

# Conceptual Amendment to AB 220 proposed by the Southern Nevada Water Authority

Contact: Chaunsey Chau-Duong  
Cell: 702-728-0857  
Email: chaunsey.chau-duong@lvvwd.com

EXPLANATION: Matter in (1) *blue bold italics* is new language in the original bill; (2) variations of green bold underlining is language proposed to be added in this amendment (3) ~~red strikethrough~~ is deleted language in the original bill (4) ~~purple double strikethrough~~ is language proposed to be deleted in this amendment (5) orange underline is original language in statute put back in

**Section 1.** Chapter 439 of NRS is hereby amended by adding thereto a new section to read as follows:

*1. The district board of health shall require a property owner with an existing septic system to connect to a community sewerage disposal system by January 1, 2054, if the nearest property line of the lot or parcel ~~whose property is within 400 feet of the pipes and appurtenances of the~~ *community sewerage disposal system to which the property will be connected.* ~~connect to the community sewerage disposal system by January 1, 2054.~~*

*2. To carry out the requirement of subsection 1, the district board of health shall:*

*(a) Review each permit issued for a septic system on or before July 1, 2025 and every 5 years thereafter to determine if the property is within 400 feet of a community sewerage disposal system. If the district board of health determines that the property is within 400 feet of a community sewerage disposal system, the district board of health shall:*

*(1) Notify the property owner and require the property owner to connect to the community sewerage disposal system within ~~365~~ 720 days; and*

*(2) After the ~~365~~ 720 days provided pursuant to subparagraph (1), revoke the permit for the existing septic system.*

*(b) Review any building or development permit on a parcel currently served by a septic system ~~required to be reviewed by the district board of health~~. If the district board of health determines the building or development is located within 400 feet of a community sewerage disposal system, the district board of health shall condition the approval of a permit for the building or development with the requirement that the property owner connect to ~~deny any request for a permit for a septic system for the building or development and require the property owner to connect to~~ the community sewerage disposal system.*

*(c) Establish a program to pay not less than 50 percent of the cost for property owners to abandon a septic system and connect to a community sewerage disposal system.*

*3. Upon an affirmative vote of two-thirds of all the members of the district board of health, the district board of health may impose a fee on property owners with existing septic systems to carry out the provisions of this section.*

#### 4. The district board of health:

(a) Shall adopt regulations to carry out the provisions of this act;

(b) Shall prioritize properties where the community sewerage disposal system is adjacent to the property with a septic system.

(c) May grant a one-time extension of not more than five years to a property owner if there is insufficient funding in the program established pursuant to subsection 2;

(d) May enter into agreements with governing bodies of cities and counties to establish special improvement districts and landscape improvement districts; and

(e) May revoke a septic permit of any property owner who fails to pay the fee if imposed pursuant to subsection 3 and require their immediate connection to a community

sewerage disposal system without any financial assistance.

*5. As used in this section:*

(a) *“Community sewerage disposal system” means a public system of sewage disposal which is operated for the benefit of a county, city, district or other political subdivision of this State.*

(b) *“Septic system” means a well that is used to place sanitary waste below the surface of the ground that is typically composed of a septic tank and a subsurface fluid distribution or disposal system. The term includes a residential individual system for disposal of sewage ~~and a commercial individual system for the disposal of sewage.~~*

**Sec. 2.** NRS 439.361 is hereby amended to read as follows:

439.361 The provisions of NRS 439.361 to 439.3685, inclusive, *and section 1 of this act*, apply to a county whose population is 700,000 or more.

**Sec. 3.** NRS 445A.890 is hereby amended to read as follows:

445A.890 Before making the ~~[finding specified in NRS 445A.910 and before making the]~~ determinations specified in NRS 244.3655, 268.4102 and 445A.895, the *Commission or* Division, *as applicable*, shall request comments from the:

1. Public Utilities Commission of Nevada;
2. State Engineer;
3. Local government within whose jurisdiction the water system is located; and
4. Owner of the water system.

**Sec. 4.** NRS 445A.895 is hereby amended to read as follows:

445A.895 A permit to operate a water system may not be issued pursuant to NRS 445A.885 unless all of the following conditions are met:

1. Neither water provided by a public utility nor water provided by a municipality or other

public entity is available to the persons to be served by the water system.

2. The applicant fully complies with all of the conditions of NRS 445A.885 to 445A.915, inclusive.

3. The applicant submits to the Division or the district board of health designated by the Commission documentation issued by the State Engineer which sets forth that the applicant holds water rights that are sufficient to operate the water system.

4. The local governing body assumes:

~~(a) Responsibility in case of default by the builder or developer of the water system for its continued operation and maintenance in accordance with all the terms and conditions of the permit.~~

~~(b) The duty of assessing the lands served as provided in subsection 6.~~

~~5. The applicant furnishes the local governing body sufficient surety, in the form of a bond, certificate of deposit, investment certificate or any other form acceptable to the governing body, to ensure the continued maintenance and operation of the water system.~~

~~(a) For 5 years following the date the system is placed in operation; or~~

~~(b) Until 75 percent of the lots or parcels served by the system are sold,~~

~~→ whichever is later.~~

**5. 6. If there is a default by the builder or developer, the local governing body shall, as its sole and exclusive obligation, use the surety provided in subsection 4 to pay a certified water system operator to operate and maintain the water system. The local governing body shall have no obligation under any circumstances to:**

**(a) Provide water for any purpose from sources other than those approved by the State and originally used by the developer for the water system;**

**(b) Construct any new facilities for the diversion, treatment, transmission, or delivery of**

water;

(c) Expend any funds from sources other than the deposited surety from the developers or owners of property within the development; or

(d) Extend any credit on behalf of developers or the owners of property within the development.

6. The owners of the lands to be served by the water system record a declaration of covenants, conditions and restrictions which is an equitable servitude running with the land and which must provide:

(a) That ~~that~~ each lot or parcel will be assessed by the local governing body for its proportionate share of the cost of replenishing or augmenting the surety provided in subsection 4 as necessary for the continued operation and maintenance of the water system by the certified water system operator if there is a default by the applicant or operator of the water system; and

(b) An acknowledgement of, and agreement to, the local government obligation limitations set forth in subsection 5. ~~a sufficient surety, as provided in subsection 5, is not available.~~

7. If the water system uses or stores ozone, the portion of the system where ozone is used or stored must be constructed not less than 100 feet from any existing residence, unless the owner and occupant of each residence located closer than 100 feet consent to the construction of the system at a closer distance.

8. ~~5.~~ The *owners of the lands to be served by the water system record a* declaration of covenants, conditions and restrictions ~~[recorded by the owners of the lands further]~~, *which is an equitable servitude running with the land, and* provides that if the Division determines that:

(a) The water system is not satisfactorily serving the needs of its users; and

(b) Water provided by a public utility or a municipality or other public entity ~~is reasonably available,]~~ *may be accessed within ~~400~~ 1,250 feet of any lot or parcel served by the water system,*

↳ the local governing body *shall, in a county whose population is 700,000 or more, and* may, *in all other counties,* pursuant to NRS 244.3655 or 268.4102, require all users of the water system to connect into the available water system provided by a public utility or a municipality or other public entity, and each lot or parcel will be assessed by the local governing body for its proportionate share of the costs associated with connecting into that water system. If the water system is being connected into a public utility, the Public Utilities Commission of Nevada shall determine the amount of the assessments for the purposes of establishing a lien pursuant to NRS 445A.900.

~~9.-6.~~ Provision has been made for disposition of the water system and the land on which it is situated after the local governing body requires all users to connect into an available water system provided by a public utility or a municipality or other public entity.

**Sec. 5**

NRS 445A.910 is hereby amended to read as follows:

445A.910 [1. If the Division has found that any of the conditions of a permit to operate a water system issued pursuant to NRS 445A.885 are being violated and has notified the holder of the permit that he or she must bring the water system into compliance, but the holder of the permit has failed to comply within a reasonable time after the date of the notice, the local governing body, if requested to do so in writing by the Division, may take the following actions independently of any further action by the Division:

(a) Give written notice, by certified mail, to the owner of the water system and the owners of the

property served by the system that if the violation is not corrected within 30 days after the date of the notice, the local governing body will seek a court order authorizing it to assume control; and

(b) After the 30-day period has expired, if the water system has not been brought into compliance, apply to the district court for an order authorizing the local governing body to assume control of the system and assess the property for the continued operation and-maintenance of the system as provided in subsection 6 of NRS 445A.895.

