

Amendment No. 203

Assembly Amendment to Assembly Bill No. 220	(BDR 40-337)
Proposed by: Assembly Committee on Natural Resources	
Amends: Summary: No Title: Yes Preamble: No Joint Sponsorship: No Digest: Yes	

Adoption of this amendment will MAINTAIN the unfunded mandate not requested by the affected local government to A.B. 220 (§ 1).

ASSEMBLY ACTION		Initial and Date	SENATE ACTION		Initial and Date					
Adopted	<input type="checkbox"/>	Lost	<input type="checkbox"/>	_____		Adopted	<input type="checkbox"/>	Lost	<input type="checkbox"/>	_____
Concurred In	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____		Concurred In	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____
Receded	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____		Receded	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____

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



ASSEMBLY BILL NO. 220—COMMITTEE ON NATURAL RESOURCES

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

FEBRUARY 23, 2023

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.

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;~~ ***exempting the use of water by certain entities to extinguish fires in an emergency from provisions governing the appropriation of water;*** 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 **Board of Directors to authorize 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:

Under existing law, a district board of health may adopt regulations to control the use of a residential individual system for disposal of sewage in the district. (NRS 444.650) Existing law also authorizes a district board of health, upon approval of the State Board of Health, to adopt regulations to regulate sanitation and the sanitary protection of water and food supplies. (NRS 439.366, 439.410) **Section 1** of this bill requires a district board of health in a county whose population is 700,000 or more (currently only Clark County) to: (1) require all property owners with an existing septic system ~~that is within 400 feet of a community sewerage disposal~~ **whose property is served by a municipal water** system to connect to the community sewerage disposal system ~~by~~ **not later than** January 1, 2054; ~~(2) review existing permits for individual septic systems every 5 years to determine if the property is within 400 feet of a community sewerage disposal system, notify such owners that each owner must connect to the community sewerage disposal system and revoke the permit for the septic system after 365 days; (3) upon review of any building or development permit, deny a request for an individual septic system if the property is within 400 feet of a community sewerage disposal system;~~ and ~~(4)~~ **(2) enter into an agreement with a water authority to** establish a program to pay not less than ~~50~~ **85** percent of the cost for property owners to abandon an existing individual septic system and ~~require such owners to~~ connect to the community sewerage disposal system. **Section 1** also authorizes such a district board of health to, upon an affirmative vote of two-thirds of the members of the board, impose a fee on owners of such septic systems to carry out such requirements. **Section 2** of this bill makes a conforming change to indicate the proper placement of **section 1** in the Nevada Revised Statutes.

Under existing law, a permit to operate a water system may not be issued by the Division of Environmental Protection of the State Department of Conservation and Natural Resources or certain district boards of health unless certain conditions are met, including, without limitation, that: (1) the local governing body assumes responsibility in case of default and assumes the duty of assessing the lands served; (2) the applicant furnishes the local governing body sufficient surety; (3) the owners of the lands to be served by the water system agree to be assessed by the local governing body for the cost of the water system if there is a default; and (4) the owners agree that if the Division determines that water provided by a public utility or a municipality or other public entity is reasonably available, all users may be required to connect to the water system provided by the public utility, municipality or other public entity and be assessed the costs for the connection. (NRS 445A.895) **Section 4** of this bill ~~removes the first three conditions for issuing a permit to operate a water system. Section 4~~ revises ~~the last condition~~ **these conditions to** : (1) provide that **, with certain exceptions, the sole and exclusive obligation of the local governing body is to use the surety in the event of a default to contract and pay the operator responsible for the continued operation and maintenance of the water system; (2) require the owners of property served by the water system to also provide a surety to the local governing body; and (2) provide that** if the Division determines that water provided by a public utility or a municipality or other public entity ~~may be accessed within 400 feet of any lot or parcel served by the water system;~~ **is reasonably available,** all users of the water system in certain counties are required to connect. **Section** ~~5~~ **4** of this bill makes conforming changes to ~~remove~~ **revise** certain provisions relating to **the responsibility of a local governing body (assuming responsibility of) for a public water system** ~~in the event of a default.~~ **Section 3** of this bill ~~make a conforming change to eliminate~~ **revises** a reference to ~~section 5 relating to the Division making~~ certain findings.

Under existing law, a board of county commissioners of a county whose population is 700,000 or more (currently only Clark County) is authorized to prohibit certain persons, associations and corporations from using, constructing, acquiring or cause or permit the use, construction or acquisition of any type of private sewage system and to provide for the disconnection of any plumbing facilities from a private sewage system. (NRS 244.366) **Section 8** of this bill also authorizes such a board of county commissioners to require any

53 building or other structure that uses or is served by any type of private sewage system to
54 connect to a public sewage system if the building or other structure is served by a
55 municipal water system and is within 400 feet of the service lines and appurtenances of a
56 public sewage system. ~~Is within 400 feet of the building or other structure.~~

57 Under existing law, if the State Environmental Commission determines that, in relevant
58 part, water provided by a public utility or a municipality or other public entity is reasonably
59 available to users of a water system, the board of county commissioners of that county may
60 require all users of the system to connect into the available water system provided by a public
61 utility or a municipality or other public entity. (NRS 244.3655) ~~Section 7~~ of this bill
62 provides instead that if the Commission determines that water provided by a public utility or a
63 municipality or other public entity may be accessed within ~~400~~ 1,250 feet of any lot or
64 parcel served by the water system, the board of county commissioners shall, in a county
65 whose population is 700,000 or more (currently only Clark County), and may, in all other
66 counties, require all users of the system to connect into the available water system provided by
67 a public utility or a municipality or other public entity.

68 Under existing law, if the State Environmental Commission or the governing body of
69 certain cities determines certain water systems or package plants for sewage treatment within
70 the city limits are not serving the needs of its users and water or sewerage provided by a
71 public utility, the city or another municipality or public entity is reasonably available to those
72 users, the governing body may require all users of the system or plant to connect into the
73 available water system or sewers and assess each lot or parcel for its share of the cost. (NRS
74 268.4102, 268.4105) ~~Sections~~ Section 10 ~~and 11~~ of this bill ~~provide~~ provides instead
75 that if the water system or sewerage may be accessed within ~~400~~ 1,250 feet of the property
76 of such users, the governing body of a county whose population is 700,000 or more
77 (currently only Clark County) shall require all users to connect. Section 11 of this bill
78 provides that if the property served by a package plant for sewage treatment receives
79 water from a municipal water system, the governing body of a county whose population
80 is 700,000 or more shall require all users of the plant to connect. Sections 10 and 11 also
81 provide that all other governing bodies of a county may require all users to connect in
82 such circumstances.

