

ASSEMBLY BILL NO. 356—COMMITTEE ON WAYS AND MEANS

(ON BEHALF OF THE OFFICE OF FINANCE  
IN THE OFFICE OF THE GOVERNOR)

MARCH 22, 2021

Referred to Committee on Natural Resources

SUMMARY—Makes various changes relating to the conservation of water. (BDR S-1090)

FISCAL NOTE: Effect on Local Government: No.  
Effect on the State: Yes.

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EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~omitted material~~ is material to be omitted.

AN ACT relating to water; prohibiting, with certain exceptions, the use of water from the Colorado River to irrigate nonfunctional turf on certain property; requiring the Board of Directors of the Southern Nevada Water Authority to develop a plan for the removal of nonfunctional turf on certain property; creating and setting forth the duties of the Nonfunctional Turf Removal Advisory Committee; requiring the Legislative Committee on Public Lands to conduct a study concerning water conservation; and providing other matters properly relating thereto.

**Legislative Counsel’s Digest:**

1 Existing law authorizes public agencies to enter into cooperative agreements to  
 2 perform any governmental service, activity or undertaking which the public agency  
 3 is authorized to perform under law and, pursuant to which, the Southern Nevada  
 4 Water Authority was created. (NRS 277.080-277.180) **Section 39** of this bill  
 5 prohibits, with certain exceptions, the waters of the Colorado River that are  
 6 distributed by the Southern Nevada Water Authority or one of the member agencies  
 7 of the Southern Nevada Water Authority from being used to irrigate nonfunctional  
 8 turf on any property that is not zoned exclusively for a single-family residence on  
 9 and after January 1, 2027. **Section 39** also requires the Board of Directors of the  
 10 Southern Nevada Water Authority to: (1) define nonfunctional and functional turf  
 11 for the purposes of this prohibition; and (2) develop a plan to identify and facilitate  
 12 the removal of nonfunctional turf within the service area of the Southern Nevada  
 13 Water Authority on property that is not zoned exclusively for a single-family



14 residence before December 31, 2026, in phases based on the categories of water  
15 users. **Section 39** further authorizes the Board of Directors to approve an extension  
16 or waiver from: (1) the prohibition on the use of waters from the Colorado River to  
17 irrigate nonfunctional turf; and (2) the provisions of the plan developed by the  
18 Board of Directors for the removal of nonfunctional turf.

19 **Section 40** of this bill creates the Nonfunctional Turf Removal Advisory  
20 Committee. **Section 41** of this bill sets forth the duties of the Advisory Committee.

21 **Sections 37 and 38** of this bill define certain terms for the purposes of **sections**  
22 **36-41** of this bill.

23 Under existing law, the Legislative Committee on Public Lands is authorized to  
24 review and comment on laws, regulations and policies relating to the use, allocation  
25 and management of water in this State. (NRS 218E.525) **Section 42** of this bill  
26 requires the Legislative Committee on Public Lands to conduct a study concerning  
27 water conservation and to submit a report of its findings and any recommendations  
28 for legislation to the 82nd Session of the Nevada Legislature.

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THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN  
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

- 1 **Section 1.** (Deleted by amendment.)
- 2 **Sec. 2.** (Deleted by amendment.)
- 3 **Sec. 3.** (Deleted by amendment.)
- 4 **Sec. 4.** (Deleted by amendment.)
- 5 **Sec. 5.** (Deleted by amendment.)
- 6 **Sec. 6.** (Deleted by amendment.)
- 7 **Sec. 7.** (Deleted by amendment.)
- 8 **Sec. 8.** (Deleted by amendment.)
- 9 **Sec. 9.** (Deleted by amendment.)
- 10 **Sec. 10.** (Deleted by amendment.)
- 11 **Sec. 11.** (Deleted by amendment.)
- 12 **Sec. 12.** (Deleted by amendment.)
- 13 **Sec. 13.** (Deleted by amendment.)
- 14 **Sec. 14.** (Deleted by amendment.)
- 15 **Sec. 15.** (Deleted by amendment.)
- 16 **Sec. 16.** (Deleted by amendment.)
- 17 **Sec. 17.** (Deleted by amendment.)
- 18 **Sec. 18.** (Deleted by amendment.)
- 19 **Sec. 19.** (Deleted by amendment.)
- 20 **Sec. 20.** (Deleted by amendment.)
- 21 **Sec. 21.** (Deleted by amendment.)
- 22 **Sec. 22.** (Deleted by amendment.)
- 23 **Sec. 23.** (Deleted by amendment.)
- 24 **Sec. 24.** (Deleted by amendment.)
- 25 **Sec. 25.** (Deleted by amendment.)
- 26 **Sec. 26.** (Deleted by amendment.)
- 27 **Sec. 27.** (Deleted by amendment.)
- 28 **Sec. 28.** (Deleted by amendment.)



