

1 State of Arkansas
2 93rd General Assembly
3 Regular Session, 2021
4

A Bill

SENATE BILL 180

5 By: Senator Beckham
6 By: Representative Haak
7

For An Act To Be Entitled

9 AN ACT TO PROHIBIT DISCRIMINATION AGAINST A UTILITY
10 SERVICE PROVIDER; AND FOR OTHER PURPOSES.
11

Subtitle

14 TO PROHIBIT DISCRIMINATION AGAINST A
15 UTILITY SERVICE PROVIDER.
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18 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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20 SECTION 1. Arkansas Code Title 14, Chapter 1, Subchapter 1, is amended
21 to add an additional section to read as follows:

22 14-1-104. Discrimination against utility service providers prohibited
23 - Definitions.

24 (a) As used in this section:

25 (1) "Municipality" means a city of the first class, a city of
26 the second class, or an incorporated town;

27 (2)(A) "Utility service" means the supplying and sale of
28 electricity or gas to and for the public within this state to an affected
29 property.

30 (B) "Utility service" includes electric, manufactured gas,
31 liquefied petroleum gas, natural gas, hydrogen, fuel oil, any renewable
32 source, or any other source;

33 (3) "Utility service customer" means an individual or entity
34 that purchases a utility service from a utility service provider, including a
35 property owner or tenant; and

36 (4) "Utility service provider" means any person, corporation,



1 partnership, association, or political subdivision, whether private,
2 municipal, county, district, or cooperative, that is engaged in the
3 furnishing and sale of a utility service.

4 (b) A municipality, county, district, or other political subdivision
5 of the state shall not enact or enforce any resolution, ordinance, rule,
6 code, policy, or take any action that restricts or prohibits or has the
7 effect of restricting or prohibiting a utility service customer from choosing
8 his or her utility service provider.

9 (c) This section shall not:

10 (1) Restrict the power of a municipality to levy taxes on public
11 services under § 14-42-307; or

12 (2) Affect the right of a municipality to receive revenue from a
13 public utility.

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