83 Section 9 of this bill provides that if the governing body of a city in a county whose
84 population is 700,000 or more determines that a private septic system or any package plant for
85 sewage treatment is located within the city and ~~sewerage provided by a public utility, the~~
86 ~~city, another municipality or any other public entity may be accessed within 400 feet of the~~
87 ~~property served by~~ a user of the private septic system or package plant for sewage treatment
88 receives water from a municipal water system, the governing body must require all users
89 of the septic system or package plant for sewage treatment to connect to the public sewers and
90 may assess each lot or parcel for its share of the cost for the connection.

91 Existing law sets forth an approval process for the subdivision of land that requires: (1) a
92 subdivider of land to submit a tentative map to the planning commission or the governing
93 body of a county or city, as applicable; and (2) the planning commission or governing body to
94 forward a copy of the tentative map to certain other state and local agencies for review and
95 comment. (NRS 278.330-278.460) Sections 13 and 16 of this bill require that if a proposed
96 subdivision will be served by a public water system ~~;~~ (1) in a county whose population is
97 700,000 or more, the planning commission or the governing body, as applicable, must file the
98 tentative map with the supplier of water for review and comment ; and ~~;~~ (2) if the
99 subdivision is located in a general improvement district, the planning commission or the
100 governing body must file the tentative map with the supplier of water in the district.
101 Section 17 of this bill provides that ~~the~~ such a governing body of a county or city may not
102 approve a tentative map, unless the supplier of water determines that there is available water
103 which meets applicable health standards and is sufficient in quantity for the reasonably
104 foreseeable needs of the subdivision.

105 Under existing law, a final map presented for filing must include certificates and
106 acknowledgements from certain entities. (NRS 278.374-278.378) Section 14 of this bill
107 requires that if a subdivision in a county whose population is 700,000 or more or in a
108 general improvement district will be served by a public water system, the final map
109 presented for filing must include a certificate of approval from the supplier of water.

110 Section 15 of this bill makes conforming changes to indicate the proper placement of
111 sections 13 and 14 in the Nevada Revised Statutes. Section 18 of this bill makes a

112 conforming change to require the certificate of approval required by **section 14** to appear on
 113 the final map. **Sections 19 and 21** of this bill make conforming changes to also require a map
 114 of reversion and a final map for a planned development to have such a certificate of approval,
 115 if applicable.

116 Existing law establishes certain minimum standards for plumbing fixtures in new
 117 construction, expansions and renovations in residential, commercial, industrial or
 118 manufactured structures, public buildings, manufactured homes and mobile homes and
 119 requires the use of certain plumbing fixtures that have been certified under the WaterSense
 120 program established by the United States Environmental Protection Agency if a final product
 121 specification has been developed by the WaterSense program. (NRS 278.582, 338.193,
 122 461.175, 489.706) **Sections 6, 20, 22 and 24** of this bill requires that, with certain exceptions,
 123 if the WaterSense program has established a final product specification for an irrigation
 124 controller or spray sprinkler body, any new construction, expansions and renovations on such
 125 structures, buildings and homes must install irrigation controllers and spray sprinkler bodies
 126 that have been certified under the WaterSense program.

127 Existing law establishes a program to provide grants of money for water conservation and
 128 capital improvements to certain water systems, including grants to an eligible recipient to pay
 129 certain costs associated with connecting a well to a municipal water system under certain
 130 circumstances. (NRS 349.981) **Section ~~22~~ 23** of this bill provides instead for grants of
 131 money to pay certain costs associated with plugging and abandoning a well and connecting
 132 the property formerly served by the well to a municipal water system under certain
 133 circumstances.

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

144 Existing law exempts, under certain circumstances, the de minimus collection of
 145 precipitation from the requirements of the Nevada Revised Statutes relating to the
 146 appropriation of water. (NRS 533.027) Section 24.5 of this bill also exempts the use of
 147 water by public agencies or volunteer fire departments to extinguish fires in an
 148 emergency.

149 ~~—~~ Under existing law, the State Engineer may issue temporary permits to appropriate
 150 groundwater in certain designated areas which may be revoked if the property served by the
 151 permit is within 180 feet of water furnished by an entity such as a water district or a
 152 municipality and the well needs to be redrilled or have certain repairs made. (NRS 534.120)
 153 **Section 26** of this bill instead ~~requires~~ provides that the State Engineer ~~{to revoke}~~ : (1)
 154 may only issue a temporary permit if water cannot be furnished by a public entity that
 155 furnishes water; and (2) authorizes the State Engineer to revoke such a temporary
 156 permit if the property served by the temporary permit is within 1,250 feet of water furnished
 157 by ~~an~~ a public entity such as a water district or a municipality. Section 26 also requires the
 158 State Engineer to ~~adopt regulations relating to such temporary permits by June 30, 2025.~~

159 ~~—~~ Under existing law, the State Engineer is authorized in certain designated areas to deny
 160 applications to appropriate groundwater if water can be furnished by certain entities, limit the
 161 depth of domestic wells, prohibit the drilling of wells for domestic use and require a
 162 dedication of a right to appropriate water under certain conditions. (NRS 534.120) **Section 26**
 163 requires, rather than authorizes, the State Engineer to take such actions.}, in an area in which
 164 such temporary permits have been issued: (1) deny applications to appropriate
 165 groundwater if a public entity that furnishes water serves the area; (2) limit the depth of
 166 domestic wells; and (3) prohibit the drilling of wells for domestic use.

167 Under existing law, the State Engineer may require the plugging of certain domestic wells
 168 drilled in a basin in which such wells must be registered if water can be furnished by certain
 169 entities, but only if the charge for connecting to the furnished water is less than \$200. (NRS
 170 534.180) **Section 27** of this bill : (1) removes the requirement that the charge for connecting

171 be less than \$200 ~~+~~ ; and (2) requires plugging of a well if the well is within 1,250 feet of
172 a municipal water system.

173 Existing law requires that applications for the appropriation of water or to change
174 the place of diversion, manner of use or place of use of certain waters must be made to
175 the Colorado River Commission. (NRS 538.171) Section 27.5 of this bill also requires
176 that applications to change the holder of the entitlement to appropriate certain waters be
177 submitted to the Colorado River Commission.