~~2.]~~ If the local governing body determines at any time that immediate action is necessary to protect the public health and welfare, it may assume physical control and operation of a water system .

~~[without complying with any of the requirements set forth in subsection 1.]~~ The local governing body may not maintain control of a water system pursuant to this ~~[subsection]~~ **section** for a period greater than 30 days unless it obtains an order from the district court authorizing an extension.

**Sec. 6.** NRS 461.175 is hereby amended to read as follows:

461.175 1. Each manufactured building on which construction begins on or after March 1, 1992, and before March 1, 1993, must incorporate the following minimal standards for plumbing fixtures:

(a) A toilet which uses water must not be installed unless its consumption of water does not exceed 3.5 gallons of water per flush.

(b) A shower apparatus which uses more than 3 gallons of water per minute must not be installed unless it is equipped with a device to reduce water consumption to 3 gallons of water or less per minute.

(c) Each faucet installed in a lavatory or kitchen must not allow water to flow at a rate greater

than 3 gallons per minute.

2. Each manufactured building on which construction begins on or after March 1, 1993, and before January 1, 2020, must incorporate the following minimal standards for plumbing fixtures:

(a) A toilet which uses water must not be installed unless its consumption of water does not exceed 1.6 gallons of water per flush.

(b) A shower apparatus which uses more than 2.5 gallons of water per minute must not be installed unless it is equipped with a device to reduce water consumption to 2.5 gallons of water or less per minute.

(c) Each faucet installed in a lavatory or kitchen must not allow water to flow at a rate greater than 2.5 gallons per minute.

3. Each manufactured building on which construction begins on or after January 1, 2020:

(a) If the WaterSense program established by the United States Environmental Protection Agency has developed a final product specification for a type of toilet, shower apparatus, urinal or faucet, must not install any toilet, shower apparatus, urinal or faucet that has not been certified under the WaterSense program.

(b) If the WaterSense program has not developed a final product specification for a type of toilet, shower apparatus, urinal or faucet, must not install any toilet, shower apparatus, urinal or faucet that does not comply with any applicable requirements of federal law and the building code of the county or city.

4. For the purposes of subsection 3, a plumbing fixture is considered certified under the WaterSense program if the fixture meets the requirements of paragraph (a) or (b) of subsection ~~5~~ 6 of NRS 278.582.

*5. Each manufactured building on which construction begins on or after January 1, 2024,*



*and each existing manufactured building which is expanded or renovated on or after January 1, 2024:*

*(a) If the WaterSense program established by the United States Environmental Protection Agency has developed a final product specification for an irrigation controller or spray sprinkler body, must not install any irrigation controller or spray sprinkler body that has not been certified under the WaterSense program.*

*(b) If the WaterSense program has not developed a final product specification for a type of irrigation controller or spray sprinkler body, must not install any irrigation controller or spray sprinkler body that does not comply with any applicable requirements of federal law and the building code of the county or city.*

*6. For the purposes of subsection 5, a landscape irrigation fixture is considered certified under the WaterSense program if the fixture meets the requirements of paragraph (a) or (b) of subsection 6 of NRS 278.582.*

**Sec. 7.** NRS 244.3655 is hereby amended to read as follows:

244.3655 1. If the State Environmental Commission determines that:

(a) A water system which is located in a county and was constructed on or after July 1, 1991, is not satisfactorily serving the needs of its users; and

(~~b~~) Water provided by a public utility or a municipality or other public entity ~~is reasonably available to those users,~~ *may be accessed within ~~400~~ 1,250 feet of any lot of parcel served by the water system,*

↪ the board of county commissioners of that county *shall, in a county whose population is 700,000 or more, and* may *, in all other counties,* require all users of the system to connect into the available water system provided by a public utility or a municipality or other public entity, and

may assess each lot or parcel served for its proportionate share of the costs associated with connecting into that water system. If the water system is being connected into a public utility, the Public Utilities Commission of Nevada shall determine the amount of the assessments for the purposes of establishing a lien pursuant to NRS 445A.900.

2. As used in this section, “water system” has the meaning ascribed to it in NRS 445A.850.

**Sec. 8.** NRS 244.366 is hereby amended to read as follows:

244.366 1. The board of county commissioners of any county whose population is 700,000 or more has the power, outside of the limits of incorporated cities and towns:

(a) To construct, acquire by gift, purchase or the exercise of eminent domain, otherwise acquire, reconstruct, improve, extend, better and repair water and sewer facilities, such as:

(1) A water system, including but not limited to water mains, conduits, aqueducts, pipelines, ditches, canals, pumping stations, and all appurtenances and machinery necessary or useful and convenient for obtaining, transporting or transferring water.

(2) A water treatment plant, including but not limited to reservoirs, storage facilities, and all appurtenances necessary or useful and convenient thereto for the collection, storage and treatment, purification and disposal of water for domestic uses and purposes.

(3) A storm sewer or sanitary sewage collection system, including but not limited to intercepting sewers, outfall sewers, force mains, collecting sewers, storm sewers, combined sanitary and storm sewers, pumping stations, ejector stations, and all other appurtenances necessary, useful or convenient for the collection, transportation and disposal of sewage.

(4) A sewage treatment plant, including but not limited to structures, buildings, machinery, equipment, connections and all appurtenances necessary, useful or convenient for the treatment, purification or disposal of sewage.

(b) To acquire, by gift, purchase or the exercise of the right of eminent domain, lands or rights in land or water rights in connection therewith, including but not limited to easements, rights-of-way, contract rights, leases, franchises, approaches, dams and reservoirs.

(c) To operate and maintain those water facilities, sewer facilities, lands, rights in land and water rights.

(d) To sell, lease, donate for public use and otherwise dispose of those water facilities, sewer facilities, lands, rights in land and water rights.

(e) To prescribe and collect rates, fees, tolls or charges, including but not limited to the levy or assessments of such rates, fees, tolls or charges against governmental units, departments or agencies, including the State of Nevada and political subdivisions thereof, for the services, facilities and commodities furnished by those water facilities and sewer facilities, and to provide methods of collections, and penalties, including but not limited to denial of service, for nonpayment of the rates, fees, tolls or charges.

(f) To provide it is unlawful for any persons, associations and corporations owning, occupying or in any way controlling any building or other structure, any part of which is within 400 feet of any street, alley, court, passageway, other public highway, right-of-way, easement or other alley owned or occupied by the county in which a public sewer is then in existence and use, to construct, otherwise acquire, to cause or permit to be constructed or otherwise acquired, or to use or continue to use any private sewage disposal plant, privy vault, *septic system*, septic tank, cesspool or other private sewage system, upon such terms and conditions as the board of county commissioners may provide.

(g) To provide for the disconnection of plumbing facilities from any ~~of those~~ *private sewage disposal plant, privy vault, septic system, septic tank, cesspool or other* private sewage ~~facilities~~

*system or facility* and for the discontinuance and elimination of ~~those~~ *such a* private sewage ~~facilities.~~ *system or facility.*

*(h) To require any building or other structure that uses or is served by any private sewage disposal plant, privy vault, septic system, septic tank, cesspool or other private sewage system or facility to connect to a public sewage system if the building or other structure is within 400 feet of the pipes and appurtenances of a public sewage system provided by a public utility, municipality or other public entity.*

2. The powers conferred by this section are in addition and supplemental to, and not in substitution for, and the limitations imposed by this section do not affect the powers conferred by, any other law. No part of this section repeals or affects any other law or any part thereof, it being intended that this section provide a separate method of accomplishing its objectives, and not an exclusive one.

3. This section, being necessary to secure and preserve the public health, safety and convenience and welfare, must be liberally construed to effect its purpose.

4. Any person, association or corporation violating any of the provisions of any ordinance adopted pursuant to this section is guilty of a misdemeanor.

