

Amendment No. 735

Senate Amendment to Assembly Bill No. 220 Second Reprint (BDR 40-337)
Proposed by: Senator Nguyen
Amends: Summary: No Title: No Preamble: No Joint Sponsorship: No Digest: Yes

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.

~

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

AN ACT relating to water; 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 under certain circumstances; revising provisions relating to a permit to operate a water system; revising provisions relating to water 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:

1 Under existing law, a district board of health may adopt regulations to control the use of a
2 residential individual system for disposal of sewage in the district. (NRS 444.650) Existing
3 law also authorizes a district board of health, upon approval of the State Board of Health, to
4 adopt regulations to regulate sanitation and the sanitary protection of water and food supplies.
5 (NRS 439.366, 439.410) **Section 1** of this bill authorizes a district board of health to create a
6 voluntary financial assistance program to pay 100 percent of the costs for property owners
7 with an existing septic system whose property is served by a municipal water system to
8 connect to the community sewerage disposal system. **Section 1** also: (1) authorizes such a
9 district board of health to, upon an affirmative vote of two-thirds of the members of the board,
10 impose a voluntary fee on owners of such septic systems to carry out such requirements; and
11 (2) if such a voluntary fee is imposed, prohibits the district board of health from paying the
12 costs of connecting to the community sewerage disposal system for any property owner who
13 does not pay the voluntary fee. **Section 2** of this bill makes a conforming change to indicate
14 the proper placement of **section 1** in the Nevada Revised Statutes. **Section 34.5** of this bill
15 requires a district board of health that creates such a voluntary financial assistance program to,
16 on or before December 31, 2024, submit to the Director of the Legislative Counsel Bureau a
17 report setting forth the number of participants in the program and recommendations for
18 legislation.

19 Under existing law, a permit to operate a water system may not be issued by the Division
20 of Environmental Protection of the State Department of Conservation and Natural Resources
21 or certain district boards of health unless certain conditions are met, including, without
22 limitation, that: (1) the local governing body assumes responsibility in case of default and
23 assumes the duty of assessing the lands served; (2) the applicant furnishes the local governing
24 body sufficient surety; (3) the owners of the lands to be served by the water system agree to be
25 assessed by the local governing body for the cost of the water system if there is a default; and
26 (4) the owners agree that if the Division determines that water provided by a public utility or a
27 municipality or other public entity is reasonably available, all users may be required to
28 connect to the water system provided by the public utility, municipality or other public entity
29 and be assessed the costs for the connection. (NRS 445A.895) **Section 4** of this bill revises
30 these conditions to: (1) provide that, with certain exceptions, the sole and exclusive obligation
31 of the local governing body is to use the surety in the event of a default to contract and pay the
32 operator responsible for the continued operation and maintenance of the water system; (2)
33 require the owners of property served by the water system to also provide a surety to the local
34 governing body; and (3) provide that if the Division determines that water provided by a
35 public utility or a municipality or other public entity is reasonably available, all users of the
36 water system in certain counties are required to connect. **Section 4.5** of this bill makes
37 conforming changes to revise certain provisions relating to the disposition of the proceeds of
38 assessments and sureties imposed by a local governing body for a public water system in the
39 event of a default. **Section 3** of this bill revises a reference to certain findings. **Section 2.3** of
40 this bill defines "local governing body" for the purposes of the provisions of **sections 4 and**
41 **4.5**. **Section 2.6** of this bill makes a conforming change to indicate the proper placement of
42 **section 2.3** in the Nevada Revised Statutes.

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

54 Under existing law, if the State Environmental Commission or the governing body of
55 certain cities determines certain water systems within the city limits are not serving the needs
56 of its users and water provided by a public utility, the city or another municipality or public
57 entity is reasonably available to those users, the governing body may require all users of the
58 system to connect into the available water system and assess each lot or parcel for its share of

59 the cost. (NRS 268.4102) **Section 10** of this bill provides instead that if the water system may
60 be accessed within 1,250 feet of the property of such users, the governing body of a county
61 whose population is 700,000 or more (currently only Clark County) shall require all users to
62 connect. **Section 10** also provides that all other governing bodies of a county may require all
63 users to connect in such circumstances.

