

Amendment No. 712

Senate Amendment to Assembly Bill No. 220 First Reprint (BDR 40-337)

Proposed by: Senate Committee on Natural Resources

Amendment Box: Replaces Amendment No. 617.

Amends: Summary: No Title: Yes Preamble: No Joint Sponsorship: No Digest: Yes

Adoption of this amendment will REMOVE the unfunded mandate from A.B. 220 R1.

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}~~ **authorizing a district board of health to establish a program to pay the costs for** property owners with a septic system to connect to a community sewerage disposal system ~~{by January 1, 2054;}~~ **under certain circumstances;** revising provisions relating to a permit to operate a water system; revising provisions relating to water ~~{and sewer facilities;}~~ **systems;** 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; 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~~ **authorizes** a district board of health ~~[in a county whose population is 700,000 or more (currently only Clark County)]~~ to ~~[(1) require all]~~ **create a voluntary financial assistance program to pay 100 percent of the costs for** property owners with an existing septic system whose property is served by a municipal water system to connect to the community sewerage disposal system ~~. [not later than January 1, 2054; and (2) enter into an agreement with a water authority to establish a program to pay not less than 85 percent of the cost for property owners to abandon an existing individual septic system and connect to the community sewerage disposal system.]~~ **Section 1** also **;(1) authorizes** such a district board of health to, upon an affirmative vote of two-thirds of the members of the board, impose a **voluntary** fee on owners of such septic systems to carry out such requirements ~~[(1) ; and (2) if such a voluntary fee is imposed, prohibits the district board of health from paying the costs of connecting to the community sewerage disposal system for any property owner who does not pay the voluntary fee.~~ **Section 2** of this bill makes a conforming change to indicate the proper placement of **section 1** in the Nevada Revised Statutes. **Section 34.5 of this bill requires a district board of health that creates such a voluntary financial assistance program to, on or before December 31, 2024, submit to the Director of the Legislative Counsel Bureau a report setting forth the number of participants in the program and recommendations for legislation.**

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 revises 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)]~~ **(3)** provide that if the Division determines that water provided by a public utility or a municipality or other public entity is reasonably available, all users of the water system in certain counties are required to connect. **Section** ~~[(4)]~~ **4.5** of this bill makes conforming changes to revise certain provisions relating to the ~~[responsibility of]~~ **disposition of the proceeds of assessments and sureties imposed** by a local governing body for a public water system in the event of a default. **Section 3** of this bill revises a reference to certain findings. **Section 2.3 of this bill defines "local governing body" for the purposes of the provisions of sections 4 and 4.5. Section 2.6 of this bill makes a conforming change to indicate the proper placement of section 2.3 in the Nevada Revised Statutes.**

~~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~~

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

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

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

~~[Section 9 of this bill provides that if the governing body of a city in a county whose population is 700,000 or more determines that a private septic system or any package plant for sewage treatment is located within the city and a user of the private septic system or package plant for sewage treatment receives water from a municipal water system, the governing body must require all users of the septic system or package plant for sewage treatment to connect to the public sewers and may assess each lot or parcel for its share of the cost for the connection.]~~

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

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

Section 15 of this bill makes conforming changes to indicate the proper placement of **sections 13 and 14** in the Nevada Revised Statutes. **Section 18** of this bill makes a conforming change to require the certificate of approval required by **section 14** to appear on the final map. **Sections 19 and 21** of this bill make conforming changes to also require a map

112 of reversion and a final map for a planned development to have such a certificate of approval,
113 if applicable.

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

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

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

135 Under existing law, the State Engineer may issue temporary permits to appropriate
136 groundwater in certain designated areas which may be revoked if the property served by the
137 permit is within 180 feet of water furnished by an entity such as a water district or a
138 municipality and the well needs to be redrilled or have certain repairs made. (NRS 534.120)
139 **Section 26** of this bill instead provides that the State Engineer: (1) may only issue a temporary
140 permit if water cannot be furnished by a public entity that furnishes water; and (2) authorizes
141 the State Engineer to revoke such a temporary permit if the property served by the temporary
142 permit is within 1,250 feet of water furnished by a public entity such as a water district or a
143 municipality. **Section 26** also requires the State Engineer to, in an area in which such
144 temporary permits have been issued: (1) deny applications to appropriate groundwater if a
145 public entity that furnishes water serves the area; (2) limit the depth of domestic wells; and (3)
146 prohibit the drilling of wells for domestic use.

