

Stricken language would be deleted from and underlined language would be added to present law.  
Act 46 of the Regular Session

State of Arkansas  
94th General Assembly  
Regular Session, 2023

As Engrossed: H1/18/23  
**A Bill**

HOUSE BILL 1015

By: Representatives McGrew, L. Fite, *Bentley*

By: *Senator M. McKee*

**For An Act To Be Entitled**

AN ACT TO AMEND THE ARKANSAS WATER AND AIR POLLUTION CONTROL ACT; TO EXEMPT CERTAIN PROPERTY OWNERS' ASSOCIATIONS AND HOMEOWNERS' ASSOCIATIONS FROM CERTAIN PERMIT ACTIONS RELATED TO NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM PERMITS OR STATE PERMITS FOR A NONMUNICIPAL DOMESTIC SEWAGE TREATMENT WORKS; AND FOR OTHER PURPOSES.

**Subtitle**

TO AMEND THE ARKANSAS WATER AND AIR POLLUTION CONTROL ACT; AND TO EXEMPT CERTAIN PROPERTY OWNERS' ASSOCIATIONS AND HOMEOWNERS' ASSOCIATIONS FROM CERTAIN WATER PERMIT ACTIONS.

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

SECTION 1. Arkansas Code § 8-4-203(b)(1)(C), concerning exempted entities from actions related to National Pollutant Discharge Elimination System permits or state permits for a nonmunicipal domestic sewage treatment works, is amended to read as follows:

(C) The following are specifically exempted from the requirements of this subsection:

- (i) State or federal facilities;
- (ii) Schools;
- (iii) Universities and colleges;



(iv) Entities that continuously operate due to a connection with a city, town, or county; ~~and~~

(v) A commercial or industrial entity that treats domestic sewage from its operations and does not accept domestic sewage from other entities or residences; and

(vi) A property owners' association or homeowners' association that operates a nonmunicipal domestic sewage treatment works that services a population exceeding five thousand (5,000) individuals.

SECTION 2. Arkansas Code § 8-4-203(b)(1)(E)(i), concerning nonmunicipal domestic sewage treatment works permits for property owners' associations and homeowners' associations, is amended to read as follows:

(E)(i) Except as provided under ~~subdivision~~ subdivisions (b)(1)(C)(vi) and (b)(1)(E)(ii) of this section, the division shall not issue, renew, or transfer permit coverage for nonmunicipal domestic sewage treatment works to property owners' associations or homeowners' associations after January 1, 2018.

*/s/McGrew*

**APPROVED: 2/9/23**