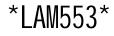
Stricken language would be deleted from and underlined language would be added to law as it existed prior to the 82nd General Assembly.

1	State of Arkansas	As Engrossed: S3/10/99	A -4 1002 -£ 1000
2	82nd General Assembly	A DIII	Act 1003 of 1999
3	Regular Session, 1999		SENATE BILL 878
4			
5	By: Senator Hopkins		
6			
7			
8		For An Act To Be Entitled	
9		PROVIDE FOR WATER PROVIDER CORPOR	
10		BE A PUBLIC BODY AND BODY CORPOR	ATE AND
11	POLITIC; AN	ID FOR OTHER PURPOSES. "	
12			
13		Subtitle	
14	"AN AC	CT TO PROVIDE FOR WATER PROVIDER	
15	CORPOR	RATIONS WHICH SHALL BE A PUBLIC	
16	BODY A	AND BODY CORPORATE AND POLITIC."	
17			
18			
19	BE IT ENACTED BY THE GE	NERAL ASSEMBLY OF THE STATE OF AR	KANSAS:
20			
21	SECTION 1. There	is authorized the creation of wa	<u>iter provider</u>
22	<u>corporations. A water</u>	provider corporation shall be a p	ublic body and body
23	corporate and politic.	A water provider corporation sha	II be organized to
24	<u>provide potable water a</u>	nd other associated service to Ar	<u>kansas residents.</u>
25			
26	SECTION 2. <u>One (</u>	1) or more persons may act as the	<u>incorporator or</u>
27	incorporators of a corp	oration authorized by this act by	filing for
28	incorporation in the sa	me manner as for nonprofit corpor	ations under the
29	<u>Arkansas Nonprofit Corp</u>	oration Act of 1993.	
30			
31	SECTION 3. <u>(a)</u>	A corporation organized under the	: Arkansas Nonprofit
32	Corporation Act of 1993	or the Arkansas Nonprofit Corpor	ation Act may convert
33	to a corporation author	ized by this act by filing, with	<u>the circuit court of</u>
34	the county in which the main office or principal place of business of the		
35	corporation is located,	signed and verified articles of	incorporation, and a
36	statement that the nonp	rofit corporation desires to conv	<u>ert to a corporation</u>



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1	authorized by this act.		
2	(b) If the circuit court finds that the articles of incorporation		
3	conform to law and that the incorporation is for a lawful purpose and is in		
4	the best interests of the public, the court may issue an order approving		
5	conversion to a corporation authorized by this act.		
6	(c) If the court approves the conversion, the articles of incorporation		
7	in duplicate, signed and verified, and a copy of the order of the court		
8	approving the conversion shall be transmitted to the Secretary of State, who		
9	shall, when a fee of one hundred dollars (\$100) has been paid:		
10	(1) File the original of the articles in his office; and		
11	(2) Issue a certificate of incorporation to which he shall affix		
12	the other copy of the articles endorsed with the word "Filed" and the month,		
13	day, and year of the filing and return the certificate of incorporation to the		
14	incorporators or their representative.		
15	(d) The new corporation shall obtain all the assets, liabilities and		
16	obligations of the nonprofit corporation and the obligations of the nonprofit		
17	corporation shall cease to exist on the date that the Secretary of State		
18	issues the certificate of incorporation.		
19			
20	SECTION 4. (a) A corporation authorized by this act shall be subject		
21	<u>to the provisions of the Arkansas Nonprofit Corporation Act of 1993 except to</u>		
22	the extent that the provisions of the act are in conflict with this act.		
23	(b) A corporation authorized by this act shall have the right to		
24	perpetual succession as a body politic and corporate.		
25	(c) In addition to other powers, the corporation may own and operate		
26	facilities necessary to provide potable water and associated services to		
27	<u>Arkansas residents.</u>		
28			
29	SECTION 5. All provisions of this act of a general and permanent nature		
30	are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code		
31	Revision Commission shall incorporate the same in the Code.		
32			
33	SECTION 6. If any provision of this act or the application thereof to		
34	any person or circumstance is held invalid, such invalidity shall not affect		
35	other provisions or applications of the act which can be given effect without		
36	the invalid provision or application, and to this end the provisions of this		

2

1	act are declared to be severable.
2	
3	SECTION 7. All laws and parts of laws in conflict with this act are
4	hereby repealed.
5	/s/ Hopkins
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8	APPROVED: 3/31/1999
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