

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

State of Arkansas
93rd General Assembly
Regular Session, 2021

As Engrossed: S2/24/21
A Bill

SENATE BILL 180

By: Senator Beckham
By: Representative Bryant

For An Act To Be Entitled

AN ACT TO PROHIBIT DISCRIMINATION AGAINST A UTILITY
SERVICE PROVIDER; AND FOR OTHER PURPOSES.

Subtitle

TO PROHIBIT DISCRIMINATION AGAINST A
UTILITY SERVICE PROVIDER.

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

SECTION 1. Arkansas Code Title 14, Chapter 1, Subchapter 1, is amended to add an additional section to read as follows:

14-1-104. Discrimination against utility service providers prohibited
- Definitions.

(a) As used in this section:

(1) "Municipality" means a city of the first class, a city of the second class, or an incorporated town;

(2)(A) "Utility service" means the supplying and sale of electricity or gas to and for the public within this state to an affected property.

(B) "Utility service" includes electric, manufactured gas, liquefied petroleum gas, natural gas, hydrogen, fuel oil, any renewable source, or any other source;

(3) "Utility service customer" means an individual or entity that purchases a utility service from a utility service provider, including a property owner or tenant; and

(4) "Utility service provider" means any person, corporation,



partnership, association, or political subdivision, whether private, municipal, county, district, or cooperative, that is engaged in the furnishing and sale of a utility service.

(b) A municipality, county, district, or other political subdivision of the state shall not enact or enforce any resolution, ordinance, rule, code, policy, or take any action that restricts or prohibits or has the effect of restricting or prohibiting a utility service customer from choosing his or her utility service provider.

(c) This section shall not:

(1) Restrict the power of a municipality to levy taxes on public services under § 14-42-307; or

(2) Affect the right of a municipality to receive revenue from a public utility.

/s/Beckham