178 The Conservation of Colorado River Water Act prohibits, with certain exceptions, the
179 waters of the Colorado River that are distributed by the Southern Nevada Water Authority or
180 one of the member agencies of the Authority from being used to irrigate nonfunctional turf on
181 any property that is not zoned exclusively for a single-family residence on and after January 1,
182 2027. (Section 39 of chapter 364, Statutes of Nevada 2021, at page 2180) **Section 31** of this
183 bill prohibits the use of such waters of the Colorado River for irrigating nonfunctional turf on
184 any parcel of property that is not used exclusively as a single-family residence.

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

194 **Section 29** further: (1) prohibits the installation of a new septic system on any parcel of
195 property that uses such waters of the Colorado River; and (2) requires any parcel of property
196 which uses such waters of the Colorado River to discontinue the use of the septic system and
197 connect to a public sewer system if ~~such a system may be accessed within 400 feet of~~
198 the property served by the existing septic system ~~+~~ is connected to a municipal water system.

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

206 The Southern Nevada Water Authority Act authorizes the Authority, in consultation with
207 the Advisory Committee for the Management of Groundwater in the Las Vegas Valley
208 Groundwater Basin, to operate a project for the recharge and recovery or underground storage
209 and recovery of groundwater for the benefit of owners of wells in the Las Vegas Valley
210 Groundwater Basin. (Section 14.5 of chapter 572, Statutes of Nevada 1997, as added by
211 section 1 of chapter 468, Statutes of Nevada 1999, at page 2387) The Act also authorizes the
212 Authority to assess certain fees on users of groundwater and owners of domestic wells,
213 including a fee if the Authority operates such a project. (Section 13 of chapter 572, Statutes of
214 Nevada 1997, as amended by chapter 468, Statutes of Nevada 1999, at page 2387) **Section 33**
215 of this bill also authorizes the Authority, in consultation with the Advisory Committee, to
216 operate a program to convert any property served by a septic system to a municipal sewer
217 system. ~~Section 32~~ **Section 32** of this bill authorizes the Authority to assess a fee on users of
218 groundwater and owners of domestic wells for the program to convert septic systems.

219 The Southern Nevada Water System Act of 1995 establishes certain powers and duties of
220 the Authority. (Section 2 of chapter 393, Statutes of Nevada 1995, at page 963) **Section 34** of
221 this bill authorizes the ~~General Manager~~ Board of Directors of the Authority , by
222 resolution, to authorize the General Manager of the Authority to restrict water usage
223 during certain water emergencies and shortages and provides that the Board of Directors ~~may~~
224 modify must ratify any such restrictions imposed by the General Manager.

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

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

1. The district board of health shall require a property owner with an existing septic system whose property is ~~within 400 feet of a community sewerage disposal~~ served by a municipal water system to connect to the community sewerage disposal system ~~by~~ not later than January 1, 2054.

2. To carry out the requirement of subsection 1, the district board of health shall ~~fr~~

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

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

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

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

~~—(c) Establish~~ enter into an agreement with a water authority created by cooperative agreement pursuant to chapter 277 of NRS to establish a program to pay not less than ~~50~~ 85 percent of the cost for property owners to abandon a septic system and connect to a community sewerage disposal system. Such a program must pay such costs for up to 200 property owners each calendar year.

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

4. The district board of health shall adopt regulations to carry the provisions of this section, which:

(a) Must prioritize properties with a septic system where the community sewerage disposal system is adjacent to the property; and

(b) May, upon an affirmative vote of two-thirds of all the members of the district board of health, provide for administrative penalties for noncompliance with the provisions of this section.

5. In carrying out the program created pursuant to subsection 2, the district board of health may:

(a) Grant a one-time extension of not more than 5 years to a property owner that is required to abandon a septic system and connect to a community sewerage disposal system if there is insufficient money for the program to pay 85 percent of the cost pursuant to subsection 2;

(b) Enter into agreements with the governing body of a county or city to establish special improvement districts and landscape improvement districts;

(c) Revoke a septic permit held by any property owner who fails to pay the fee authorized pursuant to subsection 3, if imposed, and require such property owner to immediately connect to a community sewerage disposal system without financial assistance; and

(d) Enter into cooperative agreements pursuant to chapter 277 of NRS to secure money for the program created pursuant to subsection 2.

6. As used in this section:

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

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

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

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

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

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

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

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

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

1. Neither water provided by a public utility nor water provided by a municipality or other public entity is available to the persons to be served by the water system.
2. The applicant fully complies with all of the conditions of NRS 445A.885 to 445A.915, inclusive.
3. The applicant submits to the Division or the district board of health designated by the Commission documentation issued by the State Engineer which sets forth that the applicant holds water rights that are sufficient to operate the water system.

4. The local governing body ~~assumes;~~ agrees:

(a) ~~Responsibility in case of~~ That, except as otherwise provided in paragraph (b), in the event of a default by the builder, ~~for~~ developer or owner of the water system, the sole and exclusive obligation of the local governing body shall be to use the surety furnished to the local governing body pursuant to subsection 5 to contract with and pay the operator of the water system ~~for~~ ~~its~~ the continued operation and maintenance ~~in accordance with all the terms and conditions of the permit.~~ of the water system.

(b) ~~The~~ To assume the duty of assessing the lands served as provided in subsection 6 ~~and~~ in the event of default by the builder, developer or owner of the water system.

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

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

(b) Until 75 percent of the lots or parcels served by the system are sold, whichever is later.

6. The owners of the lands to be served by the water system ~~record~~:

(a) Furnish the local governing body sufficient surety, in the form of a bond, certificate of deposit, investment certificate, properly established and funded reserve account or any other form acceptable to the governing body, to ensure the continued maintenance and operation of the water system and continued technical, financial and managerial capability of the water system; and

(b) Record a declaration of covenants, conditions and restrictions which is an equitable servitude running with the land and which must provide ~~that~~:

(1) That each lot or parcel will be assessed by the local governing body for its proportionate share of the cost of replenishing or augmenting the surety required pursuant to paragraph (a) as necessary for the continued operation and maintenance of the water system if there is a default by the ~~applicant or operator~~ builder, developer or owner of the water system ~~and a sufficient surety, as provided in subsection 5, is not available.~~;

(2) That the owners of the lands will annually provide the local governing body with a financial audit of the water system, including, without limitation, any reserve account, if established, to ensure the adequacy of the financial management of the water system; and

(3) An acknowledgement of and agreement with the obligations of the local governing body pursuant to subsection 4 and subsection 3 of NRS 445A.905.