*5. As used in this section, “septic system” means a well that is used to place sanitary waste below the surface of the ground, which is typically composed of a septic tank and a subsurface fluid distribution system or disposal system.*

**Sec. 9.** Chapter 268 of NRS is hereby amended by adding thereto a new section to read as follows:

*1. If the governing body of a city in a county whose population is 700,000 or more determines that:*

*(a) A private septic system or a package plant for sewage treatment is located within the city limits; and*

*(b) Sewerage provided by a public utility, the city or another municipality or other public entity may be accessed within 400 feet of the pipes and appurtenances of the property of such users,*

*↳ the governing body shall require all users of the private septic system or package plant for sewage treatment to connect into the available sewers provided by the public utility, the city or another municipality or other public entity, and may assess each lot or parcel served for its proportionate share of the cost of connecting into such sewers. These assessments are not subject to the jurisdiction of the Public Utilities Commission of Nevada.*

*2. As used in this section, “septic system” means a well that is used to place sanitary waste below the surface of the ground that is typically composed of a septic tank and a subsurface fluid distribution or disposal system.*

**Sec. 10.** NRS 268.4102 is hereby amended to read as follows:

268.4102 1. If the State Environmental Commission determines that:

(a) A water system which is located within the boundaries of a city and was constructed on or after July 1, 1991, is not satisfactorily serving the needs of its users; and

(b) Water provided by a public utility or a municipality or other public entity ~~[is reasonably available to those users,]~~ *may be accessed within ~~400~~ 1,250 feet of any lot or parcel served by the water system,*

*↳ the governing body of that city shall, in a county whose population is 700,000 or more, and may, in all other counties, require all users of the system to connect into the available water system provided by a public utility or a municipality or other public entity, and may assess each lot or parcel served for its share of the costs associated with connecting into that water system. If*

the water system is being connected into a public utility, the Public Utilities Commission of Nevada shall determine the amount of the assessments for the purposes of establishing a lien pursuant to NRS 445A.900.

2. As used in this section, “water system” has the meaning ascribed to it in NRS 445A.850.

**Sec. 11.** NRS 268.4105 is hereby amended to read as follows:

268.4105 1. If the governing body of the city determines that:

(a) A package plant for sewage treatment which is located within the city limits and is exempt from the provisions of NRS 445A.540 to 445A.560, inclusive, is not satisfactorily serving the needs of its users; and

(b) Sewerage provided by a public utility, the city or another municipality or other public entity ~~is reasonably available to~~ *may be accessed within 400 feet of the property of* those users,   
↳ the governing body *shall, in a county whose population is 700,000 or more, and may, in all other counties,* require all users of the plant to connect into the available sewers provided by ~~the~~ *the* public utility, the city or another municipality or other public entity, and may assess each lot or parcel served for its proportionate share of the cost of connecting into those sewers. These assessments are not subject to the jurisdiction of the Public Utilities Commission of Nevada.

2. If the State Department of Conservation and Natural Resources has found that a package plant for sewage treatment which is exempt from the provisions of NRS 445A.540 to 445A.560, inclusive, is violating any of the conditions of NRS 445A.465 to 445A.515, inclusive, and has notified the holder of the permit that he or she must bring the plant into compliance, but the holder of the permit has failed to comply within a reasonable time after the date of the notice, the governing body of the city in which the plant is located may take the following actions independently of any further action by the State Department of Conservation and Natural

Resources:

(a) Give written notice, by certified mail, to the owner of the plant and the owners of the property served by the plant that if the violation is not corrected within 30 days after the date of the notice, the governing body of the city will seek a court order authorizing it to assume control; and

(b) After the 30-day period has expired, if the plant has not been brought into compliance, apply to the district court for an order authorizing the governing body to assume control of the plant and assess the property for the continued operation and maintenance of the plant as provided in subsection 4.

3. If the governing body of the city determines at any time that immediate action is necessary to protect the public health and welfare, it may assume physical control and operation of a package plant for sewage treatment which is located within the city limits and is exempt from the provisions of NRS 445A.540 to 445A.560, inclusive, without complying with any of the requirements set forth in subsection 2. The governing body may not maintain control of the plant pursuant to this subsection for a period greater than 30 days unless it obtains an order from the district court authorizing an extension.

4. Each lot and parcel served by a package plant for sewage treatment which is exempt from the provisions of NRS 445A.540 to 445A.560, inclusive, is subject to assessment by the governing body of the city in which the plant is located for its proportionate share of the cost of continued operation and maintenance of the plant if there is a default or the city assumes control and operation of the plant pursuant to subsection 2 or 3.

**Sec. 12.** Chapter 278 of NRS is hereby amended by adding thereto the provisions set forth as sections 13 and 14 of this act.

**Sec. 13.** *When any subdivider proposes to subdivide land that will be served by a public water system, the planning commission or its designated representative, or, if there is no planning commission, the clerk or other designated representative of the governing body, shall file a copy of the subdivider's tentative map with the supplier of water. The supplier of water shall, ~~within 30 days,~~ review and comment in writing upon the tentative map to the planning commission or the governing body regarding the availability of water which meets applicable health standards and is sufficient in quantity for the reasonably foreseeable needs of the subdivision.*

**Sec. 14.** *A final map presented for filing which is subject to the provisions of section 13 of this act or NRS 278.347 must include a certificate by the supplier of water showing that the final map is approved by the supplier of water with regard to the availability of water which meets applicable health standards and is sufficient in quantity for the reasonably foreseeable needs of the subdivision.*

**Sec. 15.** NRS 278.010 is hereby amended to read as follows:

278.010 As used in NRS 278.010 to 278.630, inclusive, *and sections 13 and 14 of this act*, unless the context otherwise requires, the words and terms defined in NRS 278.0103 to 278.0195, inclusive, have the meanings ascribed to them in those sections.

**Sec. 16.** NRS 278.347 is hereby amended to read as follows:

278.347 **1.** When any subdivider proposes to subdivide land, any part of which is located within the boundaries of any general improvement district organized or reorganized pursuant to chapter 318 of NRS, the planning commission or its designated representative, or, if there is no



planning commission, the clerk or other designated representative of the governing body shall file a copy of the subdivider's tentative map with ~~the~~ :

(a) *The* board of trustees of the district ~~[-The board of trustees may within]~~ ; *and*

(b) *If the subdivision will be served by a public water system, the supplier of water in the district.*

2. *Within* 30 days :

(a) *The board of trustees may* review and comment in writing upon the *tentative* map *filed pursuant to subsection 1* to the planning commission or governing body ~~[-]~~ ; *and*

(b) *If applicable, the supplier of water shall review and comment in writing upon the tentative map filed pursuant to subsection 1 to the planning commission or the governing body regarding the availability of water which meets applicable health standards and is sufficient in quantity for the reasonably foreseeable needs of the subdivision.*

3. The planning commission or governing body shall take any such comments *submitted pursuant to subsection 2 by the board of trustees and the supplier of water, if applicable,* into consideration before approving the tentative map.

**Sec. 17.** NRS 278.349 is hereby amended to read as follows:

278.349 1. Except as otherwise provided in subsection 2, the governing body, if it has not authorized the planning commission to take final action, shall, by an affirmative vote of a majority of all the members, approve, conditionally approve or disapprove a tentative map filed pursuant to NRS 278.330:

(a) In a county whose population is 700,000 or more, within 45 days; or

(b) In a county whose population is less than 700,000, within 60 days,

↳ after receipt of the planning commission's recommendations.

2. If there is no planning commission, the governing body shall approve, conditionally approve or disapprove a tentative map:

(a) In a county whose population is 700,000 or more, within 45 days; or

(b) In a county whose population is less than 700,000, within 60 days,

↳ after the map is filed with the clerk of the governing body.

