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ASSEMBLY BILL NO. 220—COMMITTEE ON NATURAL RESOURCES

(ON BEHALF OF THE JOINT INTERIM STANDING  
COMMITTEE ON NATURAL RESOURCES)

FEBRUARY 23, 2023

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Referred to Committee on Natural Resources

SUMMARY—Revises provisions relating to water conservation.  
(BDR 40-337)

FISCAL NOTE: Effect on Local Government: May have Fiscal Impact.  
Effect on the State: Yes.

CONTAINS UNFUNDED MANDATE (§ 1)  
(NOT REQUESTED BY AFFECTED LOCAL GOVERNMENT)

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

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AN ACT relating to water; requiring certain property owners with a septic system to connect to a community sewerage disposal system by January 1, 2054; revising provisions relating to a permit to operate a water system; revising provisions relating to water and sewer facilities; revising provisions relating to tentative maps and final maps for a subdivision of land; establishing minimum standards for certain landscaping irrigation fixtures in new construction and expansions and renovations in certain structures; revising provisions relating to grants of money for water conservation; requiring the State Engineer to restrict withdrawals of groundwater under certain circumstances; revising provisions relating to groundwater in certain designated areas; revising conditions under which the State Engineer may require the plugging of certain wells used for domestic purposes; defining certain terms relating to the Conservation of Colorado River Water Act; authorizing the Board of Directors of the Southern Nevada Water Authority to enact certain restrictions on water use for single-family residences under certain circumstances; prohibiting, with certain exceptions, the use of the waters of the Colorado River for certain purposes; establishing requirements relating to an irrigation water efficiency monitoring program; revising certain provisions relating to the use of the waters of the Colorado River to irrigate nonfunctional turf; authorizing the Authority to operate a program to convert properties using a septic system to a municipal sewer system and to impose a fee for such a program; authorizing the General Manager of the Authority to restrict the use of water under certain circumstances; and providing other matters properly relating thereto.



**Legislative Counsel's Digest:**

1 Under existing law, a district board of health may adopt regulations to control  
2 the use of a residential individual system for disposal of sewage in the district.  
3 (NRS 444.650) Existing law also authorizes a district board of health, upon  
4 approval of the State Board of Health, to adopt regulations to regulate sanitation  
5 and the sanitary protection of water and food supplies. (NRS 439.366, 439.410)

6 **Section 1** of this bill requires a district board of health in a county whose  
7 population is 700,000 or more (currently only Clark County) to: (1) require all  
8 property owners with an existing septic system that is within 400 feet of a  
9 community sewerage disposal system to connect to the community sewerage  
10 disposal system by January 1, 2054; (2) review existing permits for individual  
11 septic systems every 5 years to determine if the property is within 400 feet of a  
12 community sewerage disposal system, notify such owners that each owner must  
13 connect to the community sewerage disposal system and revoke the permit for the  
14 septic system after 365 days; (3) upon review of any building or development  
15 permit, deny a request for an individual septic system if the property is within 400  
16 feet of a community sewerage disposal system; and (4) establish a program to pay  
17 not less than 50 percent of the cost for property owners to abandon an existing  
18 individual septic system and require such owners to connect to the community  
19 sewerage disposal system. **Section 1** also authorizes such a district board of health  
20 to, upon an affirmative vote of two-thirds of the members of the board, impose a  
21 fee on owners of such septic systems to carry out such requirements. **Section 2** of  
22 this bill makes a conforming change to indicate the proper placement of **section 1**  
23 in the Nevada Revised Statutes.

24 Under existing law, a permit to operate a water system may not be issued by the  
25 Division of Environmental Protection of the State Department of Conservation and  
26 Natural Resources or certain district boards of health unless certain conditions are  
27 met, including, without limitation, that: (1) the local governing body assumes  
28 responsibility in case of default and assumes the duty of assessing the lands served;  
29 (2) the applicant furnishes the local governing body sufficient surety; (3) the  
30 owners of the lands to be served by the water system agree to be assessed by the  
31 local governing body for the cost of the water system if there is a default; and (4)  
32 the owners agree that if the Division determines that water provided by a public  
33 utility or a municipality or other public entity is reasonably available, all users may  
34 be required to connect to the water system provided by the public utility,  
35 municipality or other public entity and be assessed the costs for the connection.  
36 (NRS 445A.895) **Section 4** of this bill removes the first three conditions for issuing  
37 a permit to operate a water system. **Section 4** revises the last condition to provide  
38 that if the Division determines that water provided by a public utility or a  
39 municipality or other public entity may be accessed within 400 feet of any lot or  
40 parcel served by the water system, all users of the water system in certain counties  
41 are required to connect. **Section 5** of this bill makes conforming changes to remove  
42 certain provisions relating to a local governing body assuming responsibility of a  
43 public water system. **Section 3** of this bill make a conforming change to eliminate a  
44 reference to **section 5** relating to the Division making certain findings.

45 Under existing law, a board of county commissioners of a county whose  
46 population is 700,000 or more (currently only Clark County) is authorized to  
47 prohibit certain persons, associations and corporations from using, constructing,  
48 acquiring or cause or permit the use, construction or acquisition of any type of  
49 private sewage system and to provide for the disconnection of any plumbing  
50 facilities from a private sewage system. (NRS 244.366) **Section 8** of this bill also  
51 authorizes such a board of county commissioners to require any building or other  
52 structure that uses or is served by any type of private sewage system to connect to a  
53 public sewage system if the public sewage system is within 400 feet of the building  
54 or other structure.



55 Under existing law, if the State Environmental Commission determines that, in  
56 relevant part, water provided by a public utility or a municipality or other public  
57 entity is reasonably available to users of a water system, the board of county  
58 commissioners of that county may require all users of the system to connect into  
59 the available water system provided by a public utility or a municipality or other  
60 public entity. (NRS 244.3655) **Section 6** of this bill provides instead that if the  
61 Commission determines that water provided by a public utility or a municipality or  
62 other public entity may be accessed within 400 feet of any lot or parcel served by  
63 the water system, the board of county commissioners shall, in a county whose  
64 population is 700,000 or more (currently only Clark County), and may, in all other  
65 counties, require all users of the system to connect into the available water system  
66 provided by a public utility or a municipality or other public entity.

