

1 State of Arkansas  
2 90th General Assembly  
3 Regular Session, 2015

# A Bill

HOUSE BILL 1082

4  
5 By: Representative Davis  
6 By: Senator J. Woods

## For An Act To Be Entitled

9 AN ACT TO AMEND THE SEWER UTILITY COLLECTION ACT; TO  
10 REGULATE COOPERATION BETWEEN WATER AND SEWER  
11 UTILITIES IN THE COLLECTION OF DELINQUENT SEWER  
12 BILLS; AND FOR OTHER PURPOSES.

## Subtitle

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16 TO AMEND THE SEWER UTILITY COLLECTION  
17 ACT; AND TO REGULATE COOPERATION BETWEEN  
18 WATER AND SEWER UTILITIES IN THE  
19 COLLECTION OF DELINQUENT SEWER BILLS.

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

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24 SECTION 1. Arkansas Code § 14-234-702(1), concerning the definition of  
25 “corresponding water utility” under the Sewer Utility Collection Act, is  
26 amended to read as follows:

27 (1) “Corresponding water utility” means an individual or entity  
28 that+

29 ~~(A) Owns~~ owns or operates in this state equipment or  
30 facilities for diverting, developing, pumping, impounding, distributing, or  
31 furnishing water to or for the public for compensation; and

32 ~~(B) Is not under common ownership with a sewer utility;~~  
33 and

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35 SECTION 2. Arkansas Code § 14-234-703(b), concerning cooperation  
36 between sewer and water utilities to terminate water service, is amended to



1 read as follows:

2 (b)(1) A corresponding water utility shall terminate water service to  
3 a customer of the sewer utility who is also a customer of the corresponding  
4 water utility upon receiving ~~written documentation~~ a sworn affidavit from a  
5 representative of the sewer utility that the customer states the following:

6 ~~(1) Has~~ (A) The customer has not paid for sewer utility  
7 service for more than twenty-five (25) days past the earliest due date shown  
8 on the face of the sewer utility bill; and

9 ~~(2) Has been~~ (B) The sewer utility has sent notice to the  
10 customer via the United States Postal Service certified mail to an address  
11 provided by the customer that service will be terminated in no less than  
12 fifteen (15) days from the date of mailing if the balance due for sewer  
13 utility service and any applicable late fees are not paid; and

14 (C) The sewer utility has posted notice of the pending  
15 termination of service at the front door of the service location.

16 (2) The affidavit required under this subsection shall be  
17 accompanied by a copy of the following:

18 (A) Documentation showing that the customer has not paid  
19 for sewer utility service for more than twenty-five (25) days past the  
20 earliest due date shown on the face of the sewer utility bill;

21 (B) The notice required under subdivision (b)(1)(B) of  
22 this section;

23 (C) The certified mail receipt used to mail the  
24 termination notice required under subdivision (b)(1)(B) of this section; and

25 (D) The notice required under subdivision (b)(1)(C) of  
26 this section.

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