

**Stricken language would be deleted from and underlined language would be added to the law as it existed
prior to this session of the General Assembly.
Act 370 of the Regular Session**

1 State of Arkansas
2 87th General Assembly
3 Regular Session, 2009
4

A Bill

HOUSE BILL 1470

5 By: Representatives Slinkard, Lindsey, L. Smith
6 By: Senators B. Pritchard, Hendren
7

For An Act To Be Entitled

AN ACT CONCERNING ELECTIONS OF BOARDS OF
DIRECTORS OF REGIONAL WATER DISTRICTS; AND FOR
OTHER PURPOSES.

Subtitle

CONCERNING ELECTIONS OF BOARDS OF
DIRECTORS OF REGIONAL WATER DISTRICTS;
AND FOR OTHER PURPOSES.

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20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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22 SECTION 1. Arkansas Code § 14-116-301(b), concerning boards of
23 directors in certain water districts, is amended to read as follows:

24 (b) If a water district is composed of all or a portion of less than
25 four (4) counties:

26 (1) The board of directors shall be composed of three (3)
27 qualified voters residing in the service area of the customers of the
28 district, which is the area within the boundaries of the water district to
29 which the customers of the district currently provide retail water or other
30 services that they have purchased from the district. However, if the district
31 embraces lands in more than one (1) county but less than four (4) counties,
32 then the board of directors shall be composed of three (3) qualified electors
33 who are residents of the service area of the customers of the district from
34 each of the counties in which lands are embraced in the district.

35 Furthermore, if the court creating a water distribution district finds that a



1 larger number of board members than that provided for above is necessary to
 2 afford adequate representation for the various parts of the district, the
 3 court may establish a board consisting of a greater number of members than
 4 that provided for above. In this case the representation on the board of
 5 directors shall be apportioned to the various parts of the district in a
 6 manner the court deems just and equitable, and each director shall be a
 7 qualified voter residing in the part of the service area of the customers of
 8 the district that he or she represents.

9 (2) When the circuit court has established the district, it
 10 shall appoint, within a reasonable time thereafter, the three (3) or more
 11 directors of the water district. Upon the expiration of the terms of the
 12 directors so appointed, subsequent directors shall be elected as set out in
 13 this subchapter by the qualified electors, who shall consist of those
 14 electors residing in all or part of any precinct in the service area of the
 15 customers of the water district in each county in which lands are embraced in
 16 the district or, if the district has been apportioned by the court, by
 17 qualified voters, who shall consist of those voters residing in ~~the part of~~
 18 all or part of any precinct in the service area of the customers of the
 19 district that the director will represent.

20
 21 SECTION 2. Arkansas Code § 14-116-303 is amended to read as follows:
 22 14-116-303. Members – Nomination and election.

23 (a)(1) If a water district is composed of all or a portion of four (4)
 24 or more counties, then nominations for directors shall be upon petitions
 25 signed by at least fifty (50) qualified electors residing in the area of the
 26 district from which the director is to be elected. This petition shall be
 27 filed with the county board of election commissioners ~~at least sixty (60)~~
 28 ~~days prior to~~ no later than July 1 before the general election.

29 (2) If a water district is composed of all or a portion of less
 30 than four (4) counties, then nominations for directors shall be upon
 31 petitions signed by at least fifty (50) qualified electors, who shall consist
 32 of those electors residing in ~~the part of~~ all or part of any precinct in the
 33 service area of the customers of the district from which the director is to
 34 be elected. This petition shall be filed with the county board of election
 35 commissioners ~~at least sixty (60) days prior to~~ no later than July 1 before
 36 the general election.

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(3) A water district shall file a service area map with the county clerk no later than January 31 before the general election.

(b) Election of the directors shall be held as a part of the general election and under the laws governing it.

(c) Any director shall be qualified to succeed himself or herself.

APPROVED: 3/10/2009