3. The governing body, or planning commission if it is authorized to take final action on a tentative map, shall consider:

(a) Environmental and health laws and regulations concerning water and air pollution, the disposal of solid waste, facilities to supply water, community or public sewage disposal and, where applicable, individual systems for sewage disposal;

(b) The availability of water which meets applicable health standards and is sufficient in quantity for the reasonably foreseeable needs of the subdivision;

(c) The availability and accessibility of utilities;

(d) The availability and accessibility of public services such as schools, police protection, transportation, recreation and parks;

(e) Conformity with the zoning ordinances and master plan, except that if any existing zoning ordinance is inconsistent with the master plan, the zoning ordinance takes precedence;

(f) General conformity with the governing body's master plan of streets and highways;

(g) The effect of the proposed subdivision on existing public streets and the need for new streets or highways to serve the subdivision;

(h) Physical characteristics of the land such as floodplain, slope and soil;

(i) The recommendations and comments of those entities and persons reviewing the tentative map pursuant to NRS 278.330 to 278.3485, inclusive;

(j) The availability and accessibility of fire protection, including, but not limited to, the availability and accessibility of water and services for the prevention and containment of fires, including fires in wild lands;

(k) The potential impacts to wildlife and wildlife habitat; and

(l) The submission by the subdivider of an affidavit stating that the subdivider will make provision for payment of the tax imposed by chapter 375 of NRS and for compliance with the disclosure and recording requirements of paragraph (f) of subsection 1 of NRS 598.0923, if applicable, by the subdivider or any successor in interest.

4. The governing body or planning commission shall, by an affirmative vote of a majority of all the members, make a final disposition of the tentative map. The governing body or planning commission shall not approve the tentative map unless ~~the~~ :

(a) *The* subdivider has submitted an affidavit stating that the subdivider will make provision for the payment of the tax imposed by chapter 375 of NRS and for compliance with the disclosure and recording requirements of paragraph (f) of subsection 1 of NRS 598.0923, if applicable, by the subdivider or any successor in interest ~~;~~ *and*

*(b) For any tentative map subject to the requirements of section 13 of this act or NRS 278.347, the supplier of water that will serve the subdivision has determined that there is available water which meets applicable health standards and is sufficient in quantity for the reasonably foreseeable needs of the subdivision.*

↳ Any disapproval or conditional approval must include a statement of the reason for that action.

**Sec. 18.** NRS 278.373 is hereby amended to read as follows:

278.373 The certificates and acknowledgments required by NRS 116.2109 and 278.374 to 278.378, inclusive, *and section 14 of this act, if applicable*, must appear on a final map and may be combined where appropriate.

**Sec. 19.** NRS 278.4955 is hereby amended to read as follows:

278.4955 1. The map of reversion submitted pursuant to NRS 278.490 must contain the appropriate certificates required by NRS 278.376 , ~~and~~ 278.377 *and section 14 of this act, if applicable*, for the original division of the land, any agreement entered into for a required improvement pursuant to NRS 278.380 for the original division of the land, and the certificates required by NRS 278.496 and 278.4965. If the map includes the reversion of any street or easement owned by a city, a county or the State, the provisions of NRS 278.480 must be followed before approval of the map.

2. The final map of reversion must:

(a) Be prepared by a professional land surveyor licensed pursuant to chapter 625 of NRS. The professional land surveyor shall state in his or her certificate that the map has been prepared from information on a recorded map or maps that are being reverted. The professional land surveyor

may state in the certificate that he or she assumes no responsibility for the existence of the monuments or for correctness of other information shown on or copied from the document. The professional land surveyor shall include in the certificate information which is sufficient to identify clearly the recorded map or maps being reverted.

(b) Be clearly and legibly drawn in black permanent ink upon good tracing cloth or produced by the use of other materials of a permanent nature generally used for such a purpose in the engineering profession. Affidavits, certificates and acknowledgments must be legibly stamped or printed upon the map with black permanent ink.

3. The size of each sheet of the final map must be 24 by 32 inches. A marginal line must be drawn completely around each sheet, leaving an entirely blank margin of 1 inch at the top, bottom and right edges, and of 2 inches at the left edge along the 24-inch dimension.

4. The scale of the final map must be large enough to show all details clearly, and enough sheets must be used to accomplish this end.

5. The particular number of the sheet and the total number of sheets comprising the final map must be stated on each of the sheets, and its relation to each adjoining sheet must be clearly shown.

6. Each future conveyance of the reverted property must contain a metes and bounds legal description of the property and must include the name and mailing address of the person who prepared the legal description.

**Sec. 20.** NRS 278.582 is hereby amended to read as follows:

278.582 1. Each county and city shall include in its respective building code the requirements of this section. If a county or city has no building code, it shall adopt those

requirements by ordinance and provide for their enforcement by its own officers or employees or through interlocal agreement by the officers or employees of another local government. Additionally, each county and city shall prohibit by ordinance the sale and installation of any plumbing fixture *or landscape irrigation fixture* which does not meet the standards made applicable for the respective county or city pursuant to this section.

2. Except as otherwise provided in subsection ~~6.1~~ 7, each residential, commercial or industrial structure on which construction begins on or after March 1, 1992, and before March 1, 1993, and each existing residential, commercial or industrial structure which is expanded or renovated on or after March 1, 1992, and before March 1, 1993, must incorporate the following minimal standards for plumbing fixtures:

(a) A toilet which uses water must not be installed unless its consumption of water does not exceed 3.5 gallons of water per flush.

(b) A shower apparatus which uses more than 3 gallons of water per minute must not be installed unless it is equipped with a device to reduce water consumption to 3 gallons of water or less per minute.

(c) Each faucet installed in a lavatory or kitchen must not allow water to flow at a rate greater than 3 gallons per minute.

(d) A urinal which continually flows or flushes water must not be installed.

3. Except as otherwise provided in subsection ~~6.1~~ 7, each residential, commercial or industrial structure on which construction begins on or after March 1, 1993, and before January 1, 2020, and each existing residential, commercial or industrial structure which is expanded or renovated on or

after March 1, 1993, and before January 1, 2020, must incorporate the following minimal standards for plumbing fixtures:

(a) A toilet which uses water must not be installed unless its consumption of water does not exceed 1.6 gallons of water per flush.

(b) A shower apparatus which uses more than 2.5 gallons of water per minute must not be installed unless it is equipped with a device to reduce water consumption to 2.5 gallons of water or less per minute.

(c) A urinal which uses water must not be installed unless its consumption of water does not exceed 1 gallon of water per flush.

(d) A toilet or urinal which employs a timing device or other mechanism to flush periodically, irrespective of demand, must not be installed.

(e) A urinal which continually flows or flushes water must not be installed.

(f) Each faucet installed in a lavatory or kitchen must not allow water to flow at a rate greater than 2.5 gallons per minute.

(g) Each faucet installed in a public restroom must contain a mechanism which closes the faucet automatically after a predetermined amount of water has flowed through the faucet. Multiple faucets that are activated from a single point must not be installed.

4. Except as otherwise provided in subsection ~~6.~~ 7, each residential, commercial or industrial structure on which construction begins on or after January 1, 2020, and each existing residential, commercial or industrial structure which is expanded or renovated on or after January 1, 2020:

(a) If the WaterSense program established by the United States Environmental Protection Agency has developed a final product specification for a type of toilet, shower apparatus, urinal or faucet, must not install any toilet, shower apparatus, urinal or faucet that has not been certified under the WaterSense program.

(b) If the WaterSense program has not developed a final product specification for a type of toilet, shower apparatus, urinal or faucet, must not install any toilet, shower apparatus, urinal or faucet that does not comply with any applicable requirements of federal law and the building code of the county or city.

5. *Except as otherwise provided in subsection 7, each residential, commercial or industrial structure on which construction begins on or after January 1, 2024, and each existing residential, commercial or industrial structure which is expanded or renovated on or after January 1, 2024:*

*(a) If the WaterSense program established by the United States Environmental Protection Agency has developed a final product specification for an irrigation controller or spray sprinkler body, must not install any irrigation controller or spray sprinkler body that has not been certified under the WaterSense program.*

*(b) If the WaterSense program has not developed a final product specification for a type of irrigation controller or spray sprinkler body, must not install any irrigation controller or spray sprinkler body that does not comply with any applicable requirements of federal law and the building code of the county or city.*

6. For the purposes of ~~subsection~~ *subsections 4 [:-] and 5:*



(a) A plumbing fixture *or landscape irrigation fixture* is considered certified under the WaterSense program if the fixture has been:

(1) Tested by an accredited third-party certifying body or laboratory in accordance with the United States Environmental Protection Agency's WaterSense program or an analogous successor program;

(2) Certified by the certifying body or laboratory as meeting the performance and efficiency requirements of the WaterSense program or an analogous successor program; and

(3) Authorized by the WaterSense program or an analogous successor program to use the WaterSense label or the label of an analogous successor program.

