

1 State of Arkansas
2 88th General Assembly
3 Regular Session, 2011

A Bill

HOUSE BILL 1776

4
5 By: Representative Tyler
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For An Act To Be Entitled

8 AN ACT TO ALLOW APPEALS REGARDING INDIVIDUAL SEWAGE
9 DISPOSAL SYSTEMS TO BE HEARD BY THE INDIVIDUAL SEWAGE
10 DISPOSAL SYSTEMS ADVISORY COMMITTEE; AND FOR OTHER
11 PURPOSES.
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Subtitle

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15 AN ACT TO ALLOW APPEALS REGARDING
16 INDIVIDUAL SEWAGE DISPOSAL SYSTEMS TO BE
17 HEARD BY THE INDIVIDUAL SEWAGE DISPOSAL
18 SYSTEMS ADVISORY COMMITTEE.
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21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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23 SECTION 1. Arkansas Code § 14-229-102, concerning the power and duties
24 of the Individual Sewage Disposal Systems Advisory Committee, is amended to
25 add two additional subdivisions to read as follows:

26 (5)(A) An applicant or interested party seeking review of a
27 final agency decision regarding a permit under § 14-236-101 et seq. or the
28 rules adopted by the State Board of Health under § 14-236-101 et seq. shall
29 file a written appeal for a hearing before the committee within thirty (30)
30 days after the receipt of the agency decision.

31 (B) An appeal to the committee shall be conducted in
32 accordance with the Arkansas Administrative Procedure Act, § 25-15-201 et
33 seq.

34 (6)(A) After a hearing held under subdivision (4) or subdivision
35 (5) of this section, a person who considers himself or herself injured in his
36 or her person, business, or property by a final committee action is entitled



1 to a review of the action by the State Board of Health.

2 (B) A person shall institute a proceeding for review under
3 subdivision (6)(A) of this section by filing a petition with the Department
4 of Health within thirty (30) days after service upon the person of the
5 committee's final decision.