147 Under existing law, the State Engineer may require the plugging of certain domestic wells
148 drilled in a basin in which such wells must be registered if water can be furnished by certain
149 entities, but only if the charge for connecting to the furnished water is less than \$200. (NRS
150 534.180) **Section 27** of this bill: (1) removes the requirement that the charge for connecting be
151 less than \$200; and (2) requires plugging of a well if the well is within 1,250 feet of a
152 municipal water system.

153 Existing law requires that applications for the appropriation of water or to change the
154 place of diversion, manner of use or place of use of certain waters must be made to the
155 Colorado River Commission. (NRS 538.171) **Section 27.5** of this bill also requires that
156 applications to change the holder of the entitlement to appropriate certain waters be submitted
157 to the Colorado River Commission.

158 The Conservation of Colorado River Water Act prohibits, with certain exceptions, the
159 waters of the Colorado River that are distributed by the Southern Nevada Water Authority or
160 one of the member agencies of the Authority from being used to irrigate nonfunctional turf on
161 any property that is not zoned exclusively for a single-family residence on and after January 1,
162 2027. (Section 39 of chapter 364, Statutes of Nevada 2021, at page 2180) **Section 31** of this
163 bill prohibits the use of such waters of the Colorado River for irrigating nonfunctional turf on
164 any parcel of property that is not used exclusively as a single-family residence.

165 **Section 28** of this bill defines "General Manager" for the purposes of the Conservation of
166 Colorado River Water Act. **Section 29** of this bill : **(1)** authorizes the Board of Directors of
167 the Authority to restrict the use of water by a single-family residence to not more than 0.5
168 acre-feet of water during any year in which a shortage on the Colorado River has been
169 declared by the Federal Government **✚** ; **and (2) requires the Board of Directors to**
170 **establish a process to approve a waiver of such restrictions on the use of water. Section**

171 29 also prohibits, with certain exceptions, the installation of new turf on any parcel of
 172 property that uses such waters of the Colorado River for irrigation beginning on the effective
 173 date of this bill and ending on December 31, 2023. Any new turf installed on and after
 174 January 1, 2024, must meet the requirements established by the Board of Directors, unless the
 175 General Manager approves a waiver.

176 **Section 29** further ~~[(1)]~~ prohibits the installation of a new septic system on any parcel of
 177 property that uses such waters of the Colorado River ~~;~~ ~~and (2) requires any parcel of~~
 178 ~~property which uses such waters of the Colorado River to discontinue the use of the septic~~
 179 ~~system and connect to a public sewer system if the property served by the existing septic~~
 180 ~~system is connected to a municipal water system.]~~

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

188 The Southern Nevada Water Authority Act authorizes the Authority, in consultation with
 189 the Advisory Committee for the Management of Groundwater in the Las Vegas Valley
 190 Groundwater Basin, to operate a project for the recharge and recovery or underground storage
 191 and recovery of groundwater for the benefit of owners of wells in the Las Vegas Valley
 192 Groundwater Basin. (Section 14.5 of chapter 572, Statutes of Nevada 1997, as added by
 193 section 1 of chapter 468, Statutes of Nevada 1999, at page 2387) The Act also authorizes the
 194 Authority to assess certain fees on users of groundwater and owners of domestic wells,
 195 including a fee if the Authority operates such a project. (Section 13 of chapter 572, Statutes of
 196 Nevada 1997, as amended by chapter 468, Statutes of Nevada 1999, at page 2387) **Section 33**
 197 of this bill also authorizes the Authority, in consultation with the Advisory Committee, to
 198 operate a program to convert any property served by a septic system to a municipal sewer
 199 system. **Section 32** of this bill authorizes the Authority to assess a fee on users of groundwater
 200 and owners of domestic wells for the program to convert septic systems.

