

# 91st Arkansas General Assembly: Water Provider/Nonresident Service Legislation Introduced



**Walter Wright, Jr.**  
wwright@mwlaw.com  
(501) 688.8839

## Arkansas Environmental, Energy, and Water Law Blog

12/19/2016

The Arkansas General Assembly will meet in a Regular Session in 2017.

The Regular Session will convene on January 9, 2017.

Bill filing began for the upcoming Regular Session on November 15, 2016.

A bill was recently introduced that would place certain mandates on Arkansas water providers in regards to services for nonresident property owners or consumers. Senate Bill ("SB") 35 is titled:

An act to require water providers to extend water service to nonresident consumers and property owners. . .

SB 35 was introduced by Senator Allan Clark of Lonsdale.

SB 35 would add an additional section to Arkansas Code Title 14, Chapter 29, Subchapter 1 requiring that Arkansas water providers in certain circumstances provide services to a nonresident property owner or consumer whose property lies within the accepted service area of the water provider if requested by the nonresident property owner or consumer. This mandate is caveated by conditions such as availability of infrastructure or location/size/number of available mains or pipes. Further, the water provider can set rates that are just and reasonable and establish separate rate classifications for residents and nonresidents (with reasonable justification).

The legislation also addresses scenarios in which a nonresident property owner or consumer is not in the water provider's service area.

[A copy of the legislation can be downloaded here.](#)