

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

A Bill

SENATE BILL 405

4
5 By: Senator A. Clark
6

For An Act To Be Entitled

8 AN ACT TO REQUIRE MUNICIPAL WATER SYSTEMS TO EXTEND
9 WATER SERVICES TO NONRESIDENT CONSUMERS; AND FOR
10 OTHER PURPOSES.

Subtitle

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14 TO REQUIRE MUNICIPAL WATER SYSTEMS TO
15 EXTEND WATER SERVICES TO NONRESIDENT
16 CONSUMERS.

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19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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21 SECTION 1. Arkansas Code § 14-234-110 is amended to read as follows:

22 14-234-110. Waterworks operated in governmental capacity – Services to
23 nonresident consumers.

24 (a) A municipality owning a waterworks system shall operate its entire
25 system in a governmental and not proprietary capacity.

26 (b)(1) The municipality shall ~~have the option of extending~~ extend its
27 services to ~~any consumer outside the municipal boundaries~~ a nonresident
28 consumer if requested by the nonresident consumer, ~~but it shall not be~~
29 ~~obligated to do so~~ except as provided under subsection (c) of this section.

30 (2) ~~No~~ A municipality ~~shall be~~ is not obligated to supply any
31 fixed amount of water or water pressure to ~~nonresident consumers~~ a
32 nonresident consumer, nor ~~shall~~ is a municipality ~~be~~ obligated to increase
33 the number or size of, or change the location of, any mains or pipes outside
34 its boundaries.

35 (3) Water may be supplied to ~~nonresident consumers~~ a nonresident
36 consumer at ~~such~~ rates ~~as~~ the legislative body of the municipality ~~may deem~~



1 deems just and reasonable, and the rates ~~need not be the same as~~ may be
2 different than the rates charged residents of the municipality.

3 (c)(1) A municipality shall provide services to a nonresident consumer
4 at the request of the nonresident consumer if:

5 (A) The nonresident consumer does not have access to rural
6 water service; and

7 (B) Infrastructure to supply services exists at the time
8 of the request.

9 (2) This subsection does not apply to a nonresident consumer
10 seeking water for agricultural, developmental, or industrial purposes.

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