201 The Southern Nevada Water System Act of 1995 establishes certain powers and duties of
 202 the Authority. (Section 2 of chapter 393, Statutes of Nevada 1995, at page 963) **Section 34** of
 203 this bill authorizes the Board of Directors of the Authority, by resolution, to authorize the
 204 General Manager of the Authority to restrict water usage during certain water emergencies
 205 and shortages and provides that the Board of Directors must ratify any such restrictions
 206 imposed by the General Manager.

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

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

3 *1. The district board of health [shall require] may create a voluntary*
 4 *financial assistance program to pay 100 percent of the cost for a property owner*
 5 *with an existing septic system whose property is served by a municipal water*
 6 *system to abandon the septic system and connect to the community sewerage*
 7 *disposal system, [not later than January 1, 2054].*

8 *2. ~~[To carry out the requirement of subsection 1, the district board of health~~*
 9 *~~shall enter into an agreement with a water authority created by cooperative~~*
 10 *~~agreement pursuant to chapter 277 of NRS to establish a program to pay not less~~*
 11 *~~than 85 percent of the cost for property owners to abandon a septic system and~~*
 12 *~~connect to a community sewerage disposal system. Such a program must pay~~*
 13 *~~such costs for up to 200 property owners each calendar year.~~*

14 *~~3. Upon an affirmative vote of two-thirds of all the members of the district~~*
 15 *~~board of health, the district board of health may impose a voluntary annual fee~~*

1 on property owners with existing septic systems whose property is served by a
 2 municipal water system to carry out the provisions of this section.

3 ~~4. The~~

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

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

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

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

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

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

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

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

25 ~~— 6. Imposes a voluntary annual fee pursuant to subsection 2:~~

26 (a) The fee must not exceed the annual sewer rate charged by the largest
 27 community sewerage disposal system in the county or counties, as applicable, in
 28 which the district board of health has been established; and

29 (b) The district board of health shall not provide financial assistance to any
 30 property owner who does not pay the voluntary fee.

31 4. As used in this section:

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

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

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

40 439.361 The provisions of NRS 439.361 to 439.3685, inclusive, and section
 41 1 of this act, apply to a county whose population is 700,000 or more.

42 Sec. 2.3. Chapter 445A of NRS is hereby amended by adding thereto a
 43 new section to read as follows:

44 “Local governing body” means:

45 1. The governing body of an incorporated city in which is located within the
 46 limits of the incorporated city all or any part of an area serviced by a water
 47 system; or

48 2. The board of county commissioners of a county in which is located
 49 within the unincorporated area of the county all of an area serviced by a water
 50 system.

51 Sec. 2.6. NRS 445A.805 is hereby amended to read as follows:

52 445A.805 As used in NRS 445A.800 to 445A.955, inclusive, and section 2.3
 53 of this act, unless the context otherwise requires, the words and terms defined in

1 NRS 445A.807 to 445A.850, inclusive, and section 2.3 of this act have the
2 meanings ascribed to them in those sections.

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

4 445A.890 Before making the finding specified in NRS 445A.910 and before
5 making the determinations specified in NRS 244.3655, 268.4102 and 445A.895, the
6 **Commission or Division, as applicable**, shall request comments from the:

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

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

13 445A.895 A permit to operate a water system may not be issued pursuant to
14 NRS 445A.885 unless all of the following conditions are met:

15 1. Neither water provided by a public utility nor water provided by a
16 municipality or other public entity is available to the persons to be served by the
17 water system.

18 2. The applicant fully complies with all of the conditions of NRS 445A.885 to
19 445A.915, inclusive.

