

1 State of Arkansas *As Engrossed: H1/28/15 H2/2/15 S2/17/15*

2 90th General Assembly

A Bill

3 Regular Session, 2015

HOUSE BILL 1082

4

5 By: Representative Davis

6 By: Senator J. Woods

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For An Act To Be Entitled

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

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Subtitle

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

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

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

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

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

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

36 ~~and~~



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

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

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

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

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

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

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

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

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

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

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

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

36 14-234-704. Cooperative billing arrangements.

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

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

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

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

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16 /s/Davis

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19 **APPROVED: 03/06/2015**
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