(b) If the WaterSense program modifies the requirements for a plumbing fixture *or landscape irrigation fixture* to be certified under the WaterSense program, a plumbing fixture *or landscape irrigation fixture* that was certified under the previous requirements shall be deemed certified for use under the WaterSense program for a period of 12 months following the modification of the requirements for certification.

~~6.~~ 7. The requirements of this section for the installation of certain plumbing fixtures ~~and landscape irrigation fixtures~~ do not ~~apply~~ :

(a) *Apply* to any portion of:

~~(a)~~ (1) An existing residential, commercial or industrial structure which is not being expanded or renovated; or

~~[(b)]~~ (2) An existing residential, commercial or industrial structure if the structure was constructed 50 years or more before the current year, regardless of whether that structure has been expanded or renovated since its original construction.

*(b) Except as otherwise provided in federal law, prohibit the governing body of a county or city from adopting more stringent requirements for plumbing fixtures or landscape irrigation fixtures.*

**Sec. 21.** NRS 278A.570 is hereby amended to read as follows:

278A.570 1. A plan which has been given final approval by the city or county must be certified without delay by the city or county and filed of record in the office of the appropriate county recorder before any development occurs in accordance with that plan. A county recorder shall not file for record any final plan unless it includes:

(a) A final map of the entire final plan or an identifiable phase of the final plan if required by the provisions of NRS 278.010 to 278.630, inclusive ~~[(b)]~~, *and sections 13 and 14 of this act;*

(b) The certifications required pursuant to NRS 116.2109; and

(c) The same certificates of approval as are required under NRS 278.377 *and section 14 of this act, if applicable*, or evidence that:

(1) The approvals were requested more than 30 days before the date on which the request for filing is made; and

(2) The agency has not refused its approval.

2. Except as otherwise provided in this subsection, after the plan is recorded, the zoning and subdivision regulations otherwise applicable to the land included in the plan cease to apply. If the

development is completed in identifiable phases, then each phase can be recorded. The zoning and subdivision regulations cease to apply after the recordation of each phase to the extent necessary to allow development of that phase.

3. Pending completion of the planned unit development, or of the part that has been finally approved, no modification of the provisions of the plan, or any part finally approved, may be made, nor may it be impaired by any act of the city or county except with the consent of any landowners affected by the modification and in accordance with the provisions of NRS 278A.410.

4. For the recording or filing of any final map, plat or plan, the county recorder shall collect a fee of \$50 for the first sheet of the map, plat or plan plus \$10 for each additional sheet. The fee must be deposited in the general fund of the county where it is collected.

**Sec. 22.** NRS 338.193 is hereby amended to read as follows:

338.193 1. Each public building sponsored or financed by a public body must meet the standards made applicable for the building pursuant to this section.

2. Except as otherwise provided in subsection 6, each public building, other than a prison or jail, on which construction begins on or after March 1, 1992, and before March 1, 1993, and each existing public building which is expanded or renovated on or after March 1, 1992, and before March 1, 1993, must incorporate the following minimal standards for plumbing fixtures:

(a) A toilet which uses water must not be installed unless its consumption of water does not exceed 3.5 gallons of water per flush.

(b) A shower apparatus which uses more than 3 gallons of water per minute must not be installed unless it is equipped with a device to reduce water consumption to 3 gallons of water or less per minute.

(c) Each faucet installed in a lavatory or kitchen must not allow water to flow at a rate greater than 3 gallons per minute.

(d) A toilet or urinal which employs a timing device or other mechanism to flush periodically irrespective of demand must not be installed.

3. Except as otherwise provided in subsection 6, each public building, other than a prison or jail, on which construction begins on or after March 1, 1993, and before January 1, 2020, and each existing public building which is expanded or renovated on or after March 1, 1993, and before January 1, 2020, must incorporate the following minimal standards for plumbing fixtures:

(a) A toilet which uses water must not be installed unless its consumption of water does not exceed 1.6 gallons of water per flush.

(b) A shower apparatus which uses more than 2.5 gallons of water per minute must not be installed unless it is equipped with a device to reduce water consumption to 2.5 gallons of water or less per minute.

(c) A urinal which uses water must not be installed unless its consumption of water does not exceed 1 gallon of water per flush.

(d) A toilet or urinal which employs a timing device or other mechanism to flush periodically, irrespective of demand, must not be installed.

(e) A urinal which continually flows or flushes water must not be installed.

(f) Each faucet installed in a lavatory or kitchen must not allow water to flow at a rate greater than 2.5 gallons per minute.

(g) Each faucet installed in a public restroom must contain a mechanism which closes the faucet automatically after a predetermined amount of water has flowed through the faucet. Multiple faucets that are activated from a single point must not be installed.

4. Except as otherwise provided in subsection 6, each public building, other than a prison or jail, on which construction begins on or after January 1, 2020, and each existing public building which is expanded or renovated on or after January 1, 2020:

(a) If the WaterSense program established by the United States Environmental Protection Agency has developed a final product specification for a type of toilet, shower apparatus, urinal or faucet, must not install any toilet, shower apparatus, urinal or faucet that has not been certified under the WaterSense program.

(b) If the WaterSense program has not developed a final product specification for a type of toilet, shower apparatus, urinal or faucet, must not install any toilet, shower apparatus, urinal or faucet that does not comply with any applicable requirements of federal law and the building code of the county or city.

5. For the purposes of subsection 4, a plumbing fixture is considered certified under the WaterSense program if the fixture meets the requirements of paragraph (a) or (b) of subsection ~~5~~ 6 of NRS 278.582.

6. *Each public building, other than a prison or jail, on which construction begins on or after January 1, 2024, and each existing public building which is expanded or renovated on or after January 1, 2024:*

*(a) If the WaterSense program established by the United States Environmental Protection Agency has developed a final product specification for an irrigation controller or spray sprinkler body, must not install any irrigation controller or spray sprinkler body that has not been certified under the WaterSense program.*

*(b) If the WaterSense program has not developed a final product specification for a type of irrigation controller or spray sprinkler body, must not install any irrigation controller or spray sprinkler body that does not comply with any applicable requirements of federal law and the building code of the county or city.*

7. *For the purposes of subsection 6, a landscape fixture is considered certified under the WaterSense program if the fixture meets the requirements of paragraph (a) or (b) of subsection 6 of NRS 278.582.*

8. The requirements of this section for the installation of certain plumbing fixtures ~~or landscape irrigation fixtures~~ do not apply to any portion of:

- (a) An existing public building which is not being expanded or renovated; or
- (b) A public building if the public building was constructed 50 years or more before the current year, regardless of whether that public building has been expanded or renovated since its original construction.

**Sec. 23.** NRS 349.981 is hereby amended to read as follows:

349.981 1. There is hereby established a program to provide grants of money to:

(a) A purveyor of water to pay for costs of capital improvements to publicly owned community water systems and publicly owned nontransient water systems required or made necessary by the State Environmental Commission pursuant to NRS 445A.800 to 445A.955, inclusive, or made necessary by the Safe Drinking Water Act, 42 U.S.C. §§ 300f et seq., and the regulations adopted pursuant thereto.

(b) An eligible recipient to pay for the cost of improvements to conserve water, including, without limitation:

- (1) Piping or lining of an irrigation canal;
- (2) Recovery or recycling of wastewater or tailwater;
- (3) Scheduling of irrigation;
- (4) Measurement or metering of the use of water;
- (5) Improving the efficiency of irrigation operations; and

(6) Improving the efficiency of the operation of a facility for the storage of water, including, without limitation, efficiency in diverting water to such a facility.

(c) An eligible recipient to pay the following costs associated with connecting a domestic well or well with a temporary permit to a municipal water system, if the well was in existence on or before October 1, 1999, and the well is located in an area designated by the State Engineer pursuant to NRS 534.120 as an area where the groundwater basin is being depleted:

- (1) Any local or regional fee for connection to the municipal water system.