1       **Sec. 29.** (Deleted by amendment.)

2       **Sec. 30.** (Deleted by amendment.)

3       **Sec. 31.** (Deleted by amendment.)

4       **Sec. 32.** (Deleted by amendment.)

5       **Sec. 33.** (Deleted by amendment.)

6       **Sec. 34.** (Deleted by amendment.)

7       **Sec. 35.** (Deleted by amendment.)

8       **Sec. 36.** As used in sections 36 to 41, inclusive, of this act,  
9 unless the context otherwise requires, the words and terms defined  
10 in sections 37 and 38 of this act have the meanings ascribed in those  
11 sections.

12       **Sec. 37.** “Board of Directors” means the Board of Directors of  
13 the Southern Nevada Water Authority.

14       **Sec. 38.** “Southern Nevada Water Authority” means the  
15 political subdivision of the State of Nevada created on July 25,  
16 1991, by a cooperative agreement entered into on that date pursuant  
17 to the provisions of NRS 277.080 to 277.180, inclusive.

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

24       2. The Board of Directors shall:

25       (a) Define “functional turf” and “nonfunctional turf” for the  
26 purposes of subsection 1 and promulgate the definitions in the  
27 service rules of the member agencies of the Southern Nevada Water  
28 Authority; and

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

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

35       (2) Establish deadlines within the service area of the  
36 Southern Nevada Water Authority for existing customers to remove  
37 nonfunctional turf on property that is not zoned exclusively for a  
38 single-family residence before December 31, 2026.

39       3. The Board of Directors may approve an extension or a  
40 waiver from:

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

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

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



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

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

8 **Sec. 40.** 1. The Nonfunctional Turf Removal Advisory  
9 Committee is hereby created. The Advisory Committee consists of  
10 the following nine voting members appointed by the Board of  
11 Directors:

12 (a) One member who represents an office park with existing  
13 nonfunctional turf at the time the member is appointed;

14 (b) One member who represents an organization representing  
15 businesses;

16 (c) One member who represents an industrial or commercial  
17 business with existing nonfunctional turf at the time the member is  
18 appointed;

19 (d) Two members who represent a common-interest community  
20 with existing nonfunctional turf at the time the member is  
21 appointed;

22 (e) One member who represents multi-family housing with  
23 existing nonfunctional turf at the time the member is appointed;

24 (f) One member who represents an environmental organization;

25 (g) One member who represents a local government with  
26 existing nonfunctional turf at the time the member is appointed; and

27 (h) One member who represents a golf course with existing  
28 nonfunctional turf at the time the member is appointed.

29 2. Members of the Advisory Committee serve without  
30 compensation.

31 **Sec. 41.** The Nonfunctional Turf Removal Advisory  
32 Committee:

33 1. Shall discuss issues related to the use and removal of  
34 nonfunctional turf by each water use sector, including, without  
35 limitation, issues relating to the plan developed pursuant to section  
36 39 of this act to identify and remove nonfunctional turf; and

37 2. May provide written recommendations to the Board of  
38 Directors regarding the plan developed pursuant to section 39 of this  
39 act, including, without limitation, any recommendations for waivers  
40 or exemptions to the provisions of section 39 of this act. Any  
41 recommendation made by the Advisory Committee must be  
42 approved by a majority vote of all of the voting members of the  
43 Advisory Committee. Any dissenting opinion of a member of the  
44 Advisory Committee to a recommendation must be fully



1 documented and included with the recommendation to the Board of  
2 Directors.

3 **Sec. 42.** 1. The Legislative Committee on Public Lands shall  
4 conduct a study during the 2021-2022 interim concerning water  
5 conservation in this State. The study must include, without  
6 limitation, an examination of:

- 7 (a) The management of water resources in this State; and  
8 (b) Programs and policies to promote water conservation in this  
9 State that also protect and support existing water rights.

10 2. In addition to any report required by NRS 218E.525, the  
11 Committee shall, on or before February 1, 2023, submit a report of  
12 its findings and any recommendations for legislation to the Director  
13 of the Legislative Counsel Bureau for transmittal to the 82nd  
14 Session of the Nevada Legislature.

15 **Sec. 43.** 1. This section and sections 36 to 39, inclusive, of  
16 this act become effective upon passage and approval.

17 2. Sections 1 to 35, inclusive, of this act become effective:

18 (a) Upon passage and approval for the purpose of adopting any  
19 regulations and performing any other preparatory administrative  
20 tasks that are necessary to carry out the provisions of this act; and

21 (b) On July 1, 2021, for all other purposes.

22 3. Sections 40 and 41 of this act become effective:

23 (a) Upon passage and approval; and

24 (b) Expire by limitation on December 31, 2026.

25 4. Section 42 of this act becomes effective on July 1, 2021.