67 Under existing law, if the State Environmental Commission or the governing  
68 body of certain cities determines certain water systems or package plants for  
69 sewage treatment within the city limits are not serving the needs of its users and  
70 water or sewerage provided by a public utility, the city or another municipality or  
71 public entity is reasonably available to those users, the governing body may require  
72 all users of the system or plant to connect into the available water system or sewers  
73 and assess each lot or parcel for its share of the cost. (NRS 268.4102, 268.4105)  
74 **Sections 10 and 11** of this bill provide instead that if the water system or sewerage  
75 may be accessed within 400 feet of the property of such users, the governing body  
76 shall require all users to connect.

77 **Section 9** of this bill provides that if the governing body of a city in a county  
78 whose population is 700,000 or more determines that a private septic system or any  
79 package plant for sewage treatment is located within the city and sewerage  
80 provided by a public utility, the city, another municipality or any other public entity  
81 may be accessed within 400 feet of the property served by the private septic system  
82 or package plant for sewage treatment, the governing body must require all users of  
83 the septic system or package plant for sewage treatment to connect to the public  
84 sewers and may assess each lot or parcel for its share of the cost for the connection.

85 Existing law sets forth an approval process for the subdivision of land that  
86 requires: (1) a subdivider of land to submit a tentative map to the planning  
87 commission or the governing body of a county or city, as applicable; and (2) the  
88 planning commission or governing body to forward a copy of the tentative map to  
89 certain other state and local agencies for review and comment. (NRS 278.330-  
90 278.460) **Sections 13 and 16** of this bill require that if a proposed subdivision will  
91 be served by a public water system, the planning commission or the governing  
92 body, as applicable, must file the tentative map with the supplier of water for  
93 review and comment and, if the subdivision is located in a general improvement  
94 district, with the supplier of water in the district. **Section 17** of this bill provides  
95 that the governing body of a county or city may not approve a tentative map, unless  
96 the supplier of water determines that there is available water which meets  
97 applicable health standards and is sufficient in quantity for the reasonably  
98 foreseeable needs of the subdivision.

99 Under existing law, a final map presented for filing must include certificates  
100 and acknowledgements from certain entities. (NRS 278.374-278.378) **Section 14** of  
101 this bill requires that if a subdivision will be served by a public water system, the  
102 final map presented for filing must include a certificate of approval from the  
103 supplier of water.

104 **Section 15** of this bill makes conforming changes to indicate the proper  
105 placement of **sections 13 and 14** in the Nevada Revised Statutes. **Section 18** of this  
106 bill makes a conforming change to require the certificate of approval required by  
107 **section 14** to appear on the final map. **Sections 19 and 21** of this bill make  
108 conforming changes to also require a map of reversion and a final map for a  
109 planned development to have such a certificate of approval, if applicable.



110 Existing law establishes certain minimum standards for plumbing fixtures in  
111 new construction, expansions and renovations in residential, commercial, industrial  
112 or manufactured structures, public buildings, manufactured homes and mobile  
113 homes and requires the use of certain plumbing fixtures that have been certified  
114 under the WaterSense program established by the United States Environmental  
115 Protection Agency if a final product specification has been developed by the  
116 WaterSense program. (NRS 278.582, 338.193, 461.175, 489.706) **Sections 6, 20,**  
117 **22 and 24** of this bill requires that, with certain exceptions, if the WaterSense  
118 program has established a final product specification for an irrigation controller or  
119 spray sprinkler body, any new construction, expansions and renovations on such  
120 structures, buildings and homes must install irrigation controllers and spray  
121 sprinkler bodies that have been certified under the WaterSense program.

122 Existing law establishes a program to provide grants of money for water  
123 conservation and capital improvements to certain water systems, including grants to  
124 an eligible recipient to pay certain costs associated with connecting a well to a  
125 municipal water system under certain circumstances. (NRS 349.981) **Section 22** of  
126 this bill provides instead for grants of money to pay certain costs associated with  
127 plugging and abandoning a well and connecting the property formerly served by the  
128 well to a municipal water system under certain circumstances.

129 Under existing law, the State Engineer: (1) may order that withdrawals of  
130 groundwater be restricted to conform to priority rights if the State Engineer finds  
131 that the average annual replenishment to the groundwater supply may not be  
132 adequate for the needs of all permittees and all vested-right claimants; and (2) is  
133 required, with certain exceptions, to order that withdrawals of groundwater be  
134 restricted to conform to priority rights in a basin that has been designated as a  
135 critical management area for at least 10 consecutive years. (NRS 534.110) **Section**  
136 **25** of this bill revises these provisions to require the State Engineer to order that  
137 withdrawals be restricted to conform to priority rights: (1) if the State Engineer  
138 finds that the average annual replenishment may not be adequate; and (2) in any  
139 basin that has been designated as a critical management area for 10 consecutive  
140 years.

141 Under existing law, the State Engineer may issue temporary permits to  
142 appropriate groundwater in certain designated areas which may be revoked if the  
143 property served by the permit is within 180 feet of water furnished by an entity  
144 such as a water district or a municipality and the well needs to be redrilled or have  
145 certain repairs made. (NRS 534.120) **Section 26** of this bill instead requires the  
146 State Engineer to revoke a temporary permit if the property served by the  
147 temporary permit is within 1,250 feet of water furnished by an entity such as a  
148 water district or a municipality. **Section 26** also requires the State Engineer to adopt  
149 regulations relating to such temporary permits by June 30, 2025.

150 Under existing law, the State Engineer is authorized in certain designated areas  
151 to deny applications to appropriate groundwater if water can be furnished by certain  
152 entities, limit the depth of domestic wells, prohibit the drilling of wells for domestic  
153 use and require a dedication of a right to appropriate water under certain conditions.  
154 (NRS 534.120) **Section 26** requires, rather than authorizes, the State Engineer to  
155 take such actions.

156 Under existing law, the State Engineer may require the plugging of certain  
157 domestic wells drilled in a basin in which such wells must be registered if water can  
158 be furnished by certain entities, but only if the charge for connecting to the  
159 furnished water is less than \$200. (NRS 534.180) **Section 27** of this bill removes  
160 the requirement that the charge for connecting be less than \$200.