64 Existing law sets forth an approval process for the subdivision of land that requires: (1) a
65 subdivider of land to submit a tentative map to the planning commission or the governing
66 body of a county or city, as applicable; and (2) the planning commission or governing body to
67 forward a copy of the tentative map to certain other state and local agencies for review and
68 comment. (NRS 278.330-278.460) **Sections 13 and 16** of this bill require that if a proposed
69 subdivision will be served by a public water system: (1) in a county whose population is
70 700,000 or more, the planning commission or the governing body, as applicable, must file the
71 tentative map with the supplier of water for review and comment; and (2) if the subdivision is
72 located in a general improvement district, the planning commission or the governing body
73 must file the tentative map with the supplier of water in the district. **Section 17** of this bill
74 provides that such a governing body of a county or city may not approve a tentative map,
75 unless the supplier of water determines that there is available water which meets applicable
76 health standards and is sufficient in quantity for the reasonably foreseeable needs of the
77 subdivision.

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

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

89 Existing law establishes certain minimum standards for plumbing fixtures in new
90 construction, expansions and renovations in residential, commercial, industrial or
91 manufactured structures, public buildings, manufactured homes and mobile homes and
92 requires the use of certain plumbing fixtures that have been certified under the WaterSense
93 program established by the United States Environmental Protection Agency if a final product
94 specification has been developed by the WaterSense program. (NRS 278.582, 338.193,
95 461.175, 489.706) **Sections 6, 20, 22 and 24** of this bill require that, with certain exceptions,
96 if the WaterSense program has established a final product specification for an irrigation
97 controller or spray sprinkler body, any new construction, expansions and renovations on such
98 structures, buildings and homes must install irrigation controllers and spray sprinkler bodies
99 that have been certified under the WaterSense program.

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

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

110 Under existing law, the State Engineer may issue temporary permits to appropriate
111 groundwater in certain designated areas which may be revoked if the property served by the
112 permit is within 180 feet of water furnished by an entity such as a water district or a
113 municipality and the well needs to be redrilled or have certain repairs made. (NRS 534.120)
114 **Section 26** of this bill instead provides that the State Engineer: (1) may only issue a temporary
115 permit if water cannot be furnished by a public entity that furnishes water; and (2) authorizes
116 the State Engineer to revoke such a temporary permit if the property served by the temporary
117 permit is within 1,250 feet of water furnished by a public entity such as a water district or a

118 municipality. **Section 26** also requires the State Engineer to, in an area in which such
119 temporary permits have been issued: (1) deny applications to appropriate groundwater if a
120 public entity that furnishes water serves the area; (2) limit the depth of domestic wells; and (3)
121 prohibit the drilling of wells for domestic use.

122 Under existing law, the State Engineer may require the plugging of certain domestic wells
123 drilled in a basin in which such wells must be registered if water can be furnished by certain
124 entities, but only if the charge for connecting to the furnished water is less than \$200. (NRS
125 534.180) **Section 27** of this bill: (1) removes the requirement that the charge for connecting be
126 less than \$200; and (2) requires plugging of a well if the well is within 1,250 feet of a
127 municipal water system.

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

133 The Conservation of Colorado River Water Act prohibits, with certain exceptions, the
134 waters of the Colorado River that are distributed by the Southern Nevada Water Authority or
135 one of the member agencies of the Authority from being used to irrigate nonfunctional turf on
136 any property that is not zoned exclusively for a single-family residence on and after January 1,
137 2027. (Section 39 of chapter 364, Statutes of Nevada 2021, at page 2180) **Section 31** of this
138 bill prohibits the use of such waters of the Colorado River for irrigating nonfunctional turf on
139 any parcel of property that is not used exclusively as a single-family residence.

140 **Section 28** of this bill defines "General Manager" for the purposes of the Conservation of
141 Colorado River Water Act. **Section 29** of this bill: (1) authorizes the Board of Directors of the
142 Authority to restrict the use of water by a single-family residence to not more than 0.5 acre-
143 feet of water during any year in which ~~fa shortage on the Colorado River has been declared~~
144 ~~by~~ the Federal Government ~~+~~ reduces Nevada's allocation of the Colorado River to
145 270,000 acre-feet or less; and (2) requires the Board of Directors to establish a process to
146 approve a waiver of such restrictions on the use of water. **Section 29** also prohibits, with
147 certain exceptions, the installation of new turf on any parcel of property that uses such waters
148 of the Colorado River for irrigation beginning on the effective date of this bill and ending on
149 December 31, 2023. Any new turf installed on and after January 1, 2024, must meet the
150 requirements established by the Board of Directors, unless the General Manager approves a
151 waiver.