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

24 4. The local governing body ~~assumes:~~ **agrees:**

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

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

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

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

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

41 **whichever is later.**

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

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

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

50 (I) **That** each lot or parcel will be assessed by the local governing body for
51 its proportionate share of the cost of **replenishing or augmenting the surety**
52 **required pursuant to paragraph (a) as necessary for the** continued operation and
53 maintenance of the water system if there is a default by the ~~applicant or operator~~

1 *builder, developer or owner* of the water system ~~[and a sufficient surety, as~~
2 ~~provided in subsection 5, is not available.]~~;

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

7 (3) *An acknowledgment of and agreement with the obligations of the*
8 *local governing body pursuant to subsection 4 and subsection 3 of NRS*
9 *445A.905.*

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

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

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

19 (b) Water provided by a public utility or a municipality or other public entity is
20 reasonably available,

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

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

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

35 445A.905 1. The proceeds of any assessments upon lots or parcels *and the*
36 *sureties required pursuant to NRS 445A.895* must be deposited with the treasurer
37 of the local governing body which received them, and they may be expended only
38 for the:

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

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

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

46 2. If any surplus exists in the proceeds of assessments *and the sureties*
47 *required pursuant to NRS 445A.895* after all purposes of the assessments *and*
48 *sureties* have been fully met, the surplus must be refunded to the persons who paid
49 the assessments ~~↪~~ *and sureties*, in the proportion that their respective assessments
50 *and sureties* bear to the gross proceeds of all assessments *and sureties* collected by
51 the local governing body.

52 3. *For the purposes set forth in subsection 1, the local governing body is not*
53 *obligated to:*

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

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

5 *(c) Collect any unpaid assessment, unless the local governing body has*
6 *agreed to assume the duty for the assessments pursuant to subsection 4 of NRS*
7 *445A.895.*

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

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

10 461.175 1. Each manufactured building on which construction begins on or
11 after March 1, 1992, and before March 1, 1993, must incorporate the following
12 minimal standards for plumbing fixtures:

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

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

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

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

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

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

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

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

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

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

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

43 **5. Each manufactured building on which construction begins on or after**
44 **January 1, 2024, and each existing manufactured building which is expanded or**
45 **renovated on or after January 1, 2024:**

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

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

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

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

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

7 244.3655 1. If the State Environmental Commission determines that:

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

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

13 ~~the~~ *board of county commissioners of that county shall, in a county whose*
 14 *population is 700,000 or more, and may, in all other counties,* require all users of
 15 the system to connect into the available water system provided by a public utility or
 16 a municipality or other public entity, and may assess each lot or parcel served for its
 17 proportionate share of the costs associated with connecting into that water system.
 18 If the water system is being connected into a public utility, the Public Utilities
 19 Commission of Nevada shall determine the amount of the assessments for the
 20 purposes of establishing a lien pursuant to NRS 445A.900.

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

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

24 ~~— 244.366 1. The board of county commissioners of any county whose~~
 25 ~~population is 700,000 or more has the power, outside of the limits of incorporated~~
 26 ~~cities and towns:~~

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

~~5. As used in this section, "*septic system*" means a well that is used to place sanitary waste below the surface of the ground, which is typically composed of a septic tank and a subsurface fluid distribution system or disposal system.]~~
(Deleted by amendment.)

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

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

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

~~(b) A user of the private septic system or package plant for sewage treatment receives water from a municipal water system,~~

~~the governing body shall require all users of the private septic system or package plant for sewage treatment to connect into the available sewers provided by the public utility, the city or another municipality or other public entity, and may assess each lot or parcel served for its proportionate share of the cost of~~

1 ~~connecting into such sewers. These assessments are not subject to the jurisdiction~~
2 ~~of the Public Utilities Commission of Nevada.~~

3 ~~2. As used in this section, "septic system" means a well that is used to place~~
4 ~~sanitary waste below the surface of the ground that is typically composed of a~~
5 ~~septic tank and a subsurface fluid distribution or disposal system.] (Deleted by~~
6 ~~amendment.)~~

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

8 268.4102 1. If the State Environmental Commission determines that:

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

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

15 ~~the governing body of that city shall, in a county whose population is 700,000~~
16 ~~or more, and may, in all other counties,~~ require all users of the system to connect
17 into the available water system provided by a public utility or a municipality or
18 other public entity, and may assess each lot or parcel served for its share of the
19 costs associated with connecting into that water system. If the water system is being
20 connected into a public utility, the Public Utilities Commission of Nevada shall
21 determine the amount of the assessments for the purposes of establishing a lien
22 pursuant to NRS 445A.900.