161 The Conservation of Colorado River Water Act prohibits, with certain  
162 exceptions, the waters of the Colorado River that are distributed by the Southern  
163 Nevada Water Authority or one of the member agencies of the Authority from  
164 being used to irrigate nonfunctional turf on any property that is not zoned



165 exclusively for a single-family residence on and after January 1, 2027. (Section 39  
166 of chapter 364, Statutes of Nevada 2021, at page 2180) **Section 31** of this bill  
167 prohibits the use of such waters of the Colorado River for irrigating nonfunctional  
168 turf on any parcel of property that is not used exclusively as a single-family  
169 residence.

170 **Section 28** of this bill defines “General Manager” for the purposes of the  
171 Conservation of Colorado River Water Act. **Section 27** of this bill authorizes the  
172 Board of Directors of the Authority to restrict the use of water by a single-family  
173 residence to not more than 0.5 acre-feet of water during any year in which a  
174 shortage on the Colorado River has been declared by the Federal Government.  
175 **Section 29** also prohibits, with certain exceptions, the installation of new turf on  
176 any parcel of property that uses such waters of the Colorado River for irrigation  
177 beginning on the effective date of this bill and ending on December 31, 2023. Any  
178 new turf installed on and after January 1, 2024, must meet the requirements  
179 established by the Board of Directors, unless the General Manager approves a  
180 waiver.

181 **Section 29** further: (1) prohibits the installation of a new septic system on any  
182 parcel of property that uses such waters of the Colorado River; and (2) requires any  
183 parcel of property which uses such waters of the Colorado River to discontinue the  
184 use of the septic system and connect to a public sewer system if such a system may  
185 be accessed within 400 feet of the property served by the existing septic system.

186 **Section 30** of this bill requires certain parcels of property which use such  
187 waters of the Colorado River to participate in an irrigation water efficiency  
188 monitoring program if the property: (1) is not used exclusively as a single-family  
189 residence; and (2) consists of 20,000 square feet or more of turf. **Section 30** also:  
190 (1) requires the Board of Directors to develop and establish policies, guidelines and  
191 deadlines for participation in such an irrigation water efficiency monitoring  
192 program; and (2) authorizes the General Manager to approve an extension or  
193 waiver from the irrigation water efficiency monitoring program.

194 The Southern Nevada Water Authority Act authorizes the Authority, in  
195 consultation with the Advisory Committee for the Management of Groundwater in  
196 the Las Vegas Valley Groundwater Basin, to operate a project for the recharge and  
197 recovery or underground storage and recovery of groundwater for the benefit of  
198 owners of wells in the Las Vegas Valley Groundwater Basin. (Section 14.5 of  
199 chapter 572, Statutes of Nevada 1997, as added by section 1 of chapter 468,  
200 Statutes of Nevada 1999, at page 2387) The Act also authorizes the Authority to  
201 assess certain fees on users of groundwater and owners of domestic wells, including  
202 a fee if the Authority operates such a project. (Section 13 of chapter 572, Statutes of  
203 Nevada 1997, as amended by chapter 468, Statutes of Nevada 1999, at page 2387)  
204 **Section 33** of this bill also authorizes the Authority, in consultation with the  
205 Advisory Committee, to operate a program to convert any property served by a  
206 septic system to a municipal sewer system. **Section 29** of this bill authorizes the  
207 Authority to assess a fee on users of groundwater and owners of domestic wells for  
208 the program to convert septic systems.

209 The Southern Nevada Water System Act of 1995 establishes certain powers and  
210 duties of the Authority. (Section 2 of chapter 393, Statutes of Nevada 1995, at page  
211 963) **Section 34** of this bill authorizes the General Manager of the Authority to  
212 restrict water usage during certain water emergencies and shortages and provides  
213 that the Board of Directors may modify any such restrictions imposed by the  
214 General Manager.



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

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

3       **1. The district board of health shall require a property owner**  
4 **with an existing septic system whose property is within 400 feet of**  
5 **a community sewerage disposal system to connect to the**  
6 **community sewerage disposal system by January 1, 2054.**

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

9       **(a) Review each permit issued for a septic system every 5 years**  
10 **to determine if the property is within 400 feet of a community**  
11 **sewerage disposal system. If the district board of health determines**  
12 **that the property is within 400 feet of a community sewerage**  
13 **disposal system, the district board of health shall:**

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

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

19       **(b) Review any building or development permit required to be**  
20 **reviewed by the district board of health. If the district board of**  
21 **health determines the building or development is located within**  
22 **400 feet of a community sewerage disposal system, the district**  
23 **board of health shall deny any request for a permit for a septic**  
24 **system for the building or development and require the property**  
25 **owner to connect to the community sewerage disposal system.**

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

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

33       **4. As used in this section:**

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

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



1       **Sec. 2.** NRS 439.361 is hereby amended to read as follows:  
2       439.361 The provisions of NRS 439.361 to 439.3685,  
3 inclusive, *and section 1 of this act*, apply to a county whose  
4 population is 700,000 or more.

5       **Sec. 3.** NRS 445A.890 is hereby amended to read as follows:  
6       445A.890 Before making the ~~finding specified in NRS~~  
7 ~~445A.910 and before making the~~ determinations specified in NRS  
8 244.3655, 268.4102 and 445A.895, the *Commission or Division, as*  
9 *applicable*, shall request comments from the:

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

15       **Sec. 4.** NRS 445A.895 is hereby amended to read as follows:  
16       445A.895 A permit to operate a water system may not be  
17 issued pursuant to NRS 445A.885 unless all of the following  
18 conditions are met:

19       1. Neither water provided by a public utility nor water  
20 provided by a municipality or other public entity is available to the  
21 persons to be served by the water system.