152 **Section 29** further prohibits the installation of a new septic system on any parcel of
153 property that uses such waters of the Colorado River.

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

161 The Southern Nevada Water Authority Act authorizes the Authority, in consultation with
162 the Advisory Committee for the Management of Groundwater in the Las Vegas Valley
163 Groundwater Basin, to operate a project for the recharge and recovery or underground storage
164 and recovery of groundwater for the benefit of owners of wells in the Las Vegas Valley
165 Groundwater Basin. (Section 14.5 of chapter 572, Statutes of Nevada 1997, as added by
166 section 1 of chapter 468, Statutes of Nevada 1999, at page 2387) The Act also authorizes the
167 Authority to assess certain fees on users of groundwater and owners of domestic wells,
168 including a fee if the Authority operates such a project. (Section 13 of chapter 572, Statutes of
169 Nevada 1997, as amended by chapter 468, Statutes of Nevada 1999, at page 2387) **Section 33**
170 of this bill also authorizes the Authority, in consultation with the Advisory Committee, to
171 operate a program to convert any property served by a septic system to a municipal sewer
172 system. **Section 32** of this bill authorizes the Authority to assess a fee on users of groundwater
173 and owners of domestic wells for the program to convert septic systems.

174 The Southern Nevada Water System Act of 1995 establishes certain powers and duties of
175 the Authority. (Section 2 of chapter 393, Statutes of Nevada 1995, at page 963) **Section 34** of
176 this bill authorizes the Board of Directors of the Authority, by resolution, to authorize the

177 General Manager of the Authority to restrict water usage during certain water emergencies
178 and shortages and provides that the Board of Directors must ratify any such restrictions
179 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 may create a voluntary financial assistance*
4 *program to pay 100 percent of the cost for a property owner with an existing*
5 *septic system whose property is served by a municipal water system to abandon*
6 *the septic system and connect to the community sewerage disposal system.*

7 2. *Upon an affirmative vote of two-thirds of all the members of the district*
8 *board of health, the district board of health may impose a voluntary annual fee*
9 *on property owners with existing septic systems whose property is served by a*
10 *municipal water system to carry out the provisions of this section.*

11 3. *If the district board of health imposes a voluntary annual fee pursuant to*
12 *subsection 2:*

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

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

18 4. *As used in this section:*

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

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

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

27 439.361 The provisions of NRS 439.361 to 439.3685, inclusive, *and section*
28 *1 of this act*, apply to a county whose population is 700,000 or more.

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

31 *“Local governing body” means:*

32 1. *The governing body of an incorporated city in which is located within the*
33 *limits of the incorporated city all or any part of an area serviced by a water*
34 *system; or*

35 2. *The board of county commissioners of a county in which is located*
36 *within the unincorporated area of the county all of an area serviced by a water*
37 *system.*

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

39 445A.805 As used in NRS 445A.800 to 445A.955, inclusive, *and section 2.3*
40 *of this act*, unless the context otherwise requires, the words and terms defined in
41 NRS 445A.807 to 445A.850, inclusive, *and section 2.3 of this act* have the
42 meanings ascribed to them in those sections.

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

2 445A.890 Before making the finding specified in NRS 445A.910 and before
3 making the determinations specified in NRS 244.3655, 268.4102 and 445A.895, the
4 **Commission or Division, as applicable,** shall request comments from the:

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

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

11 445A.895 A permit to operate a water system may not be issued pursuant to
12 NRS 445A.885 unless all of the following conditions are met:

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

16 2. The applicant fully complies with all of the conditions of NRS 445A.885 to
17 445A.915, inclusive.

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

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

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

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

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

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

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

39 ↳ whichever is later.

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

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

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

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

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

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

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

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

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

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

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

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

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

33 445A.905 1. The proceeds of any assessments upon lots or parcels *and the*
34 *sureties required pursuant to NRS 445A.895* must be deposited with the treasurer
35 of the local governing body which received them, and they may be expended only
36 for the:

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

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

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

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

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

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

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

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

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

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

8 461.175 1. Each manufactured building on which construction begins on or
9 after March 1, 1992, and before March 1, 1993, must incorporate the following
10 minimal standards for plumbing fixtures:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

5 244.3655 1. If the State Environmental Commission determines that:

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

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

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

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

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

22 **Sec. 9.** (Deleted by amendment.)