(2) The cost of any capital improvement that is required to comply with a decision or regulation of the State Engineer.

(d) An eligible recipient to pay the following costs associated with abandoning an individual sewage disposal system and connecting the property formerly served by the abandoned individual sewage disposal system to a community sewage disposal system, if the Division of Environmental Protection requires the individual sewage disposal system to be abandoned and the property upon which the individual sewage disposal system was located to be connected to a community sewage disposal system pursuant to the provisions of NRS 445A.300 to 445A.730, inclusive, or any regulations adopted pursuant thereto:

(1) Any local or regional fee for connection to the community sewage disposal system.

(2) The cost of any capital improvement that is required to comply with a statute of this State or a decision, directive, order or regulation of the Division of Environmental Protection.

(e) An eligible recipient to pay the following costs associated with *plugging and abandoning a well and* connecting ~~to~~ *the property formerly served by the* well to a municipal water system, if the quality of the water of the well fails to comply with the standards of the Safe Drinking Water Act, 42 U.S.C. §§ 300f et seq., and the regulations adopted pursuant thereto:

(1) Any local or regional fee for connection to the municipal water system.

(2) The cost of any capital improvement that is required for the water quality in the area where the well is located to comply with the standards of the Safe Drinking Water Act, 42 U.S.C. §§ 300f et seq., and the regulations adopted pursuant thereto.

**(3) The cost of plugging and abandoning a well and connecting the property formerly served by the well to a municipal water system.**



(f) A governing body to pay the costs associated with developing and maintaining a water resource plan.

2. Except as otherwise provided in NRS 349.983, the determination of who is to receive a grant is solely within the discretion of the Board.

3. For any construction work paid for in whole or in part by a grant provided pursuant to this section to a nonprofit association or nonprofit cooperative corporation that is an eligible recipient, the provisions of NRS 338.013 to 338.090, inclusive, apply to:

(a) Require the nonprofit association or nonprofit cooperative corporation to include in the contract for the construction work the contractual provisions and stipulations that are required to be included in a contract for a public work pursuant to those statutory provisions.

(b) Require the nonprofit association or nonprofit cooperative corporation to comply with those statutory provisions in the same manner as if it was a public body that had undertaken the project or had awarded the contract.

(c) Require the contractor who is awarded the contract for the construction work, or a subcontractor on the project, to comply with those statutory provisions in the same manner as if he or she was a contractor or subcontractor, as applicable, engaged on a public work.

4. As used in this section:

(a) "Eligible recipient" means:

(1) A political subdivision of this State, including, without limitation, a city, county, unincorporated town, water authority, conservation district, irrigation district, water district or water conservancy district.

(2) A nonprofit association or nonprofit cooperative corporation that provides water service only to its members.

(b) “Governing body” has the meaning ascribed to it in NRS 278.015.

(c) “Water resource plan” means a water resource plan created pursuant to NRS 278.0228.

**Sec. 24.** NRS 489.706 is hereby amended to read as follows:

489.706 1. Each manufactured home or mobile home on which construction begins on or after March 1, 1992, and before March 1, 1993, must incorporate the following minimal standards for plumbing fixtures:

(a) A toilet which uses water must not be installed unless its consumption of water does not exceed 3.5 gallons of water per flush.

(b) A shower apparatus which uses more than 3 gallons of water per minute must not be installed unless it is equipped with a device to reduce water consumption to 3 gallons of water or less per minute.

(c) Each faucet installed in a lavatory or kitchen must not allow water to flow at a rate greater than 3 gallons per minute.

2. Each manufactured home or mobile home on which construction begins on or after March 1, 1993, and before January 1, 2020, must incorporate the following minimal standards for plumbing fixtures:

(a) A toilet which uses water must not be installed unless its consumption of water does not exceed 1.6 gallons of water per flush.

(b) A shower apparatus which uses more than 2.5 gallons of water per minute must not be installed unless it is equipped with a device to reduce water consumption to 2.5 gallons of water or less per minute.

(c) Each faucet installed in a lavatory or kitchen must not allow water to flow at a rate greater than 2.5 gallons per minute.

3. Each manufactured home or mobile home on which construction begins on or after January 1, 2020:

(a) If the WaterSense program established by the United States Environmental Protection Agency has developed a final product specification for a type of toilet, shower apparatus, urinal or faucet, must not install any toilet, shower apparatus, urinal or faucet that has not been certified under the WaterSense program.

(b) If the WaterSense program has not developed a final product specification for a type of toilet, shower apparatus, urinal or faucet, must not install any toilet, shower apparatus, urinal or faucet that does not comply with any applicable requirements of federal law and the building code of the county or city.

4. For the purposes of subsection 3, a plumbing fixture is considered certified under the WaterSense program if the fixture meets the requirements of paragraph (a) or (b) of subsection ~~5~~ 6 of NRS 278.582.

***5. Each manufactured home or mobile home on which construction begins on or after January 1, 2024:***

*(a) If the WaterSense program established by the United States Environmental Protection Agency has developed a final product specification for an irrigation controller or spray sprinkler body, must not install any irrigation controller or spray sprinkler body that has not been certified under the WaterSense program.*

*(b) If the WaterSense program has not developed a final product specification for a type of irrigation controller or spray sprinkler body, must not install any irrigation controller or spray sprinkler body that does not comply with any applicable requirements of federal law and the building code of the county or city.*

*6. For the purposes of subsection 5, a landscape fixture is considered certified under the WaterSense program if the fixture meets the requirements of paragraph (a) or (b) of subsection 6 of NRS 278.582.*

**Sec. 25. Deleted by amendment**

**Sec. 26.** NRS 534.120 is hereby amended to read as follows:

534.120 1. Within an area that has been designated by the State Engineer, as provided for in this chapter, where, in the judgment of the State Engineer, the groundwater basin is being depleted, the State Engineer in his or her administrative capacity may make such rules, regulations and orders as are deemed essential for the welfare of the area involved.

2. In the interest of public welfare, the State Engineer is authorized and directed to designate preferred uses of water within the respective areas so designated by the State Engineer and from which the groundwater is being depleted, and in acting on applications to appropriate groundwater,

the State Engineer may designate such preferred uses in different categories with respect to the particular areas involved within the following limits:

(a) Domestic, municipal, quasi-municipal, industrial, irrigation, mining and stock-watering uses; and

(b) Any uses for which a county, city, town, public water district or public water company furnishes the water.

3. ~~Except as otherwise provided in subsection 5, the~~ **The** State Engineer may ~~:(a) Issue~~ **issue** temporary permits to appropriate groundwater which can be limited as to time and which ~~may, except as limited by subsection 4,~~ **shall** be revoked if and when ~~water~~ :

(a) **Water** can be furnished by an entity such as a water district or a municipality presently engaged in furnishing water to the inhabitants thereof ~~;~~ **and**

(b) **The property served is within 1,250 feet of the water furnished pursuant to paragraph (a).**

4. In any designated basin, the ~~The~~ State Engineer ~~shall~~ may:

(a) Deny applications to appropriate groundwater for any use in areas served by ~~such~~ an a public entity

~~(e)~~ **such as a water district or a municipality presently engaged in furnishing water to the inhabitants of the area.**

(b) Limit the depth of domestic wells.

~~[(d)]~~ (c) Prohibit the drilling of wells for domestic use, as defined in NRS 534.013, in areas where water can be furnished by an entity such as a water district or a municipality presently engaged in furnishing water to the inhabitants thereof.

~~[(e)]~~ (d) In connection with the approval of a parcel map in which any parcel is proposed to be served by a domestic well, require the dedication to a city or county or a designee of a city or county, or require a relinquishment to the State Engineer, of any right to appropriate water required by the State Engineer to ensure a sufficient supply of water for each of those parcels, unless the dedication of the right to appropriate water is required by a local ordinance.