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

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

28       4. ~~The local governing body assumes:~~  
29 ~~—(a) Responsibility in case of default by the builder or developer~~  
30 ~~of the water system for its continued operation and maintenance in~~  
31 ~~accordance with all the terms and conditions of the permit.~~

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

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

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

41 ~~—(b) Until 75 percent of the lots or parcels served by the system~~  
42 ~~are sold;~~

43 ~~→ whichever is later.~~

44 ~~—6. The owners of the lands to be served by the water system~~  
45 ~~record a declaration of covenants, conditions and restrictions which~~



~~1 is an equitable servitude running with the land and which must  
2 provide that each lot or parcel will be assessed by the local  
3 governing body for its proportionate share of the cost of continued  
4 operation and maintenance of the water system if there is a default  
5 by the applicant or operator of the water system and a sufficient  
6 surety, as provided in subsection 5, is not available.~~

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

~~12 [8.] 5. The owners of the lands to be served by the water  
13 system record a declaration of covenants, conditions and restrictions  
14 [recorded by the owners of the lands further], which is an equitable  
15 servitude running with the land, and provides that if the Division  
16 determines that:~~

~~17 (a) The water system is not satisfactorily serving the needs of its  
18 users; and~~

~~19 (b) Water provided by a public utility or a municipality or other  
20 public entity [is reasonably available,] may be accessed within 400  
21 feet of any lot or parcel served by the water system,~~

~~22 ↪ the local governing body shall, in a county whose population is  
23 700,000 or more, and may, in all other counties, pursuant to NRS  
24 244.3655 or 268.4102, require all users of the water system to  
25 connect into the available water system provided by a public utility  
26 or a municipality or other public entity, and each lot or parcel will  
27 be assessed by the local governing body for its proportionate share  
28 of the costs associated with connecting into that water system. If the  
29 water system is being connected into a public utility, the Public  
30 Utilities Commission of Nevada shall determine the amount of the  
31 assessments for the purposes of establishing a lien pursuant to  
32 NRS 445A.900.~~

~~33 [9.] 6. Provision has been made for disposition of the water  
34 system and the land on which it is situated after the local governing  
35 body requires all users to connect into an available water system  
36 provided by a public utility or a municipality or other public entity.~~

~~37 Sec. 5. NRS 445A.910 is hereby amended to read as follows:~~

~~38 445A.910 [1. If the Division has found that any of the  
39 conditions of a permit to operate a water system issued pursuant to  
40 NRS 445A.885 are being violated and has notified the holder of the  
41 permit that he or she must bring the water system into compliance,  
42 but the holder of the permit has failed to comply within a reasonable  
43 time after the date of the notice, the local governing body, if  
44 requested to do so in writing by the Division, may take the~~





1 ~~following actions independently of any further action by the~~  
2 ~~Division:~~

3 ~~—(a) Give written notice, by certified mail, to the owner of the~~  
4 ~~water system and the owners of the property served by the system~~  
5 ~~that if the violation is not corrected within 30 days after the date of~~  
6 ~~the notice, the local governing body will seek a court order~~  
7 ~~authorizing it to assume control; and~~

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

14 ~~—2.] If the local governing body determines at any time that~~  
15 ~~immediate action is necessary to protect the public health and~~  
16 ~~welfare, it may assume physical control and operation of a water~~  
17 ~~system. [without complying with any of the requirements set forth~~  
18 ~~in subsection 1.] The local governing body may not maintain control~~  
19 ~~of a water system pursuant to this [subsection] section for a period~~  
20 ~~greater than 30 days unless it obtains an order from the district court~~  
21 ~~authorizing an extension.~~

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

23 461.175 1. Each manufactured building on which  
24 construction begins on or after March 1, 1992, and before March 1,  
25 1993, must incorporate the following minimal standards for  
26 plumbing fixtures:

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

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

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

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

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

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



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

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

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

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

15 4. For the purposes of subsection 3, a plumbing fixture is  
16 considered certified under the WaterSense program if the fixture  
17 meets the requirements of paragraph (a) or (b) of subsection ~~{S}~~ 6 of  
18 NRS 278.582.

19 *5. Each manufactured building on which construction begins*  
20 *on or after January 1, 2024, and each existing manufactured*  
21 *building which is expanded or renovated on or after January 1,*  
22 *2024:*

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

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

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

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

39 244.3655 1. If the State Environmental Commission  
40 determines that:

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

44 (b) Water provided by a public utility or a municipality or other  
45 public entity ~~[is reasonably available to those users,]~~ *may be*



1 *accessed within 400 feet of any lot of parcel served by the water*  
2 *system,*

3 ↪ the board of county commissioners of that county *shall, in a*  
4 *county whose population is 700,000 or more, and may, in all*  
5 *other counties,* require all users of the system to connect into the  
6 available water system provided by a public utility or a municipality  
7 or other public entity, and may assess each lot or parcel served for  
8 its proportionate share of the costs associated with connecting into  
9 that water system. If the water system is being connected into a  
10 public utility, the Public Utilities Commission of Nevada shall  
11 determine the amount of the assessments for the purposes of  
12 establishing a lien pursuant to NRS 445A.900.

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

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

16 244.366 1. The board of county commissioners of any county  
17 whose population is 700,000 or more has the power, outside of the  
18 limits of incorporated cities and towns:

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

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

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

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

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

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



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

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

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

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

25 (g) To provide for the disconnection of plumbing facilities from  
26 any ~~[of those]~~ *private sewage disposal plant, privy vault, septic*  
27 *system, septic tank, cesspool or other* private sewage ~~[facilities]~~  
28 *system or facility* and for the discontinuance and elimination of  
29 ~~[those]~~ *such a private sewage [facilities.] system or facility.*

30 (h) *To require any building or other structure that uses or is*  
31 *servd by any private sewage disposal plant, privy vault, septic*  
32 *system, septic tank, cesspool or other private sewage system or*  
33 *facility to connect to a public sewage system if the building or*  
34 *other structure is within 400 feet of the public sewage system*  
35 *provided by a public utility, municipality or other public entity.*

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

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



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

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

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

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

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

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

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

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

28 **Sec. 10.** NRS 268.4102 is hereby amended to read as follows:  
29 268.4102 1. If the State Environmental Commission  
30 determines that:

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

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

38 *↳ the governing body of that city shall, in a county whose*  
39 *population is 700,000 or more, and may, in all other counties,*  
40 *require all users of the system to connect into the available water*  
41 *system provided by a public utility or a municipality or other public*  
42 *entity, and may assess each lot or parcel served for its share of the*  
43 *costs associated with connecting into that water system. If the water*  
44 *system is being connected into a public utility, the Public Utilities*  
45 *Commission of Nevada shall determine the amount of the*



1 assessments for the purposes of establishing a lien pursuant to  
2 NRS 445A.900.