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

24 268.4102 1. If the State Environmental Commission determines that:

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

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

31 ↳ the governing body of that city **shall, in a county whose population is 700,000**
32 **or more, and may, in all other counties,** require all users of the system to connect
33 into the available water system provided by a public utility or a municipality or
34 other public entity, and may assess each lot or parcel served for its share of the
35 costs associated with connecting into that water system. If the water system is being
36 connected into a public utility, the Public Utilities Commission of Nevada shall
37 determine the amount of the assessments for the purposes of establishing a lien
38 pursuant to NRS 445A.900.

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

41 **Sec. 11.** (Deleted by amendment.)

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

44 **Sec. 13. In a county whose population is 700,000 or more, when any**
45 **subdivider proposes to subdivide land that will be served by a public water system,**
46 **the planning commission or its designated representative, or, if there is no**
47 **planning commission, the clerk or other designated representative of the**
48 **governing body, shall file a copy of the subdivider’s tentative map with the**
49 **supplier of water. The supplier of water shall, within 30 days, review and**
50 **comment in writing upon the tentative map to the planning commission or the**
51 **governing body regarding the availability of water which meets applicable health**
52 **standards and is sufficient in quantity for the reasonably foreseeable needs of the**
53 **subdivision.**

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

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

7 278.010 As used in NRS 278.010 to 278.630, inclusive, *and sections 13 and*
8 *14 of this act*, unless the context otherwise requires, the words and terms defined in
9 NRS 278.0103 to 278.0195, inclusive, have the meanings ascribed to them in those
10 sections.

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

12 278.347 **1.** When any subdivider proposes to subdivide land, any part of
13 which is located within the boundaries of any general improvement district
14 organized or reorganized pursuant to chapter 318 of NRS, the planning commission
15 or its designated representative, or, if there is no planning commission, the clerk or
16 other designated representative of the governing body shall file a copy of the
17 subdivider's tentative map with ~~{the}~~ :

18 **(a)** *The board of trustees of the district* ~~{The board of trustees may within}~~ ;
19 *and*

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

22 **2.** *Within 30 days :*

23 **(a)** *The board of trustees may* review and comment in writing upon the
24 *tentative map filed pursuant to subsection 1* to the planning commission or
25 governing body ~~{}~~ ; *and*

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

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

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

35 278.349 **1.** Except as otherwise provided in subsection 2, the governing
36 body, if it has not authorized the planning commission to take final action, shall, by
37 an affirmative vote of a majority of all the members, approve, conditionally
38 approve or disapprove a tentative map filed pursuant to NRS 278.330:

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

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

41 ↳ after receipt of the planning commission's recommendations.

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

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

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

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

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

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

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

3 (c) The availability and accessibility of utilities;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

42 278.373 The certificates and acknowledgments required by NRS 116.2109
43 and 278.374 to 278.378, inclusive, *and section 14 of this act, if applicable*, must
44 appear on a final map and may be combined where appropriate.

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

46 278.4955 1. The map of reversion submitted pursuant to NRS 278.490 must
47 contain the appropriate certificates required by NRS 278.376 , ~~and~~ 278.377 *and*
48 *section 14 of this act, if applicable*, for the original division of the land, any
49 agreement entered into for a required improvement pursuant to NRS 278.380 for
50 the original division of the land, and the certificates required by NRS 278.496 and
51 278.4965. If the map includes the reversion of any street or easement owned by a
52 city, a county or the State, the provisions of NRS 278.480 must be followed before
53 approval of the map.

1 2. The final map of reversion must:

2 (a) Be prepared by a professional land surveyor licensed pursuant to chapter
3 625 of NRS. The professional land surveyor shall state in his or her certificate that
4 the map has been prepared from information on a recorded map or maps that are
5 being reverted. The professional land surveyor may state in the certificate that he or
6 she assumes no responsibility for the existence of the monuments or for correctness
7 of other information shown on or copied from the document. The professional land
8 surveyor shall include in the certificate information which is sufficient to identify
9 clearly the recorded map or maps being reverted.