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

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

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

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

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

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

Sec. 4.5. NRS 445A.905 is hereby amended to read as follows:

445A.905 1. The proceeds of any assessments upon lots or parcels and the sureties required pursuant to NRS 445A.895 must be deposited with the treasurer of the local governing body which received them, and they may be expended only for the:

(a) Continued maintenance and operation of the water system;

(b) Replacement of the water system if necessary; and

1 (c) Payment of the costs, including, but not limited to, the direct costs of
 2 connection and the costs of necessary new or rehabilitated facilities and any
 3 necessary water rights, associated with connection to any water system provided by
 4 a public utility or a municipality or other public entity that becomes reasonably
 5 available.

6 2. If any surplus exists in the proceeds of assessments after all purposes of the
 7 assessments have been fully met, the surplus must be refunded to the persons who
 8 paid the assessments, in the proportion that their respective assessments bear to the
 9 gross proceeds of all assessments collected by the local governing body.

10 3. For the purposes set forth in subsection 1, the local governing body is not
 11 obligated to:

12 (a) Expend money from any source other than the assessments and surety
 13 deposited pursuant to NRS 445A.895;

14 (b) Extend credit on behalf of a builder, developer or owner of land to be
 15 served by the water system; or

16 (c) Collect any unpaid assessment, unless the local governing body has
 17 agreed to assume the duty for the assessments pursuant to subsection 4 of NRS
 18 445A.895.

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

20 ~~— 445A.910 [1. If the Division has found that any of the conditions of a~~
 21 ~~permit to operate a water system issued pursuant to NRS 445A.885 are being~~
 22 ~~violated and has notified the holder of the permit that he or she must bring the water~~
 23 ~~system into compliance, but the holder of the permit has failed to comply within a~~
 24 ~~reasonable time after the date of the notice, the local governing body, if requested~~
 25 ~~to do so in writing by the Division, may take the following actions independently of~~
 26 ~~any further action by the Division:~~

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

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

36 ~~— 2.] If the local governing body determines at any time that immediate action~~
 37 ~~is necessary to protect the public health and welfare, it may assume physical control~~
 38 ~~and operation of a water system. [without complying with any of the requirements~~
 39 ~~set forth in subsection 1.] The local governing body may not maintain control of a~~
 40 ~~water system pursuant to this [subsection] section for a period greater than 30 days~~
 41 ~~unless it obtains an order from the district court authorizing an extension.] (Deleted~~
 42 ~~by amendment.)~~

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

44 461.175 1. Each manufactured building on which construction begins on or
 45 after March 1, 1992, and before March 1, 1993, must incorporate the following
 46 minimal standards for plumbing fixtures:

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

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

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

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

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

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

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

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

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

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

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

24 5. *Each manufactured building on which construction begins on or after*
25 *January 1, 2024, and each existing manufactured building which is expanded or*
26 *renovated on or after January 1, 2024:*

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

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

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

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

41 244.3655 1. If the State Environmental Commission determines that:

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

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

47 ↳ the board of county commissioners of that county *shall, in a county whose*
48 *population is 700,000 or more, and may, in all other counties,* require all users of
49 the system to connect into the available water system provided by a public utility or
50 a municipality or other public entity, and may assess each lot or parcel served for its
51 proportionate share of the costs associated with connecting into that water system.
52 If the water system is being connected into a public utility, the Public Utilities

1 Commission of Nevada shall determine the amount of the assessments for the
2 purposes of establishing a lien pursuant to NRS 445A.900.

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

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

6 244.366 1. The board of county commissioners of any county whose
7 population is 700,000 or more has the power, outside of the limits of incorporated
8 cities and towns:

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

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

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

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

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

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

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

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

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

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

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

1 *other private sewage ~~[facilities]~~ system or facility* and for the discontinuance and
 2 elimination of ~~[those]~~ *such a private sewage ~~[facilities.] system or facility.~~*

3 *(h) To require any building or other structure that uses or is served by any*
 4 *private sewage disposal plant, privy vault, septic system, septic tank, cesspool or*
 5 *other private sewage system or facility to connect to a public sewage system if the*
 6 *building or other structure is served by a municipal water system and is within*
 7 *400 feet of the service lines and appurtenances of public sewage system provided*
 8 *by a public utility, municipality or other public entity.*

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

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

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

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

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

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

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

28 (b) ~~*[Sewerage provided by a public utility, the city or another municipality or*~~
 29 ~~*other public entity may be accessed within 400 feet of the property of such users,]*~~
 30 *A user of the private septic system or package plant for sewage treatment receives*
 31 *water from a municipal water system.*

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

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

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

42 268.4102 1. If the State Environmental Commission determines that:

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

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

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

1 connected into a public utility, the Public Utilities Commission of Nevada shall
2 determine the amount of the assessments for the purposes of establishing a lien
3 pursuant to NRS 445A.900.

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

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

7 268.4105 1. If the governing body of the city determines that:

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

11 (b) ~~[Sewerage provided by a public utility, the city or another municipality or~~
12 ~~other public entity is reasonably available to may be accessed within 400 feet of the~~
13 ~~property of those users.] A user of the private septic system or package plant for
14 sewage treatment receives water from a municipal water system.~~

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

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

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

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

38 3. If the governing body of the city determines at any time that immediate
39 action is necessary to protect the public health and welfare, it may assume physical
40 control and operation of a package plant for sewage treatment which is located
41 within the city limits and is exempt from the provisions of NRS 445A.540 to
42 445A.560, inclusive, without complying with any of the requirements set forth in
43 subsection 2. The governing body may not maintain control of the plant pursuant to
44 this subsection for a period greater than 30 days unless it obtains an order from the
45 district court authorizing an extension.

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

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

3 **Sec. 13.** ~~When~~ *In a county whose population is 700,000 or more, when*
4 *any subdivider proposes to subdivide land that will be served by a public water*
5 *system, the planning commission or its designated representative, or, if there is*
6 *no planning commission, the clerk or other designated representative of the*
7 *governing body, shall file a copy of the subdivider's tentative map with the*
8 *supplier of water. The supplier of water shall, within 30 days, review and*
9 *comment in writing upon the tentative map to the planning commission or the*
10 *governing body regarding the availability of water which meets applicable health*
11 *standards and is sufficient in quantity for the reasonably foreseeable needs of the*
12 *subdivision.*

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

19 **Sec. 15.** NRS 278.010 is hereby amended to read as follows:
20 278.010 As used in NRS 278.010 to 278.630, inclusive, *and sections 13 and*
21 *14 of this act*, unless the context otherwise requires, the words and terms defined in
22 NRS 278.0103 to 278.0195, inclusive, have the meanings ascribed to them in those
23 sections.