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

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

6 268.4105 1. If the governing body of the city determines that:

7 (a) A package plant for sewage treatment which is located  
8 within the city limits and is exempt from the provisions of NRS  
9 445A.540 to 445A.560, inclusive, is not satisfactorily serving the  
10 needs of its users; and

11 (b) Sewerage provided by a public utility, the city or another  
12 municipality or other public entity ~~is reasonably available to~~ *may*  
13 *be accessed within 400 feet of the property of* those users,

14 *↪ the governing body shall, in a county whose population is*  
15 *700,000 or more, and may, in all other counties,* require all users  
16 of the plant to connect into the available sewers provided by ~~the~~  
17 public utility, the city or another municipality or other public entity,  
18 and may assess each lot or parcel served for its proportionate share  
19 of the cost of connecting into those sewers. These assessments are  
20 not subject to the jurisdiction of the Public Utilities Commission of  
21 Nevada.

22 2. If the State Department of Conservation and Natural  
23 Resources has found that a package plant for sewage treatment  
24 which is exempt from the provisions of NRS 445A.540 to  
25 445A.560, inclusive, is violating any of the conditions of NRS  
26 445A.465 to 445A.515, inclusive, and has notified the holder of the  
27 permit that he or she must bring the plant into compliance, but the  
28 holder of the permit has failed to comply within a reasonable time  
29 after the date of the notice, the governing body of the city in which  
30 the plant is located may take the following actions independently of  
31 any further action by the State Department of Conservation and  
32 Natural Resources:

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

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

43 3. If the governing body of the city determines at any time that  
44 immediate action is necessary to protect the public health and  
45 welfare, it may assume physical control and operation of a package



1 plant for sewage treatment which is located within the city limits  
2 and is exempt from the provisions of NRS 445A.540 to 445A.560,  
3 inclusive, without complying with any of the requirements set forth  
4 in subsection 2. The governing body may not maintain control of the  
5 plant pursuant to this subsection for a period greater than 30 days  
6 unless it obtains an order from the district court authorizing an  
7 extension.

8 4. Each lot and parcel served by a package plant for sewage  
9 treatment which is exempt from the provisions of NRS 445A.540 to  
10 445A.560, inclusive, is subject to assessment by the governing body  
11 of the city in which the plant is located for its proportionate share of  
12 the cost of continued operation and maintenance of the plant if there  
13 is a default or the city assumes control and operation of the plant  
14 pursuant to subsection 2 or 3.

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

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

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

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

36 278.010 As used in NRS 278.010 to 278.630, inclusive, *and*  
37 *sections 13 and 14 of this act*, unless the context otherwise requires,  
38 the words and terms defined in NRS 278.0103 to 278.0195,  
39 inclusive, have the meanings ascribed to them in those sections.

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

41 278.347 **1.** When any subdivider proposes to subdivide land,  
42 any part of which is located within the boundaries of any general  
43 improvement district organized or reorganized pursuant to chapter  
44 318 of NRS, the planning commission or its designated  
45 representative, or, if there is no planning commission, the clerk or



1 other designated representative of the governing body shall file a  
2 copy of the subdivider's tentative map with ~~[the]~~ :

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

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

7 2. Within 30 days :

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

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

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

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

22 278.349 1. Except as otherwise provided in subsection 2, the  
23 governing body, if it has not authorized the planning commission to  
24 take final action, shall, by an affirmative vote of a majority of all the  
25 members, approve, conditionally approve or disapprove a tentative  
26 map filed pursuant to NRS 278.330:

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

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

31 ↪ after receipt of the planning commission's recommendations.

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

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

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

38 ↪ after the map is filed with the clerk of the governing body.

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

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





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

4 (c) The availability and accessibility of utilities;

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

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

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

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

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

17 (i) The recommendations and comments of those entities and  
18 persons reviewing the tentative map pursuant to NRS 278.330 to  
19 278.3485, inclusive;

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

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

25 (l) The submission by the subdivider of an affidavit stating that  
26 the subdivider will make provision for payment of the tax imposed  
27 by chapter 375 of NRS and for compliance with the disclosure and  
28 recording requirements of paragraph (f) of subsection 1 of NRS  
29 598.0923, if applicable, by the subdivider or any successor in  
30 interest.

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

35 (a) *The* subdivider has submitted an affidavit stating that the  
36 subdivider will make provision for the payment of the tax imposed  
37 by chapter 375 of NRS and for compliance with the disclosure and  
38 recording requirements of paragraph (f) of subsection 1 of NRS  
39 598.0923, if applicable, by the subdivider or any successor in  
40 interest ~~and~~; *and*

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



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

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

4    278.373 The certificates and acknowledgments required by  
5 NRS 116.2109 and 278.374 to 278.378, inclusive, *and section 14 of*  
6 *this act, if applicable*, must appear on a final map and may be  
7 combined where appropriate.

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

9    278.4955 1. The map of reversion submitted pursuant to NRS  
10 278.490 must contain the appropriate certificates required by NRS  
11 278.376, ~~and~~ 278.377 *and section 14 of this act, if applicable*, for  
12 the original division of the land, any agreement entered into for a  
13 required improvement pursuant to NRS 278.380 for the original  
14 division of the land, and the certificates required by NRS 278.496  
15 and 278.4965. If the map includes the reversion of any street or  
16 easement owned by a city, a county or the State, the provisions of  
17 NRS 278.480 must be followed before approval of the map.

18    2. The final map of reversion must:

19    (a) Be prepared by a professional land surveyor licensed  
20 pursuant to chapter 625 of NRS. The professional land surveyor  
21 shall state in his or her certificate that the map has been prepared  
22 from information on a recorded map or maps that are being reverted.  
23 The professional land surveyor may state in the certificate that he or  
24 she assumes no responsibility for the existence of the monuments or  
25 for correctness of other information shown on or copied from  
26 the document. The professional land surveyor shall include in the  
27 certificate information which is sufficient to identify clearly the  
28 recorded map or maps being reverted.

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

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

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

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



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

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

6 278.582 1. Each county and city shall include in its  
7 respective building code the requirements of this section. If a county  
8 or city has no building code, it shall adopt those requirements by  
9 ordinance and provide for their enforcement by its own officers or  
10 employees or through interlocal agreement by the officers or  
11 employees of another local government. Additionally, each county  
12 and city shall prohibit by ordinance the sale and installation of any  
13 plumbing fixture *or landscape irrigation fixture* which does not  
14 meet the standards made applicable for the respective county or city  
15 pursuant to this section.