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

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

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

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

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

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

28 278.582 1. Each county and city shall include in its respective building code
29 the requirements of this section. If a county or city has no building code, it shall
30 adopt those requirements by ordinance and provide for their enforcement by its own
31 officers or employees or through interlocal agreement by the officers or employees
32 of another local government. Additionally, each county and city shall prohibit by
33 ordinance the sale and installation of any plumbing fixture *or landscape irrigation*
34 *fixture* which does not meet the standards made applicable for the respective
35 county or city pursuant to this section.

36 2. Except as otherwise provided in subsection ~~6.~~ 7, each residential,
37 commercial or industrial structure on which construction begins on or after March
38 1, 1992, and before March 1, 1993, and each existing residential, commercial or
39 industrial structure which is expanded or renovated on or after March 1, 1992, and
40 before March 1, 1993, must incorporate the following minimal standards for
41 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 urinal which continually flows or flushes water must not be installed.

50 3. Except as otherwise provided in subsection ~~6.~~ 7, each residential,
51 commercial or industrial structure on which construction begins on or after March
52 1, 1993, and before January 1, 2020, and each existing residential, commercial or
53 industrial structure which is expanded or renovated on or after March 1, 1993, and

1 before January 1, 2020, must incorporate the following minimal standards for
2 plumbing fixtures:

3 (a) A toilet which uses water must not be installed unless its consumption of
4 water does not exceed 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 ~~6~~ 7, each residential,
20 commercial or industrial structure on which construction begins on or after January
21 1, 2020, and each existing residential, commercial or industrial structure which is
22 expanded or renovated on or after January 1, 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. *Except as otherwise provided in subsection 7, each residential,*
32 *commercial or industrial structure on which construction begins on or after*
33 *January 1, 2024, and each existing residential, commercial or industrial*
34 *structure which is expanded or renovated on or after January 1, 2024:*

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

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

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

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

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

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

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

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

10 ~~6.~~ 7. The requirements of this section ~~for~~ :

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

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

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

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

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

23 278A.570 1. A plan which has been given final approval by the city or
24 county must be certified without delay by the city or county and filed of record in
25 the office of the appropriate county recorder before any development occurs in
26 accordance with that plan. A county recorder shall not file for record any final plan
27 unless it includes:

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

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

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

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

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

37 2. Except as otherwise provided in this subsection, after the plan is recorded,
38 the zoning and subdivision regulations otherwise applicable to the land included in
39 the plan cease to apply. If the development is completed in identifiable phases, then
40 each phase can be recorded. The zoning and subdivision regulations cease to apply
41 after the recording of each phase to the extent necessary to allow development of
42 that phase.

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

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

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

2 338.193 1. Each public building sponsored or financed by a public body
3 must meet the standards made applicable for the building pursuant to this section.

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

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

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

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

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

18 3. Except as otherwise provided in subsection 8, each public building, other
19 than a prison or jail, on which construction begins on or after March 1, 1993, and
20 before January 1, 2020, and each existing public building which is expanded or
21 renovated on or after March 1, 1993, and before January 1, 2020, must incorporate
22 the following minimal 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) A urinal which uses water must not be installed unless its consumption of
29 water does not exceed 1 gallon of water per flush.

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

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

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

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

39 4. Except as otherwise provided in subsection 8, each public building, other
40 than a prison or jail, on which construction begins on or after January 1, 2020, and
41 each existing public building which is expanded or renovated on or after January 1,
42 2020:

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

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

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

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

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

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

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

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

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

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

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

24 349.981 1. There is hereby established a program to provide grants of
25 money to:

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

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

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

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

35 (3) Scheduling of irrigation;

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

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

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

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

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

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

48 (d) An eligible recipient to pay the following costs associated with abandoning
49 an individual sewage disposal system and connecting the property formerly served
50 by the abandoned individual sewage disposal system to a community sewage
51 disposal system, if the Division of Environmental Protection requires the individual
52 sewage disposal system to be abandoned and the property upon which the
53 individual sewage disposal system was located to be connected to a community

1 sewage disposal system pursuant to the provisions of NRS 445A.300 to 445A.730,
2 inclusive, or any regulations adopted pursuant thereto:

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

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

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

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

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

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

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

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

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

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

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

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

40 4. As used in this section:

