

91st Arkansas General Assembly: Water Provider Legislative Task Force

Arkansas Environmental, Energy, and Water Law Blog



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Senator Alan Clark has introduced Senate Bill (“SB”) 376 which would create an Arkansas Water Provider Legislative Task Force (“task force”).

SB 376 includes a number of proposed legislative findings in regards to utility water providers related to monopolies, service (including adequacy), importance of water in regards to economic development, discretion of water providers to serve certain customers, and need for standards to judge water provider services.

The legislation also addresses issues such as:

- Requirement to provide water outside areas that the water provider has agreed to serve
- Whether there is a need to bear cost to provide new service within the service area unless the water provider bears that cost for the same type of service of all customers within the service area
- Setting rates that vary by location and political subdivision
- Whether waterlines must be extended or water provided for any area that the water provider has not agreed to serve

The phrase “agreed to serve” is defined.

SB 376 also addresses prohibitions against discrimination against water provider customers (with certain exceptions such as geographic location, etc.).

The purpose of the previously referenced task force is stated to be the provision of a better water provider system, economic development and aid in basic water service. It is required to study and provide a blueprint for water security and development for the state and include best practices for providing water to citizens in “as broad a way and as economically as possible”

The task force would include:

1. The President Pro Tempore of the Senate or his or her designee
2. The Speaker of the House of representatives or his or her designee
3. The Chair of the Senate Committee on City, County, and Local Affairs or his or her designee
4. The Chair of the House Committee on City, County, and Local Affairs or his or her designee
5. A member of the minority party of the General Assembly to be appointed by the President Pro Tempore of the Senate and the Speaker of the House of Representatives
6. A member of the majority party of the General Assembly to be appointed by the President Pro Tempore of the Senate and the Speaker of the House of Representatives
7. The Executive Director of the Arkansas Natural Resources Commission or his or her designee

8. The Executive Director of the Arkansas Economic Development Commission or his or her designee
9. The Chair of the Arkansas State Chamber of Commerce or his or her designee
10. A member or staff person of the Arkansas Municipal League to be appointed by the Speaker of the House of Representatives
11. A member or staff person of the Association of Arkansas Counties to be appointed by the President Pro Tempore of the Senate
12. An active Arkansas home builder to be appointed by the Governor
13. A member of a water provider organization to be appointed by the Governor

The task force is required to provide:

- A vision report for where Arkansas should be in the future
- An action report
- Best practices for providing new service and any other area the task force chooses to report on

A report must be prepared by January 1, 2019 on all tasks completed.

SB 376 has been referred to the Senate Committee on City, County, and Local Affairs.

[A copy of SB 376 can be downloaded here.](#)