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

25 278.347 *1. When any subdivider proposes to subdivide land, any part of*
26 *which is located within the boundaries of any general improvement district*
27 *organized or reorganized pursuant to chapter 318 of NRS, the planning commission*
28 *or its designated representative, or, if there is no planning commission, the clerk or*
29 *other designated representative of the governing body shall file a copy of the*
30 *subdivider's tentative map with ~~the~~ :*

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

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

35 *2. Within 30 days :*

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

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

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

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

48 278.349 *1. Except as otherwise provided in subsection 2, the governing*
49 *body, if it has not authorized the planning commission to take final action, shall, by*
50 *an affirmative vote of a majority of all the members, approve, conditionally*
51 *approve or disapprove a tentative map filed pursuant to NRS 278.330:*

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

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

- 1 ↳ after receipt of the planning commission's recommendations.
2 2. If there is no planning commission, the governing body shall approve,
3 conditionally approve or disapprove a tentative map:
4 (a) In a county whose population is 700,000 or more, within 45 days; or
5 (b) In a county whose population is less than 700,000, within 60 days,
6 ↳ after the map is filed with the clerk of the governing body.
7 3. The governing body, or planning commission if it is authorized to take
8 final action on a tentative map, shall consider:
9 (a) Environmental and health laws and regulations concerning water and air
10 pollution, the disposal of solid waste, facilities to supply water, community or
11 public sewage disposal and, where applicable, individual systems for sewage
12 disposal;
13 (b) The availability of water which meets applicable health standards and is
14 sufficient in quantity for the reasonably foreseeable needs of the subdivision;
15 (c) The availability and accessibility of utilities;
16 (d) The availability and accessibility of public services such as schools, police
17 protection, transportation, recreation and parks;
18 (e) Conformity with the zoning ordinances and master plan, except that if any
19 existing zoning ordinance is inconsistent with the master plan, the zoning ordinance
20 takes precedence;
21 (f) General conformity with the governing body's master plan of streets and
22 highways;
23 (g) The effect of the proposed subdivision on existing public streets and the
24 need for new streets or highways to serve the subdivision;
25 (h) Physical characteristics of the land such as floodplain, slope and soil;
26 (i) The recommendations and comments of those entities and persons
27 reviewing the tentative map pursuant to NRS 278.330 to 278.3485, inclusive;
28 (j) The availability and accessibility of fire protection, including, but not
29 limited to, the availability and accessibility of water and services for the prevention
30 and containment of fires, including fires in wild lands;
31 (k) The potential impacts to wildlife and wildlife habitat; and
32 (l) The submission by the subdivider of an affidavit stating that the subdivider
33 will make provision for payment of the tax imposed by chapter 375 of NRS and for
34 compliance with the disclosure and recording requirements of paragraph (f) of
35 subsection 1 of NRS 598.0923, if applicable, by the subdivider or any successor in
36 interest.
37 4. The governing body or planning commission shall, by an affirmative vote
38 of a majority of all the members, make a final disposition of the tentative map. The
39 governing body or planning commission shall not approve the tentative map unless
40 ~~the~~ :
41 (a) *The subdivider has submitted an affidavit stating that the subdivider will*
42 *make provision for the payment of the tax imposed by chapter 375 of NRS and for*
43 *compliance with the disclosure and recording requirements of paragraph (f) of*
44 *subsection 1 of NRS 598.0923, if applicable, by the subdivider or any successor in*
45 *interest* ~~;~~ *and*
46 ***(b) For any tentative map subject to the requirements of ~~section 13 of this~~***
47 ***act or* ~~NRS 278.347~~ or section 13 of this act, *the supplier of water that will serve***
48 ***the subdivision has determined that there is available water which meets***
49 ***applicable health standards and is sufficient in quantity for the reasonably***
50 ***foreseeable needs of the subdivision.***
51 ↳ Any disapproval or conditional approval must include a statement of the reason
52 for that action.

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

2 278.373 The certificates and acknowledgments required by NRS 116.2109
3 and 278.374 to 278.378, inclusive, *and section 14 of this act, if applicable*, must
4 appear on a final map and may be combined where appropriate.

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

6 278.4955 1. The map of reversion submitted pursuant to NRS 278.490 must
7 contain the appropriate certificates required by NRS 278.376 , ~~and~~ 278.377 *and*
8 *section 14 of this act, if applicable*, for the original division of the land, any
9 agreement entered into for a required improvement pursuant to NRS 278.380 for
10 the original division of the land, and the certificates required by NRS 278.496 and
11 278.4965. If the map includes the reversion of any street or easement owned by a
12 city, a county or the State, the provisions of NRS 278.480 must be followed before
13 approval of the map.

14 2. The final map of reversion must:

15 (a) Be prepared by a professional land surveyor licensed pursuant to chapter
16 625 of NRS. The professional land surveyor shall state in his or her certificate that
17 the map has been prepared from information on a recorded map or maps that are
18 being reverted. The professional land surveyor may state in the certificate that he or
19 she assumes no responsibility for the existence of the monuments or for correctness
20 of other information shown on or copied from the document. The professional land
21 surveyor shall include in the certificate information which is sufficient to identify
22 clearly the recorded map or maps being reverted.

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

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

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

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

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

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

41 278.582 1. Each county and city shall include in its respective building code
42 the requirements of this section. If a county or city has no building code, it shall
43 adopt those requirements by ordinance and provide for their enforcement by its own
44 officers or employees or through interlocal agreement by the officers or employees
45 of another local government. Additionally, each county and city shall prohibit by
46 ordinance the sale and installation of any plumbing fixture *or landscape irrigation*
47 *fixture* which does not meet the standards made applicable for the respective
48 county or city pursuant to this section.