~~[4.—The State Engineer may revoke a temporary permit issued pursuant to subsection 3 for residential use, and require a person to whom groundwater was appropriated pursuant to the permit to obtain water from an entity such as a water district or a municipality engaged in furnishing water to the inhabitants of the designated area, only if:~~

~~—(a) The distance from the property line of any parcel served by a well pursuant to a temporary permit to the pipes and other appurtenances of the proposed source of water to which the property will be connected is not more than 180 feet; and~~

~~—(b) The well providing water pursuant to the temporary permit needs to be redrilled or have repairs made which require the use of a well drilling rig.]~~

5. In an area in which have been issued temporary permits pursuant to subsection 3, the State Engineer shall:

(a) Deny applications to appropriate groundwater for any use in areas served by a public entity such as a water district or a municipality presently engaged in furnishing water to the inhabitants of the area.

(b) Limit the depth of domestic wells.

(c) Prohibit the drilling of wells for domestic use, as defined in NRS 534.013, in areas where water can be furnished by an entity such as a water district or a municipality presently engaged in furnishing water to the inhabitants thereof.

~~The State Engineer may, in an area in which have been issued temporary permits pursuant to subsection 3, limit the depth of a domestic well pursuant to paragraph (c) of subsection 3 or prohibit repairs from being made to a well, and may require the person proposing to deepen or repair the well to obtain water from an entity such as a water district or a municipality engaged in furnishing water to the inhabitants of the designated area, only if:~~

~~—(a) The distance from the property line of any parcel served by the well to the pipes and other appurtenances of the proposed source of water to which the property will be connected is not more than 180 feet; and~~

~~—(b) The deepening or repair of the well would require the use of a well-drilling rig.~~

~~—6.] For good and sufficient reasons, the State Engineer may exempt the provisions of this section with respect to public housing authorities.~~

~~7.] 6. The provisions of this section do not prohibit the State Engineer from revoking a temporary permit issued pursuant to this section if any parcel served by a well pursuant to the temporary permit is currently obtaining water from an entity such as a water district or a municipality engaged in furnishing water to the inhabitants of the area.~~

~~7 8. *Not later than June 30, 2025, the State Engineer shall adopt regulations setting forth the requirements for the issuance, use and revocation of temporary permits pursuant to this section.*~~

**Sec. 27.** NRS 534.180 is hereby amended to read as follows:

534.180 1. Except as otherwise provided in subsection 2 and as to the furnishing of any information required by the State Engineer, this chapter does not apply in the matter of obtaining permits for the development and use of underground water from a well for domestic purposes

where the draught does not exceed 2 acre-feet per year.

2. The State Engineer may designate any groundwater basin or portion thereof as a basin in which the registration of a well is required if the well is drilled for the development and use of underground water for domestic purposes. A driller who drills such a well shall register the information required by the State Engineer within 10 days after the completion of the well. The State Engineer shall make available forms for the registration of such wells and shall maintain a register of those wells.

3. The State Engineer may require the plugging of such a well which is drilled on or after July 1, 1981, at any time not sooner than 1 year after water can be furnished to the site by:

(a) A political subdivision of this State; or

(b) A public utility whose rates and service are regulated by the Public Utilities Commission of Nevada. ~~§~~

~~→ but only if the charge for making the connection to the service is less than \$200.]~~

4. If the development and use of underground water from a well for an accessory dwelling unit of a single-family dwelling, as defined in an applicable local ordinance, qualifies as a domestic use or domestic purpose:

(a) The owner of the well shall:

(1) Obtain approval for that use or purpose from the local governing body or planning commission in whose jurisdiction the well is located;

(2) Install a water meter capable of measuring the total withdrawal of water from the well;  
and

(3) Ensure the total withdrawal of water from the well does not exceed 2 acre-feet per year;

(b) The local governing body or planning commission shall report the approval of the accessory



dwelling unit on a form provided by the State Engineer;

(c) The State Engineer shall monitor the annual withdrawal of water from the well; and

(d) The date of priority for the use of the domestic well to supply water to the accessory dwelling unit is the date of approval of the accessory dwelling unit by the local governing body or planning commission.

**Add a new Sec. 27.5 to amend NRS 538.171**

NRS 538.171 is hereby amended to:

1. The Commission shall receive, protect and safeguard and hold in trust for the State of Nevada all water and water rights, and all other rights, interests or benefits in and to the waters described in NRS 538.041 to 538.251, inclusive, and to the power generated thereon, held by or which may accrue to the State of Nevada under and by virtue of any Act of the Congress of the United States or any agreements, compacts or treaties to which the State of Nevada may become a party, or otherwise.

2. Except as otherwise provided in this subsection, applications for the original appropriation of such waters, or to change the **entitlement holder**, place of diversion, manner of use or place of use of water covered by the original appropriation, must be made to the Commission in accordance with the regulations of the Commission. In considering such an application, the Commission shall use the criteria set forth in ~~subsection 3 of~~ NRS 533.370. The Commission's action on the application constitutes the recommendation of the State of Nevada to the United States for the purposes of any federal action on the matter required by law. The provisions of this subsection do not apply to supplemental water.

3. The Commission shall furnish to the State Engineer a copy of all agreements entered into by the Commission concerning the original appropriation and use of such waters.

It shall also furnish to the State Engineer any other information it possesses relating to the use of water from the Colorado River which the State Engineer deems necessary to allow the State Engineer to act on applications for permits for the subsequent appropriation of these waters after they fall within the State Engineer's jurisdiction.

4. Notwithstanding any provision of chapter 533 of NRS, any original appropriation and use of the waters described in subsection 1 by the Commission or by any entity to whom or with whom the Commission has contracted the water is not subject to regulation by the State Engineer.

5. Any use of water from the Muddy River or the Virgin River for the creation of any developed shortage supply or intentionally created surplus does not require the submission of an application to the State Engineer to change the place of diversion, manner of use or place of use.

**Sec. 28.** The Conservation of Colorado River Water Act, being chapter 364, Statutes of Nevada 2021, at page 2179, is hereby amended by adding thereto a new section to be designated as section 37.5, immediately following section 37, to read as follows:

***Sec. 37.5. "General Manager" means the General Manager of the Southern Nevada Water Authority.***

**Sec. 29.** The Conservation of Colorado River Water Act, being chapter 364, Statutes of Nevada 2021, at page 2179, is hereby amended by adding thereto new sections to be designated as sections 38.2, 38.4 and 38.6, respectively, immediately following section 38, to read as follows:

***Sec. 38.2. 1. If the Federal Government declares a shortage on the Colorado River for the upcoming year, the Board of Directors may limit each single-family residence that uses the waters of the Colorado River distributed by the Southern Nevada Water Authority***

*or a member agency of the Southern Nevada Water Authority to not more than 0.5 acre-feet of water for that upcoming year. Any limitation imposed by the Board of Directors may not go into effect before December 31 of the year before the year for which the shortage is declared.*

*2. If the Board of Directors limits water usage of single-family residences pursuant to subsection 1, the Southern Nevada Water Authority and the member agencies of the Southern Nevada Water Authority shall notify all customers of the action of the Board of Directors to limit water usage by not later than October 1 of the year before the year for which the shortage is declared.*

*Sec. 38.4. 1. Except as otherwise provided in this section, on and after the effective date of this bill, on any parcel of property that uses or will use the waters of the Colorado River distributed by the Southern Nevada Water Authority or one of the member agencies of the Southern Nevada Water Authority:*

*(a) No new septic system may be installed; and*

*(b) If the parcel of property has an existing septic system installed and there is a public sewer system that may be accessed within 400 feet of the property, the owner of the property shall be required to connect to the public sewer system and discontinue the use of the existing septic system.*

*2. The General Manager may, in his or her discretion, approve a waiver of the prohibitions set forth in subsection 1.*

*3. As used in this section, “septic system” means a well that is used to place sanitary waste below the surface of the ground which is typically composed of a septic tank and a subsurface fluid distribution or disposal system.*

**4. The provisions of this section do not apply to any decreed, certified or permitted right to appropriate water which is diverted from the Virgin River or the Muddy River.**

*Sec. 38.6. 1. Except as otherwise provided in this subsection, beginning on the effective date of this bill and ending on December 31, 2023, new turf may not be installed on any parcel of property that uses or will use the waters of the Colorado River distributed by the Southern Nevada Water Authority or one of the member agencies of the Southern Nevada Water Authority. The provisions of this subsection do not apply to the installation of warm-season turf in parks, schools or cemeteries.*

