

Stricken language would be deleted from and underlined language would be added to present law.

State of Arkansas *As Engrossed: H1/28/15 H2/2/15 S2/17/15*
90th General Assembly **A Bill**
Regular Session, 2015

HOUSE BILL 1082

By: Representative Davis

By: Senator J. Woods

For An Act To Be Entitled

AN ACT TO AMEND THE SEWER UTILITY COLLECTION ACT; TO
REGULATE COOPERATION BETWEEN WATER AND SEWER
UTILITIES IN THE COLLECTION OF DELINQUENT SEWER
*BILLS; TO ALLOW COOPERATIVE BILLING ARRANGEMENTS; AND
FOR OTHER PURPOSES.*

Subtitle

*TO AMEND THE SEWER UTILITY COLLECTION
ACT; TO REGULATE COOPERATION BETWEEN
WATER AND SEWER UTILITIES IN THE
COLLECTION OF DELINQUENT SEWER BILLS; AND
TO ALLOW COOPERATIVE BILLING
ARRANGEMENTS.*

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

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

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

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

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



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

(b)(1) A corresponding water utility shall terminate water service to a customer of the sewer utility who is also a customer of the corresponding water utility upon receiving ~~written documentation~~ a signed statement from a representative of the sewer utility that ~~the customer~~ states the following:

~~(1) Has~~ (A) The customer has not paid for sewer utility service for more than ~~twenty-five (25)~~ fifteen (15) days past the earliest due date shown on the face of the sewer utility bill; ~~and~~

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

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

(2) The signed statement required under this subsection shall be accompanied by a copy of the following:

(A) Documentation showing that the customer has not paid for sewer utility service for more than fifteen (15) days past the earliest due date shown on the face of the sewer utility bill;

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

(C) Documentation showing that the sewer utility mailed the termination notice required under subdivision (b)(1)(B) of this section;
and

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

(3) The signed statement required under this subsection may be sent to a water utility electronically.

SECTION 3. Arkansas Code Title 14, Chapter 234, Subchapter 7, is amended to add an additional section to read as follows:

14-234-704. Cooperative billing arrangements.

(a) A corresponding water utility may enter into a written agreement with a sewer utility or other entity, including without limitation an entity responsible for trash collection, for the regular billing and collection of the bills of the sewer utility or other entity by the corresponding water utility on behalf of the sewer utility or other entity for a fee to be paid by the sewer utility or other entity.

(b) When a corresponding water utility is responsible for the regular billing and collection of bills for a sewer utility or other entity based on a written agreement under subsection (a) of this section:

(1) The requirements of § 14-234-703 do not apply; and

(2) The corresponding water utility may terminate water service to a customer for the customer's failure to pay any portion of the collective bill sent by the corresponding water utility on behalf of itself and any sewer utility or other entity under this section.

/s/Davis