Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

| 1 | State of Arkansas | As Engrossed: H2/14/03 H2/21/03 A D 111 | |
|---------|--|---|---------------------|
| 2 | 84th General Assembly | A Bill | Act 769 of 2003 |
| 3 | Regular Session, 2003 | | HOUSE BILL 1389 |
| 4 | | | |
| 5 | By: Representatives Ormond, Adams, Berry, Bolin, Boyd, Dangeau, Edwards, D. Evans, Gipson, Jacobs | | |
| 6 | Jeffrey, King, Mack, Medley, Milligan, Pate, Pickett, L. Prater, S. Prater, Roebuck, Schulte, Scroggin, J. | | |
| 7 | Taylor, Thomas, Verkamp, W | alters | |
| 8 | | | |
| 9 10 | | For An Act To Be Entitled | |
| 11 | AN ACT TO PROVIDE A PROCEDURE TO HELP COLLECT | | |
| 12 | DELINQUENT MUNICIPAL, COUNTY, DISTRICT, OR RURAL | | |
| 13 | • | ILLS; AND FOR OTHER PURPOSES. | KOIGIL |
| 14 | WIIII D | and the following to the control of | |
| 15 | | Subtitle | |
| 16 | TO PI | ROVIDE A PROCEDURE TO HELP COLLECT | |
| 17 | DELINQUENT MUNICIPAL, COUNTY, DISTRICT, | | |
| 18 | OR RU | JRAL WATER BILLS. | |
| 19 | | | |
| 20 | | | |
| 21 | BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS: | | |
| 22 | | | |
| 23 | SECTION 1. For p | ourposes of this act: | |
| 24 | <u>(1) "Wate</u> | er association" means any corporatio | n, whether for |
| 25 | profit or not for prof | it, that provides, distributes, tra | nsmits, treats, |
| 26 | pumps, or stores raw o | or potable water to, or for the bene | fit of, members of |
| 27 | the general public or | commercial, industrial, and other u | sers; and |
| 28 | <u>(2) "Wate</u> | r system" means any entity that pro | vides, distributes, |
| 29 | transmits, treats, pumps, or stores raw or potable water to or for the | | |
| 30 | benefit of members of the general public and commercial, industrial, and | | |
| 31 | other users, including, without limitation, the following entities that | | |
| 32 | perform such activities: | | |
| 33 | <u>(A)</u> | Municipalities; | |
| 34 | <u>(B)</u> | Counties; | |
| 35 | <u>(C)</u> | Public facilities boards; | |
| 36 | <u>(D)</u> | Public water authorities; | |

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| 1 | (E) Central Arkansas Water; | | |
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| 2 | (F) Regional water distribution districts; and | | |
| 3 | (G) Water associations. | | |
| 4 | | | |
| 5 | SECTION 2. Any person who is delinquent on the payment for water | | |
| 6 | provided by a water system may be held liable, at the court's discretion, for | | |
| 7 | attorney's fees and costs incurred in the collection of the delinquency. | | |
| 8 | | | |
| 9 | SECTION 3. When a person who is delinquent on the payment of an | | |
| 10 | undisputed bill for water service provided by a water system within this | | |
| 11 | state, moves into another area of this state, and that person applies for or | | |
| 12 | receives water from another water system, if the person's former water system | | |
| 13 | establishes that there is no dispute that the delinquent amount is properly | | |
| 14 | due and owed by that particular individual in that amount, the new water | | |
| 15 | system shall refuse to provide water service to the delinquent person until | | |
| 16 | the person provides proof of curing the delinquency. | | |
| 17 | | | |
| 18 | SECTION 4. No provision of this act shall apply to a water system that | | |
| 19 | is regulated by the Arkansas Public Service Commission as a "public utility" | | |
| 20 | as provided in Arkansas Code § 23-1-101(9). | | |
| 21 | | | |
| 22 | /s/ Ormond, et al | | |
| 23 | | | |
| 24 | | | |
| 25 | APPROVED: BECAME LAW ON 3/27/2003, WITHOUT THE GOVERNOR'S SIGNATURE. | | |
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