utility may request notification from a corresponding
32 water utility of any change to customer information, including without
33 limitation a change:

34 (A) To a billing address; and

35 (B) In service, including a new or additional connection
36 or a disconnection.