16 2. Except as otherwise provided in subsection ~~6.~~ 7, each  
17 residential, commercial or industrial structure on which construction  
18 begins on or after March 1, 1992, and before March 1, 1993, and  
19 each existing residential, commercial or industrial structure which is  
20 expanded or renovated on or after March 1, 1992, and before  
21 March 1, 1993, must incorporate the following minimal standards  
22 for plumbing fixtures:

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

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

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

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

34 3. Except as otherwise provided in subsection ~~6.~~ 7, each  
35 residential, commercial or industrial structure on which construction  
36 begins on or after March 1, 1993, and before January 1, 2020, and  
37 each existing residential, commercial or industrial structure which is  
38 expanded or renovated on or after March 1, 1993, and before  
39 January 1, 2020, must incorporate the following minimal standards  
40 for plumbing fixtures:

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

44 (b) A shower apparatus which uses more than 2.5 gallons of  
45 water per minute must not be installed unless it is equipped with a



1 device to reduce water consumption to 2.5 gallons of water or less  
2 per minute.

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

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

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

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

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

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

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

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

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

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

42 (b) *If the WaterSense program has not developed a final*  
43 *product specification for a type of irrigation controller or spray*  
44 *sprinkler body, must not install any irrigation controller or spray*  
45 *sprinkler body that does not comply with any applicable*



1 *requirements of federal law and the building code of the county or*  
2 *city.*

3 **6.** For the purposes of ~~subsection~~ *subsections 4 ~~4~~ and 5:*

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

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

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

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

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

24 ~~6.~~ **7.** The requirements of this section for the installation of  
25 certain plumbing fixtures *and landscape irrigation fixtures* do not  
26 ~~apply~~ :

27 (a) *Apply* to any portion of:

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

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

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

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

39 278A.570 1. A plan which has been given final approval by  
40 the city or county must be certified without delay by the city or  
41 county and filed of record in the office of the appropriate county  
42 recorder before any development occurs in accordance with that  
43 plan. A county recorder shall not file for record any final plan unless  
44 it includes:



1 (a) A final map of the entire final plan or an identifiable phase of  
2 the final plan if required by the provisions of NRS 278.010 to  
3 278.630, inclusive ~~[ ]~~, *and sections 13 and 14 of this act*;

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

5 (c) The same certificates of approval as are required under NRS  
6 278.377 *and section 14 of this act, if applicable*, or evidence that:

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

9 (2) The agency has not refused its approval.

10 2. Except as otherwise provided in this subsection, after the  
11 plan is recorded, the zoning and subdivision regulations otherwise  
12 applicable to the land included in the plan cease to apply. If the  
13 development is completed in identifiable phases, then each phase  
14 can be recorded. The zoning and subdivision regulations cease to  
15 apply after the recordation of each phase to the extent necessary to  
16 allow development of that phase.

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

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

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

28 338.193 1. Each public building sponsored or financed by a  
29 public body must meet the standards made applicable for the  
30 building pursuant to this section.

31 2. Except as otherwise provided in subsection 6, each public  
32 building, other than a prison or jail, on which construction begins on  
33 or after March 1, 1992, and before March 1, 1993, and each existing  
34 public building which is expanded or renovated on or after March 1,  
35 1992, and before March 1, 1993, must incorporate the following  
36 minimal standards for plumbing fixtures:

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

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

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



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

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

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

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

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

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

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

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

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

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

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

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



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

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

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

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

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

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

27 (a) An existing public building which is not being expanded or  
28 renovated; or

29 (b) A public building if the public building was constructed 50  
30 years or more before the current year, regardless of whether that  
31 public building has been expanded or renovated since its original  
32 construction.

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

34 349.981 1. There is hereby established a program to provide  
35 grants of money to:

36 (a) A purveyor of water to pay for costs of capital improvements  
37 to publicly owned community water systems and publicly owned  
38 nontransient water systems required or made necessary by the State  
39 Environmental Commission pursuant to NRS 445A.800 to  
40 445A.955, inclusive, or made necessary by the Safe Drinking Water  
41 Act, 42 U.S.C. §§ 300f et seq., and the regulations adopted pursuant  
42 thereto.

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

45 (1) Piping or lining of an irrigation canal;





- 1 (2) Recovery or recycling of wastewater or tailwater;
- 2 (3) Scheduling of irrigation;
- 3 (4) Measurement or metering of the use of water;
- 4 (5) Improving the efficiency of irrigation operations; and
- 5 (6) Improving the efficiency of the operation of a facility for
- 6 the storage of water, including, without limitation, efficiency in
- 7 diverting water to such a facility.

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

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

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

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

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

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

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

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

41 (2) The cost of any capital improvement that is required for  
42 the water quality in the area where the well is located to comply  
43 with the standards of the Safe Drinking Water Act, 42 U.S.C. §§  
44 300f et seq., and the regulations adopted pursuant thereto.



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

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

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

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

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

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

24 4. As used in this section:

25 (a) "Eligible recipient" means:

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

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

32 (b) "Governing body" has the meaning ascribed to it in  
33 NRS 278.015.

34 (c) "Water resource plan" means a water resource plan created  
35 pursuant to NRS 278.0228.

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

37 489.706 1. Each manufactured home or mobile home on  
38 which construction begins on or after March 1, 1992, and before  
39 March 1, 1993, must incorporate the following minimal standards  
40 for plumbing fixtures:

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

44 (b) A shower apparatus which uses more than 3 gallons of water  
45 per minute must not be installed unless it is equipped with a device



1 to reduce water consumption to 3 gallons of water or less per  
2 minute.

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

5 2. Each manufactured home or mobile home on which  
6 construction begins on or after March 1, 1993, and before January 1,  
7 2020, must incorporate the following minimal standards for  
8 plumbing fixtures:

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

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

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

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

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

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

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

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

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

41 (b) ***If the WaterSense program has not developed a final***  
42 ***product specification for a type of irrigation controller or spray***  
43 ***sprinkler body, must not install any irrigation controller or spray***  
44 ***sprinkler body that does not comply with any applicable***



1 *requirements of federal law and the building code of the county or*  
2 *city.*

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

7 **Sec. 25.** NRS 534.110 is hereby amended to read as follows:

8 534.110 1. The State Engineer shall administer this chapter  
9 and shall prescribe all necessary regulations within the terms of this  
10 chapter for its administration.

11 2. The State Engineer may:

12 (a) Require periodical statements of water elevations, water  
13 used, and acreage on which water was used from all holders of  
14 permits and claimants of vested rights.

15 (b) Upon his or her own initiation, conduct pumping tests to  
16 determine if overpumping is indicated, to determine the specific  
17 yield of the aquifers and to determine permeability characteristics.