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

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

26 ~~268.4105 1. If the governing body of the city determines that:~~

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

30 ~~(b) [Sewerage provided by a public utility, the city or another municipality or~~
31 ~~other public entity is reasonably available to those users.] A user of the private~~
32 ~~septic system or package plant for sewage treatment receives water from a~~
33 ~~municipal water system,~~

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

40 ~~2. If the State Department of Conservation and Natural Resources has found~~
41 ~~that a package plant for sewage treatment which is exempt from the provisions of~~
42 ~~NRS 445A.540 to 445A.560, inclusive, is violating any of the conditions of NRS~~
43 ~~445A.465 to 445A.515, inclusive, and has notified the holder of the permit that he~~
44 ~~or she must bring the plant into compliance, but the holder of the permit has failed~~
45 ~~to comply within a reasonable time after the date of the notice, the governing body~~
46 ~~of the city in which the plant is located may take the following actions~~
47 ~~independently of any further action by the State Department of Conservation and~~
48 ~~Natural Resources:~~

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

~~1 (b) After the 30 day period has expired, if the plant has not been brought into
2 compliance, apply to the district court for an order authorizing the governing body
3 to assume control of the plant and assess the property for the continued operation
4 and maintenance of the plant as provided in subsection 4.~~

~~5 2. If the governing body of the city determines at any time that immediate
6 action is necessary to protect the public health and welfare, it may assume physical
7 control and operation of a package plant for sewage treatment which is located
8 within the city limits and is exempt from the provisions of NRS 445A.540 to
9 445A.560, inclusive, without complying with any of the requirements set forth in
10 subsection 2. The governing body may not maintain control of the plant pursuant to
11 this subsection for a period greater than 30 days unless it obtains an order from the
12 district court authorizing an extension.~~

~~13 4. Each lot and parcel served by a package plant for sewage treatment which
14 is exempt from the provisions of NRS 445A.540 to 445A.560, inclusive, is subject
15 to assessment by the governing body of the city in which the plant is located for its
16 proportionate share of the cost of continued operation and maintenance of the plant
17 if there is a default or the city assumes control and operation of the plant pursuant
18 to subsection 2 or 3.] (Deleted by amendment.)~~

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

21 **Sec. 13.** *In a county whose population is 700,000 or more, when any
22 subdivider proposes to subdivide land that will be served by a public water system,
23 the planning commission or its designated representative, or, if there is no
24 planning commission, the clerk or other designated representative of the
25 governing body, shall file a copy of the subdivider's tentative map with the
26 supplier of water. The supplier of water shall, within 30 days, review and
27 comment in writing upon the tentative map to the planning commission or the
28 governing body regarding the availability of water which meets applicable health
29 standards and is sufficient in quantity for the reasonably foreseeable needs of the
30 subdivision.*

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

36 **Sec. 15.** NRS 278.010 is hereby amended to read as follows:
37 278.010 As used in NRS 278.010 to 278.630, inclusive, *and sections 13 and
38 14 of this act*, unless the context otherwise requires, the words and terms defined in
39 NRS 278.0103 to 278.0195, inclusive, have the meanings ascribed to them in those
40 sections.

