

1 State of Arkansas  
2 95th General Assembly  
3 Regular Session, 2025

# A Bill

HOUSE BILL 1462

4  
5 By: Representative Painter  
6 By: Senator Flippo

## For An Act To Be Entitled

9 AN ACT TO AMEND THE THE LAW CONCERNING WATERWORKS AND  
10 WATER SUPPLY; TO AUTHORIZE AN OWNER OF A PUBLIC  
11 WATERWORKS SYSTEM TO EXPEND PUBLIC FUNDS AND TO ISSUE  
12 BONDS TO PAY FOR THE REPLACEMENT OF LEAD AND CERTAIN  
13 GALVANIZED CUSTOMER SERVICE LINES; AND FOR OTHER  
14 PURPOSES.

## Subtitle

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18 TO AUTHORIZE AN OWNER OF A PUBLIC  
19 WATERWORKS SYSTEM TO EXPEND PUBLIC FUNDS  
20 AND TO ISSUE BONDS TO PAY FOR THE  
21 REPLACEMENT OF LEAD AND CERTAIN  
22 GALVANIZED CUSTOMER SERVICE LINES.

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

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26 SECTION 1. DO NOT CODIFY. Legislative findings.

27 The General Assembly finds that:

28 (1) A citizen of this state may receive potable water through a  
29 lead service line;

30 (2) Lead may detach from a lead service line and contaminate  
31 water that moves through the lead service line;

32 (3) Lead exposure may cause:

33 (A) Organ damage, including without limitation brain  
34 damage, kidney damage, heart damage, and lung damage;

35 (B) Diminution in bone mass and muscle growth;

36 (C) Poor muscle coordination;



- 1                   (D) High blood pressure;
- 2                   (E) Reproductive health complications;
- 3                   (F) Miscarriage;
- 4                   (G) Premature birth; and
- 5                   (H) Low birth weight;

6                   (4) Local water providers are required to replace lead service  
 7 lines under 40 C.F.R. pts. 141 and 142, as they existed on October 30, 2024;  
 8 and

9                   (5) Replacement of lead service lines and other facilities under  
 10 40 C.F.R. pts. 141 and 142, as they existed on October 30, 2024, constitutes  
 11 a public purpose to which water utility rate revenue and other public moneys,  
 12 revenues, bond proceeds, and funds may be devoted.

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 14                   SECTION 2. Arkansas Code Title 14, Chapter 234, Subchapter 1, is  
 15 amended to add an additional section to read as follows:

16                   § 14-234-123. Replacement of lead service lines — Issuance of bonds  
 17 — Definitions.

18                   (a) As used in this section:

19                   (1) "Lead service line" means a water service line that is  
 20 constructed of:

- 21                   (A) Lead, at least in part; or
- 22                   (B) Galvanized steel and exists or previously existed

23 downstream of a service line or other conduit constructed of lead material or  
 24 unknown material;

25                   (2) "Person" means:

- 26                   (A) A public or private corporation;
- 27                   (B) An individual;
- 28                   (C) A partnership;
- 29                   (D) An association; or
- 30                   (E) Other entity;

31                   (3) "Public entity" means:

- 32                   (A) A municipality;
- 33                   (B) A consolidated waterworks system as defined in § 25-  
 34 20-307;
- 35                   (C) A water authority as defined in § 4-35-103;
- 36                   (D) A public facilities board as defined in § 14-137-103;

- 1                   (E) A water district as defined in § 14-116-103;
- 2                   (F) An improvement district as defined in § 14-89-801; or
- 3                   (G) Other political subdivision of the state; and

4                   (4) "Water provider" means a public entity that owns a  
 5 waterworks system.

6                   (b) A water provider may replace a lead service line located on  
 7 private property if the water provider:

8                   (1) Obtains the consent of the owner of the private property  
 9 where the lead service line is located; and

10                   (2) Complies with local regulations and policies that govern the  
 11 water provider.

12                   (c) A water provider may:

13                   (1) Spend water utility rate revenue and other public moneys,  
 14 revenues, and funds on the replacement of a lead service line of a customer  
 15 that the water provider serves; and

16                   (2) Use existing statutory authority that permits the water  
 17 provider to issue bonds for waterworks system improvements to:

18                   (A) Issue bonds; and

19                   (B) Use the proceeds to replace a lead service line of a  
 20 customer that the water provider serves.

21                   (d) A water provider replacing a lead service line that another person  
 22 owns does not confer ownership or maintenance responsibilities for the  
 23 replaced lead service line on the water provider unless the water provider  
 24 and other person otherwise agree.

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