49 2. Except as otherwise provided in subsection ~~6.~~ 7, each residential,
50 commercial or industrial structure on which construction begins on or after March
51 1, 1992, and before March 1, 1993, and each existing residential, commercial or
52 industrial structure which is expanded or renovated on or after March 1, 1992, and

1 before March 1, 1993, must incorporate the following minimal standards for
2 plumbing fixtures:

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

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

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

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

11 3. Except as otherwise provided in subsection ~~(6)~~ 7, each residential,
12 commercial or industrial structure on which construction begins on or after March
13 1, 1993, and before January 1, 2020, and each existing residential, commercial or
14 industrial structure which is expanded or renovated on or after March 1, 1993, and
15 before January 1, 2020, must incorporate the following minimal standards for
16 plumbing fixtures:

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

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

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

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

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

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

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

33 4. Except as otherwise provided in subsection ~~(6)~~ 7, each residential,
34 commercial or industrial structure on which construction begins on or after January
35 1, 2020, and each existing residential, commercial or industrial structure which is
36 expanded or renovated on or after January 1, 2020:

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

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

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

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

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

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

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

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

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

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

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

24 ~~[6.]~~ 7. The requirements of this section ~~[for]~~ :

25 ~~(a) For~~ the installation of certain plumbing fixtures ~~[and landscape irrigation~~
 26 ~~fixtures]~~ do not ~~apply [to~~

27 ~~(a) Apply]~~ to any portion of:

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

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

34 *(b) Except as otherwise provided in federal law, do not prohibit the*
 35 *governing body of a county or city from adopting more stringent requirements for*
 36 *plumbing fixtures or landscape irrigation fixtures.*

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

38 278A.570 1. A plan which has been given final approval by the city or
 39 county must be certified without delay by the city or county and filed of record in
 40 the office of the appropriate county recorder before any development occurs in
 41 accordance with that plan. A county recorder shall not file for record any final plan
 42 unless it includes:

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

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

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

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

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

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

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

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

10 4. For the recording or filing of any final map, plat or plan, the county
11 recorder shall collect a fee of \$50 for the first sheet of the map, plat or plan plus
12 \$10 for each additional sheet. The fee must be deposited in the general fund of the
13 county where it is collected.

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

15 338.193 1. Each public building sponsored or financed by a public body
16 must meet the standards made applicable for the building pursuant to this section.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

1 each existing public building which is expanded or renovated on or after January 1,
2 2020:

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

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

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

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

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

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

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

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

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

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

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

37 349.981 1. There is hereby established a program to provide grants of
38 money to:

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

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

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

47 (2) Recovery or recycling of wastewater or tailwater;

48 (3) Scheduling of irrigation;

49 (4) Measurement or metering of the use of water;

50 (5) Improving the efficiency of irrigation operations; and

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

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

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

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

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

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

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

22 (e) An eligible recipient to pay the following costs associated with *plugging*
23 *and abandoning a well and* connecting ~~to~~ *the property formerly served by the*
24 *well to a municipal water system, if the State Engineer requires the plugging of*
25 *the well pursuant to subsection 3 of NRS 534.180 or if the quality of the water of*
26 *the well fails to comply with the standards of the Safe Drinking Water Act, 42*
27 *U.S.C. §§ 300f et seq., and the regulations adopted pursuant thereto:*

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

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

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

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

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

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

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

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

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

1 4. As used in this section:

2 (a) "Eligible recipient" means:

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

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

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

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

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

12 489.706 1. Each manufactured home or mobile home on which construction
13 begins on or after March 1, 1992, and before March 1, 1993, must incorporate the
14 following minimal standards for plumbing fixtures:

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

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

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

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

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

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

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

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

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

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

42 4. For the purposes of subsection 3, a plumbing fixture is considered certified
43 under the WaterSense program if the fixture meets the requirements of paragraph

44 (a) or (b) of subsection ~~5~~ 6 of NRS 278.582.

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

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

52 **(b) If the WaterSense program has not developed a final product**
53 **specification for a type of irrigation controller or spray sprinkler body, must not**

1 *install any irrigation controller or spray sprinkler body that does not comply with*
2 *any applicable requirements of federal law and the building code of the county or*
3 *city.*

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

7 **Sec. 24.5. NRS 533.027 is hereby amended to read as follows:**

8 533.027 1. The provisions of this chapter do not apply to ~~the~~ :

9 (a) The use of water in emergency situations to extinguish fires by a public
10 agency or a volunteer fire department; or

11 (b) The de minimus collection of precipitation:

12 ~~(a)~~ (I) From the rooftop of a single-family dwelling for nonpotable domestic
13 use; or

14 ~~(b)~~ (2) If the collection does not conflict with any existing water rights as
15 determined by the State Engineer, in a guzzler to provide water for use by wildlife.
16 The guzzler must:

17 ~~(1)~~ (I) Have a capacity of 20,000 gallons or less;

18 ~~(2)~~ (II) Have a capture area of 1 acre or less;

19 ~~(3)~~ (III) Have a pipe length of 1/4 mile or less;

20 ~~(4)~~ (IV) Be developed by a state or federal agency responsible for
21 wildlife management or by any other person in consultation with the Department of
22 Wildlife; and

23 ~~(5)~~ (V) Be approved for use by the Department of Wildlife.

24 2. As used in this section:

25 (a) "Domestic use" has the meaning ascribed to it in NRS 534.013. ~~and~~

26 (b) "Guzzler" has the meaning ascribed to it in NRS 501.121.

27 (c) "Public agency" means an agency, bureau, board, commission,
28 department or division of this State or a political subdivision of this State.

29 **Sec. 25. ~~[NRS 534.110 is hereby amended to read as follows:~~**

30 ~~534.110 1. The State Engineer shall administer this chapter and shall~~
31 ~~prescribe all necessary regulations within the terms of this chapter for its~~
32 ~~administration.~~

33 ~~2. The State Engineer may:~~

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

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

39 ~~3. The State Engineer shall determine whether there is unappropriated water~~
40 ~~in the area affected and may issue permits only if the determination is affirmative.~~
41 ~~The State Engineer may require each applicant to whom a permit is issued for a~~
42 ~~well:~~

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

44 ~~(b) Whose reasonably expected rate of diversion is one-half cubic foot per~~
45 ~~second or more;~~

46 ~~to report periodically to the State Engineer concerning the effect of that well on~~
47 ~~other previously existing wells that are located within 2,500 feet of the well.~~

48 ~~4. It is a condition of each appropriation of groundwater acquired under this~~
49 ~~chapter that the right of the appropriator relates to a specific quantity of water and~~
50 ~~that the right must allow for a reasonable lowering of the static water level at the~~
51 ~~appropriator's point of diversion. In determining a reasonable lowering of the static~~
52 ~~water level in a particular area, the State Engineer shall consider the economics of~~