18 3. The State Engineer shall determine whether there is  
19 unappropriated water in the area affected and may issue permits  
20 only if the determination is affirmative. The State Engineer may  
21 require each applicant to whom a permit is issued for a well:

22 (a) For municipal, quasi-municipal or industrial use; and

23 (b) Whose reasonably expected rate of diversion is one-half  
24 cubic foot per second or more,

25 ↪ to report periodically to the State Engineer concerning the effect  
26 of that well on other previously existing wells that are located within  
27 2,500 feet of the well.

28 4. It is a condition of each appropriation of groundwater  
29 acquired under this chapter that the right of the appropriator relates  
30 to a specific quantity of water and that the right must allow for a  
31 reasonable lowering of the static water level at the appropriator's  
32 point of diversion. In determining a reasonable lowering of the static  
33 water level in a particular area, the State Engineer shall consider the  
34 economics of pumping water for the general type of crops growing  
35 and may also consider the effect of using water on the economy of  
36 the area in general.

37 5. This section does not prevent the granting of permits to  
38 applicants later in time on the ground that the diversions under the  
39 proposed later appropriations may cause the water level to be  
40 lowered at the point of diversion of a prior appropriator, so long as  
41 any protectable interests in existing domestic wells as set forth in  
42 NRS 533.024 and the rights of holders of existing appropriations  
43 can be satisfied under such express conditions. At the time a permit  
44 is granted for a well:

45 (a) For municipal, quasi-municipal or industrial use; and



1 (b) Whose reasonably expected rate of diversion is one-half  
2 cubic foot per second or more,  
3 ➔ the State Engineer shall include as a condition of the permit that  
4 pumping water pursuant to the permit may be limited or prohibited  
5 to prevent any unreasonable adverse effects on an existing domestic  
6 well located within 2,500 feet of the well, unless the holder of the  
7 permit and the owner of the domestic well have agreed to alternative  
8 measures that mitigate those adverse effects.

9 6. Except as otherwise provided in subsection 7, the State  
10 Engineer shall conduct investigations in any basin or portion thereof  
11 where it appears that the average annual replenishment to the  
12 groundwater supply may not be adequate for the needs of all  
13 permittees and all vested-right claimants, and if the findings of the  
14 State Engineer so indicate, except as otherwise provided in  
15 subsection 9, the State Engineer ~~may~~ shall order that withdrawals,  
16 including, without limitation, withdrawals from domestic wells, be  
17 restricted to conform to priority rights.

18 7. The State Engineer:

19 (a) May designate as a critical management area any basin in  
20 which withdrawals of groundwater consistently exceed the perennial  
21 yield of the basin.

22 (b) Shall designate as a critical management area any basin in  
23 which withdrawals of groundwater consistently exceed the perennial  
24 yield of the basin upon receipt of a petition for such a designation  
25 which is signed by a majority of the holders of certificates or  
26 permits to appropriate water in the basin that are on file in the Office  
27 of the State Engineer.

28 ➔ The designation of a basin as a critical management area pursuant  
29 to this subsection may be appealed pursuant to NRS 533.450. If a  
30 basin has been designated as a critical management area for ~~at~~  
31 ~~least~~ 10 consecutive years, except as otherwise provided in  
32 subsection 9, the State Engineer shall order that withdrawals,  
33 including, without limitation, withdrawals from domestic wells, be  
34 restricted in that basin to conform to priority rights, unless a  
35 groundwater management plan has been approved for the basin  
36 pursuant to NRS 534.037.

37 8. In any basin or portion thereof in the State designated by the  
38 State Engineer, the State Engineer may restrict drilling of wells in  
39 any portion thereof if the State Engineer determines that additional  
40 wells would cause an undue interference with existing wells. Any  
41 order or decision of the State Engineer so restricting drilling of such  
42 wells may be reviewed by the district court of the county pursuant to  
43 NRS 533.450.

44 9. If a court of competent jurisdiction orders the State Engineer  
45 to restrict withdrawals to conform to priority rights or if pursuant to



1 subsection 6 or 7 the State Engineer orders that withdrawals be  
2 restricted to conform to priority rights, the State Engineer must limit  
3 the restriction of withdrawals from a domestic well to allow a  
4 domestic well to continue to withdraw 0.5 acre-feet of water per  
5 year, which must be recorded by a water meter.

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

7 534.120 1. Within an area that has been designated by the  
8 State Engineer, as provided for in this chapter, where, in the  
9 judgment of the State Engineer, the groundwater basin is being  
10 depleted, the State Engineer in his or her administrative capacity  
11 may make such rules, regulations and orders as are deemed essential  
12 for the welfare of the area involved.

13 2. In the interest of public welfare, the State Engineer is  
14 authorized and directed to designate preferred uses of water within  
15 the respective areas so designated by the State Engineer and from  
16 which the groundwater is being depleted, and in acting on  
17 applications to appropriate groundwater, the State Engineer may  
18 designate such preferred uses in different categories with respect to  
19 the particular areas involved within the following limits:

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

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

24 3. ~~{Except as otherwise provided in subsection 5, the}~~ *The*  
25 State Engineer may ~~{:~~

26 ~~—(a) Issue}~~ *issue* temporary permits to appropriate groundwater  
27 which can be limited as to time and which ~~{may, except as limited~~  
28 ~~by subsection 4,}~~ *shall* be revoked if and when ~~{water}~~ :

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

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

34 4. *The State Engineer shall:*

35 (a) Deny applications to appropriate groundwater for any use in  
36 areas served by ~~{such}~~ an entity ~~{:~~

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

39 (b) Limit the depth of domestic wells.

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

44 ~~{(e)}~~ (d) In connection with the approval of a parcel map in  
45 which any parcel is proposed to be served by a domestic well,



1 require the dedication to a city or county or a designee of a city or  
2 county, or require a relinquishment to the State Engineer, of any  
3 right to appropriate water required by the State Engineer to ensure a  
4 sufficient supply of water for each of those parcels, unless the  
5 dedication of the right to appropriate water is required by a local  
6 ordinance.

