

State of Arkansas
90th General Assembly
Regular Session, 2015

A Bill

SENATE BILL 405

By: Senator A. Clark

For An Act To Be Entitled

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

Subtitle

TO REQUIRE MUNICIPAL WATER SYSTEMS TO
EXTEND WATER SERVICES TO NONRESIDENT
CONSUMERS.

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

SECTION 1. Arkansas Code § 14-234-110 is amended to read as follows:

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

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

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

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

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



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

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

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

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

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