1 ~~pumping water for the general type of crops growing and may also consider the~~
2 ~~effect of using water on the economy of the area in general.~~

3 ~~— 5. This section does not prevent the granting of permits to applicants later in~~
4 ~~time on the ground that the diversions under the proposed later appropriations may~~
5 ~~cause the water level to be lowered at the point of diversion of a prior appropriator,~~
6 ~~so long as any protectable interests in existing domestic wells as set forth in NRS~~
7 ~~533.024 and the rights of holders of existing appropriations can be satisfied under~~
8 ~~such express conditions. At the time a permit is granted for a well:~~

9 ~~— (a) For municipal, quasi-municipal or industrial use; and~~

10 ~~— (b) Whose reasonably expected rate of diversion is one-half cubic foot per~~
11 ~~second or more;~~

12 ~~— the State Engineer shall include as a condition of the permit that pumping water~~
13 ~~pursuant to the permit may be limited or prohibited to prevent any unreasonable~~
14 ~~adverse effects on an existing domestic well located within 2,500 feet of the well,~~
15 ~~unless the holder of the permit and the owner of the domestic well have agreed to~~
16 ~~alternative measures that mitigate those adverse effects.~~

17 ~~— 6. Except as otherwise provided in subsection 7, the State Engineer shall~~
18 ~~conduct investigations in any basin or portion thereof where it appears that the~~
19 ~~average annual replenishment to the groundwater supply may not be adequate for~~
20 ~~the needs of all permittees and all vested right claimants, and if the findings of~~
21 ~~the State Engineer so indicate, except as otherwise provided in subsection 9, the State~~
22 ~~Engineer [may] shall order that withdrawals, including, without limitation,~~
23 ~~withdrawals from domestic wells, be restricted to conform to priority rights.~~

24 ~~— 7. The State Engineer:~~

25 ~~(a) May designate as a critical management area any basin in which~~
26 ~~withdrawals of groundwater consistently exceed the perennial yield of the basin.~~

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

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

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

45 ~~— 9. If a court of competent jurisdiction orders the State Engineer to restrict~~
46 ~~withdrawals to conform to priority rights or if pursuant to subsection 6 or 7 the~~
47 ~~State Engineer orders that withdrawals be restricted to conform to priority rights,~~
48 ~~the State Engineer must limit the restriction of withdrawals from a domestic well to~~
49 ~~allow a domestic well to continue to withdraw 0.5 acre foot of water per year,~~
50 ~~which must be recorded by a water meter.] (Deleted by amendment.)~~

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

52 534.120 1. Within an area that has been designated by the State Engineer, as
53 provided for in this chapter, where, in the judgment of the State Engineer, the

1 groundwater basin is being depleted, the State Engineer in his or her administrative
 2 capacity may make such rules, regulations and orders as are deemed essential for
 3 the welfare of the area involved.

4 2. In the interest of public welfare, the State Engineer is authorized and
 5 directed to designate preferred uses of water within the respective areas so
 6 designated by the State Engineer and from which the groundwater is being
 7 depleted, and in acting on applications to appropriate groundwater, the State
 8 Engineer may designate such preferred uses in different categories with respect to
 9 the particular areas involved within the following limits:

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

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

14 3. ~~Except as otherwise provided in subsection 5, the~~ *The* State Engineer
 15 may ~~f-~~

16 ~~—(a) Issue~~ *only issue* temporary permits to appropriate groundwater ~~[which] if~~
 17 ~~water cannot be furnished by a public entity such as a water district or~~
 18 ~~municipality presently engaged in furnishing water to the inhabitants thereof.~~
 19 ~~Such temporary permits~~ can be limited as to time and ~~[which] may, [except as~~
 20 ~~limited by subsection 4, shall]~~ be revoked if and when ~~[water] :~~

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

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

26 *↪ The holder of a temporary permit that is revoked pursuant to this subsection*
 27 *must be given 730 days from the date of revocation to connect to the public entity*
 28 *furnishing water.*

29 4. ~~[The]~~ *In a basin designated pursuant to NRS 534.030, the State Engineer*
 30 ~~[shall] may:~~

31 (a) Deny applications to appropriate groundwater for any use in areas served
 32 by ~~[such an]~~ *a public* entity ~~f-~~

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

35 (b) Limit the depth of domestic wells.

36 ~~[(d)]~~ (c) Prohibit the drilling of wells for domestic use ~~[, as defined in NRS~~
 37 ~~534.013,]~~ in areas where water can be furnished by ~~[an]~~ *a public* entity such as a
 38 water district or a municipality presently engaged in furnishing water to the
 39 inhabitants thereof.

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

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

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

~~1 (b) The well providing water pursuant to the temporary permit needs to be
2 redrilled or have repairs made which require the use of a well drilling rig.~~

~~3 5. [The State Engineer may, in] In an area in which have been issued
4 temporary permits pursuant to subsection 3, [limit] the State Engineer:~~

~~5 (a) Shall:~~

~~6 (1) Deny any applications to appropriate groundwater for use in areas
7 served by a public entity such as a water district or a municipality presently
8 engaged in furnishing water;~~

~~9 (2) Limit the depth of a domestic well [pursuant to paragraph (c) of
10 subsection 3 or] ; or~~

~~11 (3) Prohibit the drilling of wells for domestic use in areas where water
12 can be furnished by a public entity such as a water district or a municipality
13 presently engaged in furnishing water to the inhabitants; and~~

~~14 (b) May prohibit repairs from being made to a well, and may require the person
15 proposing to deepen or repair the well to obtain water from [an] a public entity
16 such as a water district or a municipality engaged in furnishing water to the
17 inhabitants of the designated area, only if:~~

~~18 [(a)] (1) The distance from the property line of any parcel served by the well
19 to the pipes and other appurtenances of the proposed source of water to which the
20 property will be connected is not more than 180 feet; and~~

~~21 [(b)] (2) The deepening or repair of the well would require the use of a well-
22 drilling rig.~~

~~23 6. For good and sufficient reasons, the State Engineer may exempt the
24 provisions of this section with respect to public housing authorities.~~

~~25 7. [6.] The provisions of this section do not prohibit the State Engineer from
26 revoking a temporary permit issued pursuant to this section if any parcel served by
27 a well pursuant to the temporary permit is currently obtaining water from [an] a
28 public entity such as a water district or a municipality engaged in furnishing water
29 to the inhabitants of the area.~~