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

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

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

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

27 ~~—(a) The distance from the property line of any parcel served by  
28 the well to the pipes and other appurtenances of the proposed source  
29 of water to which the property will be connected is not more than  
30 180 feet; and~~

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

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

36 ~~[7.]~~ 6. The provisions of this section do not prohibit the State  
37 Engineer from revoking a temporary permit issued pursuant to this  
38 section if any parcel served by a well pursuant to the temporary  
39 permit is currently obtaining water from an entity such as a water  
40 district or a municipality engaged in furnishing water to the  
41 inhabitants of the area.

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



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

2       534.180 1. Except as otherwise provided in subsection 2 and  
3 as to the furnishing of any information required by the State  
4 Engineer, this chapter does not apply in the matter of obtaining  
5 permits for the development and use of underground water from a  
6 well for domestic purposes where the draught does not exceed 2  
7 acre-feet per year.

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

16       3. The State Engineer may require the plugging of such a well  
17 which is drilled on or after July 1, 1981, at any time not sooner than  
18 1 year after water can be furnished to the site by:

19       (a) A political subdivision of this State; or

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

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

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

28       (a) The owner of the well shall:

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

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

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

36       (b) The local governing body or planning commission shall  
37 report the approval of the accessory dwelling unit on a form  
38 provided by the State Engineer;

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

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





1       **Sec. 28.** The Conservation of Colorado River Water Act,  
2 being chapter 364, Statutes of Nevada 2021, at page 2179, is hereby  
3 amended by adding thereto a new section to be designated as section  
4 37.5, immediately following section 37, to read as follows:

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

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

12               *Sec. 38.2. 1. If the Federal Government declares a  
13               shortage on the Colorado River for the upcoming year, the  
14               Board of Directors may limit each single-family residence  
15               that uses the waters of the Colorado River distributed by the  
16               Southern Nevada Water Authority or a member agency of  
17               the Southern Nevada Water Authority to not more than 0.5  
18               acre-feet of water for that upcoming year. Any limitation  
19               imposed by the Board of Directors may not go into effect  
20               before December 31 of the year before the year for which  
21               the shortage is declared.*

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

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

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

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

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

44               *3. As used in this section, "septic system" means a well  
45               that is used to place sanitary waste below the surface of the*



1 *ground which is typically composed of a septic tank and a*  
2 *subsurface fluid distribution or disposal system.*

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

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

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

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

29 **Sec. 30.** The Conservation of Colorado River Water Act,  
30 being chapter 364, Statutes of Nevada 2021, at page 2179, is hereby  
31 amended by adding thereto a new section to be designated as section  
32 39.5, immediately following section 39, to read as follows:

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

42 *(a) Is not used exclusively as a single-family residence;*  
43 *and*

44 *(b) Consists of 20,000 square feet or more of turf.*

45 *2. The Board of Directors shall:*



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

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

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

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

14 (a) *The provisions of subsection 1; or*

15 (b) *The provisions of the policies and guidelines*  
16 *developed pursuant to subsection 2.*

17 **Sec. 31.** Section 39 of the Conservation of Colorado River  
18 Water Act, being chapter 364, Statutes of Nevada 2021, at page  
19 2180, is hereby amended to read as follows:

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

27 2. The Board of Directors shall:

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

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

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

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

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



- 1 (a) The prohibition set forth in subsection 1; and
- 2 (b) The provisions of the plan developed pursuant to
- 3 subsection 2.

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

5 from:

6 (a) Complying with any requirement adopted by the

7 governing body of a county or city pursuant to chapter 278 of

8 NRS to maintain open space or drought tolerant landscaping

9 on any property that is not ~~zoned~~ *used* exclusively ~~for~~ *as*

10 a single family residence; or

11 (b) Using alternative sources of water to irrigate

12 nonfunctional turf on and after January 1, 2027, on any

13 property that is not ~~zoned~~ *used* exclusively ~~for~~ *as* a single-

14 family residence.

15 **Sec. 32.** Section 13 of the Southern Nevada Water Authority

16 Act, being chapter 572, Statutes of Nevada 1997, as amended by

17 chapter 468, Statutes of Nevada 1999, at page 2387, is hereby

18 amended to read as follows:

19 Sec. 13. 1. The Southern Nevada Water Authority

20 may establish and collect each calendar year a fee to be

21 assessed on users of groundwater in the Basin. Money raised

22 from the fees must be used as provided in section 14 of this

23 act.

24 2. Except as otherwise provided in this section:

25 (a) Users of groundwater, other than owners of domestic

26 wells, may be assessed a fee each calendar year of not more

27 than \$13 per acre-foot, or its equivalent, of groundwater in

28 the Basin to which they have a water right in that year.

29 (b) Owners of domestic wells may be assessed a flat fee

30 each calendar year of not more than \$13.

31 3. Except as otherwise provided in subsections 4 and 5,

32 if the Southern Nevada Water Authority operates a project for

33 the recharge and recovery or underground storage and

34 recovery of water *or a program for the conversion of*

35 *properties served by a septic system* pursuant to section 14.5

36 of this act:

37 (a) Users of groundwater, other than owners of domestic

38 wells, may be assessed a fee each calendar year of not more

39 than \$30 per acre-foot, or its equivalent, of groundwater in

40 the Basin to which they have a water right in that year.

41 (b) Owners of domestic wells may be assessed a flat fee

42 each calendar year of not more than \$30.

43 4. The maximum fees specified in subsections 2 and 3

44 may be adjusted *not more than* once each year for inflation.

45 The maximum amount of the adjustment must be determined



1 by multiplying the respective amounts of the fees by the  
2 percentage of inflation, if any. The Consumer Price Index  
3 published by the United States Department of Labor for July  
4 preceding the year for which the adjustment is made must be  
5 used in determining the percentage of inflation.

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

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

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

18 Sec. 14.5. **1.** The Southern Nevada Water Authority  
19 may, in consultation with the Advisory Committee, operate  
20 ~~the~~:

21 (a) A project for the recharge and recovery or  
22 underground storage and recovery of water pursuant to  
23 chapter 534 of NRS for the benefit of owners of wells in the  
24 Basin ~~and~~; and

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

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

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

35 **Sec. 2.5. 1. The General Manager of the Southern**  
36 **Nevada Water Authority may restrict the use of water:**

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

39 (b) If emergency conditions exist; or

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

42 2. Any restrictions imposed by the General Manager  
43 pursuant to subsection 1 may be modified by the Board of  
44 Directors of the Southern Nevada Water Authority.



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

4     **Sec. 36.** This act becomes effective upon passage and  
5 approval.

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