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

42 278.347 **1.** When any subdivider proposes to subdivide land, any part of
43 which is located within the boundaries of any general improvement district
44 organized or reorganized pursuant to chapter 318 of NRS, the planning commission
45 or its designated representative, or, if there is no planning commission, the clerk or
46 other designated representative of the governing body shall file a copy of the
47 subdivider's tentative map with ~~the~~ :

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

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

52 2. *Within* 30 days :

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

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

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

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

13 278.349 1. Except as otherwise provided in subsection 2, the governing
14 body, if it has not authorized the planning commission to take final action, shall, by
15 an affirmative vote of a majority of all the members, approve, conditionally
16 approve or disapprove a tentative map filed pursuant to NRS 278.330:

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

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

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

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

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

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

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

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

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

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

33 (c) The availability and accessibility of utilities;

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

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

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

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

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

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

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

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

50 (l) The submission by the subdivider of an affidavit stating that the subdivider
51 will make provision for payment of the tax imposed by chapter 375 of NRS and for
52 compliance with the disclosure and recording requirements of paragraph (f) of

1 subsection 1 of NRS 598.0923, if applicable, by the subdivider or any successor in
2 interest.

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

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

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

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

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

20 278.373 The certificates and acknowledgments required by NRS 116.2109
21 and 278.374 to 278.378, inclusive, *and section 14 of this act, if applicable*, must
22 appear on a final map and may be combined where appropriate.

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

24 278.4955 1. The map of reversion submitted pursuant to NRS 278.490 must
25 contain the appropriate certificates required by NRS 278.376 , ~~and~~ 278.377 *and*
26 *section 14 of this act, if applicable*, for the original division of the land, any
27 agreement entered into for a required improvement pursuant to NRS 278.380 for
28 the original division of the land, and the certificates required by NRS 278.496 and
29 278.4965. If the map includes the reversion of any street or easement owned by
30 a city, a county or the State, the provisions of NRS 278.480 must be followed before
31 approval of the map.

32 2. The final map of reversion must:

33 (a) Be prepared by a professional land surveyor licensed pursuant to chapter
34 625 of NRS. The professional land surveyor shall state in his or her certificate that
35 the map has been prepared from information on a recorded map or maps that are
36 being reverted. The professional land surveyor may state in the certificate that he or
37 she assumes no responsibility for the existence of the monuments or for correctness
38 of other information shown on or copied from the document. The professional land
39 surveyor shall include in the certificate information which is sufficient to identify
40 clearly the recorded map or maps being reverted.

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

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

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

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

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

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

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

16 2. Except as otherwise provided in subsection ~~6-7~~ 7, each residential,
17 commercial or industrial structure on which construction begins on or after March
18 1, 1992, and before March 1, 1993, and each existing residential, commercial or
19 industrial structure which is expanded or renovated on or after March 1, 1992, and
20 before March 1, 1993, must incorporate the following minimal standards for
21 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 urinal which continually flows or flushes water must not be installed.

30 3. Except as otherwise provided in subsection ~~6-7~~ 7, each residential,
31 commercial or industrial structure on which construction begins on or after March
32 1, 1993, and before January 1, 2020, and each existing residential, commercial or
33 industrial structure which is expanded or renovated on or after March 1, 1993, and
34 before January 1, 2020, must incorporate the following minimal standards for
35 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 ~~6-7~~ 7, each residential,
53 commercial or industrial structure on which construction begins on or after January

1 1, 2020, and each existing residential, commercial or industrial structure which is
2 expanded or renovated on or after January 1, 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. *Except as otherwise provided in subsection 7, each residential,*
12 *commercial or industrial structure on which construction begins on or after*
13 *January 1, 2024, and each existing residential, commercial or industrial*
14 *structure which is expanded or renovated on or after January 1, 2024:*

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

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

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

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

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

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

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

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

43 ~~[6-]~~ 7. The requirements of this section ~~[for]~~ :

44 (a) *For* the installation of certain plumbing fixtures do not apply to any portion
45 of:

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

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

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

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

5 278A.570 1. A plan which has been given final approval by the city or
6 county must be certified without delay by the city or county and filed of record in
7 the office of the appropriate county recorder before any development occurs in
8 accordance with that plan. A county recorder shall not file for record any final plan
9 unless it includes:

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

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

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

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

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

19 2. Except as otherwise provided in this subsection, after the plan is recorded,
20 the zoning and subdivision regulations otherwise applicable to the land included in
21 the plan cease to apply. If the development is completed in identifiable phases, then
22 each phase can be recorded. The zoning and subdivision regulations cease to apply
23 after the recordation of each phase to the extent necessary to allow development of
24 that phase.