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

~~33 **Sec. 27.** NRS 534.180 is hereby amended to read as follows:~~

~~34 534.180 1. Except as otherwise provided in subsection 2 and as to the
35 furnishing of any information required by the State Engineer, this chapter does not
36 apply in the matter of obtaining permits for the development and use of
37 underground water from a well for domestic purposes where the draught does not
38 exceed 2 acre-feet per year.~~

~~39 2. The State Engineer may designate any groundwater basin or portion thereof
40 as a basin in which the registration of a well is required if the well is drilled for the
41 development and use of underground water for domestic purposes. A driller who
42 drills such a well shall register the information required by the State Engineer
43 within 10 days after the completion of the well. The State Engineer shall make
44 available forms for the registration of such wells and shall maintain a register of
45 those wells.~~

~~46 3. The State Engineer may require the plugging of such a well which is drilled
47 on or after July 1, 1981, at any time not sooner than 1 year after water can be
48 furnished to the site by:~~

~~49 (a) A political subdivision of this State; or~~

~~50 (b) A public utility whose rates and service are regulated by the Public Utilities
51 Commission of Nevada [.]
52 ➤ but only if [the charge for making the connection to the service is less than
53 \$200.] such a well is within 1,250 feet of a municipal water system.~~

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

4 (a) The owner of the well shall:

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

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

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

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

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

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

18 **Sec. 27.5. NRS 538.171 is hereby amended to read as follows:**

19 538.171 1. The Commission shall receive, protect and safeguard and hold in
20 trust for the State of Nevada all water and water rights, and all other rights, interests
21 or benefits in and to the waters described in NRS 538.041 to 538.251, inclusive,
22 and to the power generated thereon, held by or which may accrue to the State of
23 Nevada under and by virtue of any Act of the Congress of the United States or any
24 agreements, compacts or treaties to which the State of Nevada may become a party,
25 or otherwise.

26 2. Except as otherwise provided in this subsection, applications for the
27 original appropriation of such waters, or to change the **holder of the entitlement to**
28 **appropriate water**, place of diversion, manner of use or place of use of water
29 covered by the original appropriation, must be made to the Commission in
30 accordance with the regulations of the Commission. In considering such an
31 application, the Commission shall use the criteria set forth in ~~[subsection 3 of]~~ NRS
32 533.370. The Commission's action on the application constitutes the
33 recommendation of the State of Nevada to the United States for the purposes of any
34 federal action on the matter required by law. The provisions of this subsection do
35 not apply to supplemental water.

36 3. The Commission shall furnish to the State Engineer a copy of all
37 agreements entered into by the Commission concerning the original appropriation
38 and use of such waters. It shall also furnish to the State Engineer any other
39 information it possesses relating to the use of water from the Colorado River which
40 the State Engineer deems necessary to allow the State Engineer to act on
41 applications for permits for the subsequent appropriation of these waters after they
42 fall within the State Engineer's jurisdiction.

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

47 5. Any use of water from the Muddy River or the Virgin River for the
48 creation of any developed shortage supply or intentionally created surplus does not
49 require the submission of an application to the State Engineer to change the place of
50 diversion, manner of use or place of use. As used in this subsection:

51 (a) "Developed shortage supply" has the meaning ascribed to it in NRS
52 533.030.

1 (b) “Intentionally created surplus” has the meaning ascribed to it in NRS
2 533.030.

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

7 *Sec. 37.5. “General Manager” means the General Manager of the*
8 *Southern Nevada Water Authority.*

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

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

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

27 *Sec. 38.4. 1. Except as otherwise provided in this section, on and*
28 *after the effective date of Assembly Bill No. 220 of the 82nd Session of the*
29 *Nevada Legislature, on any parcel of property that uses or will use the*
30 *waters of the Colorado River distributed by the Southern Nevada Water*
31 *Authority or one of the member agencies of the Southern Nevada Water*
32 *Authority:*

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

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

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

41 *3. The provisions of this section do not apply to any decreed,*
42 *certificated or permitted right to appropriate water that is diverted from*
43 *the Virgin River or Muddy River.*

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

48 *Sec. 38.6. 1. Except as otherwise provided in this subsection,*
49 *beginning on the effective date of Assembly Bill No. 220 of the 82nd*
50 *Session of the Nevada Legislature, and ending on December 31, 2023,*
51 *new turf may not be installed on any parcel of property that uses or will*
52 *use the waters of the Colorado River distributed by the Southern Nevada*
53 *Water Authority or one of the member agencies of the Southern Nevada*

1 *Water Authority. The provisions of this subsection do not apply to the*
 2 *installation of warm-season turf in parks, schools or cemeteries.*

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

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

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

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

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

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

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

31 *2. The Board of Directors shall:*

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

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

38 *(c) Not later than January 1, ~~2024,~~ 2025, notify the owner of any*
 39 *parcel of property subject to the requirements of subsection 1 that he or*
 40 *she is required to participate in the irrigation water efficiency monitoring*
 41 *program by the deadline established pursuant to paragraph (b).*

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

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

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

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

50 *Sec. 39. 1. Except as otherwise provided in this section, on and*
 51 *after January 1, 2027, the waters of the Colorado River distributed by the*
 52 *Southern Nevada Water Authority or one of the member agencies of the*
 53 *Southern Nevada Water Authority may not be used to irrigate*

1 nonfunctional turf on any *parcel of* property that is not ~~zoned~~ *used*
 2 exclusively ~~for~~ *as* a single-family residence.

3 2. The Board of Directors shall:

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

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

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

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

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

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

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

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

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

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

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

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

37 2. Except as otherwise provided in this section:

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

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

44 3. Except as otherwise provided in subsections 4 and 5, if the
 45 Southern Nevada Water Authority operates a project for the recharge and
 46 recovery or underground storage and recovery of water *or a program for*
 47 *the conversion of properties served by a septic system* pursuant to section
 48 14.5 of this act:

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

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

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

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

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

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

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

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

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

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

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

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

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

(b) *If emergency conditions exist; or*

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

2. Any restrictions imposed by the General Manager pursuant to subsection 1 ~~may be modified~~ must be ratified by the Board of Directors of the Southern Nevada Water Authority ~~the~~ not more than 15 calendar days after the date the restrictions are imposed.

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

Sec. 36. This act becomes effective upon passage and approval.