*2. Except as otherwise provided in subsection 4, on and after January 1, 2024, any new turf that is installed on a parcel of property that uses or will use the waters of the Colorado River distributed by the Southern Nevada Water Authority or one of the member agencies of the Southern Nevada Water Authority must be installed in accordance with any requirements for turf adopted by the Board of Directors pursuant to subsection 3.*

*3. The Board of Directors shall adopt requirements for the installation of new turf on any parcel of property that uses or will use the waters of the Colorado River distributed by the Southern Nevada Water Authority or one of the member agencies of the Southern Nevada Water Authority.*

*4. The General Manager or his or her designee may approve a waiver from the prohibition set forth in subsection 2 or any turf requirements adopted by the Board of Directors pursuant to subsection 3.*

**Sec. 30.** The Conservation of Colorado River Water Act, being chapter 364, Statutes of Nevada 2021, at page 2179, is hereby amended by adding thereto a new section to be designated as section 39.5, immediately following section 39, to read as follows:

*Sec. 39.5. 1. Except as otherwise provided in this section, the Southern Nevada Water Authority shall require the owner of any parcel of property that uses the waters of the Colorado River distributed by the Southern Nevada Water Authority or one of the member agencies of the Southern Nevada Water Authority to participate in an irrigation water efficiency monitoring program established by the Southern Nevada Water Authority, if the parcel of property:*

- (a) Is not used exclusively as a single-family residence; and*
- (b) Consists of 20,000 square feet or more of turf.*

*2. The Board of Directors shall:*

*(a) Develop and establish policies and guidelines for an irrigation water efficiency monitoring program;*

*(b) Establish deadlines within the service area of the Southern Nevada Water Authority for any owner subject to the requirements of subsection 1 to begin participating in the irrigation water efficiency monitoring program; and*

*(c) Not later than January 1, 2024~~5~~, notify the owner of any parcel of property subject to the requirements of subsection 1 that he or she is required to participate in the irrigation water efficiency monitoring program by the deadline established pursuant to paragraph (b).*

*3. The General Manager or his or her designee may approve an extension or waiver from:*

- (a) The provisions of subsection 1; or*
- (b) The provisions of the policies and guidelines developed pursuant to subsection 2.*

**Sec. 31.** Section 39 of the Conservation of Colorado River Water Act, being chapter 364,

Statutes of Nevada 2021, at page 2180, is hereby amended to read as follows:

Sec. 39. 1. Except as otherwise provided in this section, on and after January 1, 2027, the waters of the Colorado River distributed by the Southern Nevada Water Authority or one of the member agencies of the Southern Nevada Water Authority may not be used to irrigate nonfunctional turf on any *parcel of* property that is not ~~zoned~~ *used* exclusively ~~for~~ *as* a single-family residence.

2. The Board of Directors shall:

(a) Define “functional turf” and “nonfunctional turf” for the purposes of subsection 1 and promulgate the definitions in the service rules , *ordinances or codes* of the member agencies of the Southern Nevada Water Authority; and

(b) Develop a plan to identify and facilitate the removal of existing nonfunctional turf within the service area of the Southern Nevada Water Authority on *each parcel of* property that is not ~~zoned~~ *used* exclusively ~~for~~ *as* a single-family residence. The plan must, without limitation:

(1) Establish phases for the removal of nonfunctional turf based on categories of water users; and

(2) Establish deadlines within the service area of the Southern Nevada Water Authority for existing customers to remove nonfunctional turf on *any parcel of* property that is not ~~zoned~~ *used* exclusively ~~for~~ *as* a single-family residence before December 31, 2026.

3. The ~~Board of Directors~~ *General Manager or his or her designee* may approve an extension or a waiver from:

(a) The prohibition set forth in subsection 1; and

(b) The provisions of the plan developed pursuant to subsection 2.

4. The provisions of this section do not prohibit a person from:

(a) Complying with any requirement adopted by the governing body of a county or city pursuant to chapter 278 of NRS to maintain open space or drought tolerant landscaping on any property that is not ~~zoned~~ *used* exclusively ~~for~~ *as* a single family residence; or

(b) Using alternative sources of water to irrigate nonfunctional turf on and after January 1, 2027, on any property that is not ~~zoned~~ *used* exclusively ~~for~~ *as* a single-family residence.

**Sec. 32.** Section 13 of the Southern Nevada Water Authority Act, being chapter 572, Statutes of Nevada 1997, as amended by chapter 468, Statutes of Nevada 1999, at page 2387, is hereby amended to read as follows:

Sec. 13. 1. The Southern Nevada Water Authority may establish and collect each calendar year a fee to be assessed on users of groundwater in the Basin. Money raised from the fees must be used as provided in section 14 of this act.

2. Except as otherwise provided in this section:

(a) Users of groundwater, other than owners of domestic wells, may be assessed a fee each calendar year of not more than \$13 per acre-foot, or its equivalent, of groundwater in the Basin to which they have a water right in that year.

(b) Owners of domestic wells may be assessed a flat fee each calendar year of not more than \$13.

3. Except as otherwise provided in subsections 4 and 5, if the Southern Nevada Water Authority operates a project for the recharge and recovery or underground storage and recovery of water *or a program for the conversion of properties served by a septic system* pursuant to section 14.5 of this act:

(a) Users of groundwater, other than owners of domestic wells, may be assessed a fee each calendar year of not more than \$30 per acre-foot, or its equivalent, of groundwater in the Basin to which they have a water right in that year.

(b) Owners of domestic wells may be assessed a flat fee each calendar year of not more than \$30.

4. The maximum fees specified in subsections 2 and 3 may be adjusted *not more than* once each year for inflation. The maximum amount of the adjustment must be determined by multiplying the respective amounts of the fees by the percentage of inflation, if any. The Consumer Price Index published by the United States Department of Labor for July preceding the year for which the adjustment is made must be used in determining the percentage of inflation.

5. The maximum fees may be increased by an amount that is greater than the amount of the adjustment for inflation as calculated pursuant to subsection 4 only if the increase is approved by the Legislature.

6. As used in this section, “water right” means the legal right to use water that has been appropriated pursuant to chapters 533 and 534 of NRS by means of application, permit, certificate, decree or claim of vested right.



**Sec. 33.** Section 14.5 of the Southern Nevada Water Authority Act, being chapter 572, Statutes of Nevada 1997, as added by section 1 of chapter 468, Statutes of Nevada 1999, at page 2387, is hereby amended to read as follows:

Sec. 14.5. *1.* The Southern Nevada Water Authority may, in consultation with the Advisory Committee, operate ~~{a}~~:

*(a)* A project for the recharge and recovery or underground storage and recovery of water pursuant to chapter 534 of NRS for the benefit of owners of wells in the Basin ~~{-}~~; *and*

*(b)* A program for the conversion of properties served by a septic system to a municipal sewer system.

*2.* As used in this section, “septic system” means a well that is used to place sanitary waste below the surface of the ground, which is typically composed of a septic tank and a subsurface fluid distribution system or disposal system.

**Sec. 34.** The Southern Nevada Water System Act of 1995, being chapter 393, Statutes of Nevada 1995, at page 963, is hereby amended by adding thereto a new section to be designated as section 2.5, immediately following section 2, to read as follows:

*Sec. 2.5. 1.* ~~The General Manager~~ Board of Directors of the Southern Nevada Water Authority may by resolution authorize the General Manager restrict the use of water:

*(a)* During any period in which the Federal Government has declared a water shortage in the Colorado River;

*(b)* If emergency conditions exist; or

*(c)* If the delivery system is unable to provide adequate volumes of water.

2. *Any restrictions imposed by the General Manager pursuant to subsection 1 ~~may be~~ ~~modified~~ shall be ratified by the Board of Directors of the Southern Nevada Water Authority within 15 calendar days.*

Sec. 35. The provisions of NRS 354.599 do not apply to any additional expense of a local government that are related to the provisions of this act.

Sec. 36. Section 1 of this act becomes effective upon passage and approval for the purposes of establishing a program and imposing a fee pursuant to subsection 2 and 3 and on July 1, 2025 for all other purposes. Section 26 is effective on July 1, 2025. Sections 2 through 25 and 27 through 35 become ~~This act becomes~~ effective upon passage and approval.