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

30 4. For the recording or filing of any final map, plat or plan, the county
31 recorder shall collect a fee of \$50 for the first sheet of the map, plat or plan plus
32 \$10 for each additional sheet. The fee must be deposited in the general fund of the
33 county where it is collected.

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

35 338.193 1. Each public building sponsored or financed by a public body
36 must meet the standards made applicable for the building pursuant to this section.

37 2. Except as otherwise provided in subsection 8, each public building, other
38 than a prison or jail, on which construction begins on or after March 1, 1992, and
39 before March 1, 1993, and each existing public building which is expanded or
40 renovated on or after March 1, 1992, and before March 1, 1993, must incorporate
41 the following minimal standards for plumbing fixtures:

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

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

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

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

51 3. Except as otherwise provided in subsection 8, each public building, other
52 than a prison or jail, on which construction begins on or after March 1, 1993, and
53 before January 1, 2020, and each existing public building which is expanded or

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

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

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

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

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

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

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

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

19 4. Except as otherwise provided in subsection 8, each public building, other
20 than a prison or jail, on which construction begins on or after January 1, 2020, and
21 each existing public building which is expanded or renovated on or after January 1,
22 2020:

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

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

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

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

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

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

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

50 8. The requirements of this section for the installation of certain plumbing
51 fixtures do not apply to any portion of:

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

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

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

5 349.981 1. There is hereby established a program to provide grants of
6 money to:

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

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

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

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

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

- 26 (1) Any local or regional fee for connection to the municipal water system.
- 27 (2) The cost of any capital improvement that is required to comply with a
28 decision or regulation of the State Engineer.

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

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

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

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

- 48 (1) Any local or regional fee for connection to the municipal water system.
- 49 (2) The cost of any capital improvement that is required for the water
50 quality in the area where the well is located to comply with the standards of the
51 Safe Drinking Water Act, 42 U.S.C. §§ 300f et seq., and the regulations adopted
52 pursuant thereto.

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

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

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

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

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

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

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

22 4. As used in this section:

23 (a) "Eligible recipient" means:

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

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

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

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

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

33 489.706 1. Each manufactured home or mobile home on which construction
34 begins on or after March 1, 1992, and before March 1, 1993, must incorporate the
35 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 3.5 gallons of water per flush.

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

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

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

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

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

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

1 3. Each manufactured home or mobile home on which construction begins on
2 or after January 1, 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 4. For the purposes of subsection 3, 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 **5. Each manufactured home or mobile home on which construction begins
15 on or after January 1, 2024:**

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

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

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

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

30 533.027 1. The provisions of this chapter do not apply to ~~[the]~~:

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

33 (b) *The de minimus collection of precipitation:*

34 ~~[(a)]~~ (I) From the rooftop of a single-family dwelling for nonpotable domestic
35 use; or

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

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

40 ~~[(2)]~~ (II) Have a capture area of 1 acre or less;

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

42 ~~[(4)]~~ (IV) Be developed by a state or federal agency responsible for
43 wildlife management or by any other person in consultation with the Department of
44 Wildlife; and

45 ~~[(5)]~~ (V) Be approved for use by the Department of Wildlife.

46 2. As used in this section:

47 (a) "Domestic use" has the meaning ascribed to it in NRS 534.013. ~~[, and]~~

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

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

51 **Sec. 25.** (Deleted by amendment.)

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

2 534.120 1. Within an area that has been designated by the State Engineer, as
3 provided for in this chapter, where, in the judgment of the State Engineer, the
4 groundwater basin is being depleted, the State Engineer in his or her administrative
5 capacity may make such rules, regulations and orders as are deemed essential for
6 the welfare of the area involved.

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

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

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

17 3. ~~Except as otherwise provided in subsection 5, the~~ *The* State Engineer
18 may ~~;~~

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

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

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

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

32 4. *In a basin designated pursuant to NRS 534.030, the State Engineer may:*

33 (a) Deny applications to appropriate groundwater for any use in areas served
34 by ~~{such an}~~ *a public* entity ~~;~~ ;

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

37 (b) Limit the depth of domestic wells.

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

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

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

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

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

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

8 (a) *Shall:*

9 (1) *Deny any applications to appropriate groundwater for use in areas*
 10 *served by a public entity such as a water district or a municipality presently*
 11 *engaged in furnishing water;*

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

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

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

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

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

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

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

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 *3. The Board of Directors shall establish a process to approve a*
28 *waiver of any limitations imposed pursuant to subsection 1 for certain*
29 *properties.*

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

36 ~~— (a) No] no new septic system may be installed.] and~~

37 ~~— (b) If the parcel of property has an existing septic system installed~~
38 ~~and a connection to a municipal water system, the owner of the property~~
39 ~~shall be required to connect to the public sewer system and discontinue~~
40 ~~the use of the existing septic system.]~~

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

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

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

50 *Sec. 38.6. 1. Except as otherwise provided in this subsection,*
51 *beginning on the effective date of Assembly Bill No. 220 of the 82nd*
52 *Session of the Nevada Legislature, and ending on December 31, 2023,*
53 *new turf may not be installed on any parcel of property that uses or will*

1 *use the waters of the Colorado River distributed by the Southern Nevada*
2 *Water Authority or one of the member agencies of the Southern Nevada*
3 *Water Authority. The provisions of this subsection do not apply to the*
4 *installation of warm-season turf in parks, schools or cemeteries.*

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

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

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

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

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

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

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

33 *2. The Board of Directors shall:*

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

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

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

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

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

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

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

52 *Sec. 39. 1. Except as otherwise provided in this section, on and*
53 *after January 1, 2027, the waters of the Colorado River distributed by the*

1 Southern Nevada Water Authority or one of the member agencies of the
2 Southern Nevada Water Authority may not be used to irrigate
3 nonfunctional turf on any *parcel of* property that is not ~~zoned~~ *used*
4 exclusively ~~for~~ *as* a single-family residence.

5 2. The Board of Directors shall:

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

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

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

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

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

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

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

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

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

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

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

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

39 2. Except as otherwise provided in this section:

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

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

46 3. Except as otherwise provided in subsections 4 and 5, if the
47 Southern Nevada Water Authority operates a project for the recharge and
48 recovery or underground storage and recovery of water *or a program for*
49 *the conversion of properties served by a septic system* pursuant to section
50 14.5 of this act:

51 (a) Users of groundwater, other than owners of domestic wells, may be
52 assessed a fee each calendar year of not more than \$30 per acre-foot, or its

1 equivalent, of groundwater in the Basin to which they have a water right in
2 that year.

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

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

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

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

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

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

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

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

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

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

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

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

41 (b) *If emergency conditions exist; or*

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

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

48 3. *The provisions of this section shall not be construed to authorize*
49 *the Board of Directors to restrict the use of any water rights held by the*
50 *United States Department of Defense.*

51 **Sec. 34.5.** *On or before December 31, 2024, a district board of health*
52 *that creates a voluntary financial assistance program pursuant to section 1 of*
53 *this act shall submit a report to the Director of the Legislative Counsel Bureau*

1 for transmittal to the Joint Interim Standing Committee on Natural Resources
2 and the 83rd Session of the Legislature which sets forth the number of
3 property owners that are participating in the voluntary financial assistance
4 program and any recommendations for legislation.

5 **Sec. 35.** ~~[The provisions of NRS 354.599 do not apply to any additional~~
6 ~~expense of a local government that are related to the provisions of this act.]~~
7 (Deleted by amendment.)

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