41 (a) "Eligible recipient" means:

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

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

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

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

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

51 489.706 1. Each manufactured home or mobile home on which construction
52 begins on or after March 1, 1992, and before March 1, 1993, must incorporate the
53 following minimal standards for plumbing fixtures:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

47 533.027 1. The provisions of this chapter do not apply to ~~the~~:

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

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

51 ~~(a)~~ (1) From the rooftop of a single-family dwelling for nonpotable domestic
52 use; or

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

- ~~[(4)]~~ (I) Have a capacity of 20,000 gallons or less;
- ~~[(2)]~~ (II) Have a capture area of 1 acre or less;
- ~~[(3)]~~ (III) Have a pipe length of 1/4 mile or less;
- ~~[(4)]~~ (IV) Be developed by a state or federal agency responsible for wildlife management or by any other person in consultation with the Department of Wildlife; and

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

2. As used in this section:

- (a) "Domestic use" has the meaning ascribed to it in NRS 534.013. ~~[-and]~~
- (b) "Guzzler" has the meaning ascribed to it in NRS 501.121.
- (c) *"Public agency" means an agency, bureau, board, commission, department or division of this State or a political subdivision of this State.*

Sec. 25. (Deleted by amendment.)

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

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

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

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

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

3. ~~[-Except as otherwise provided in subsection 5, the]~~ *The State Engineer may ~~[-~~*

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

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

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

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

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

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

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

(b) Limit the depth of domestic wells.

1 ~~[(d)]~~ (c) Prohibit the drilling of wells for domestic use ~~[, as defined in NRS~~
2 ~~534.013.]~~ in areas where water can be furnished by ~~[an]~~ a public entity such as a
3 water district or a municipality presently engaged in furnishing water to the
4 inhabitants thereof.

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

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

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

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

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

23 (a) Shall:

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

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

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

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

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

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

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

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

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

49 534.180 1. Except as otherwise provided in subsection 2 and as to the
50 furnishing of any information required by the State Engineer, this chapter does not
51 apply in the matter of obtaining permits for the development and use of
52 underground water from a well for domestic purposes where the draught does not
53 exceed 2 acre-feet per year.

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

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

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

12 (b) A public utility whose rates and service are regulated by the Public Utilities
13 Commission of Nevada,

14 ↳ but only if ~~the charge for making the connection to the service is less than~~
15 ~~\$200.]~~ *such a well is within 1,250 feet of a municipal water system.*

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

19 (a) The owner of the well shall:

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

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

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

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

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

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

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

34 538.171 1. The Commission shall receive, protect and safeguard and hold in
35 trust for the State of Nevada all water and water rights, and all other rights, interests
36 or benefits in and to the waters described in NRS 538.041 to 538.251, inclusive,
37 and to the power generated thereon, held by or which may accrue to the State of
38 Nevada under and by virtue of any Act of the Congress of the United States or any
39 agreements, compacts or treaties to which the State of Nevada may become a party,
40 or otherwise.

41 2. Except as otherwise provided in this subsection, applications for the
42 original appropriation of such waters, or to change the *holder of the entitlement to*
43 *appropriate water*, place of diversion, manner of use or place of use of water
44 covered by the original appropriation, must be made to the Commission in
45 accordance with the regulations of the Commission. In considering such an
46 application, the Commission shall use the criteria set forth in ~~subsection 3 of~~ NRS
47 533.370. The Commission's action on the application constitutes the
48 recommendation of the State of Nevada to the United States for the purposes of any
49 federal action on the matter required by law. The provisions of this subsection do
50 not apply to supplemental water.

51 3. The Commission shall furnish to the State Engineer a copy of all
52 agreements entered into by the Commission concerning the original appropriation
53 and use of such waters. It shall also furnish to the State Engineer any other

1 information it possesses relating to the use of water from the Colorado River which
2 the State Engineer deems necessary to allow the State Engineer to act on
3 applications for permits for the subsequent appropriation of these waters after they
4 fall within the State Engineer’s jurisdiction.

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

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

13 (a) “Developed shortage supply” has the meaning ascribed to it in NRS
14 533.030.

15 (b) “Intentionally created surplus” has the meaning ascribed to it in NRS
16 533.030.

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

21 *Sec. 37.5. “General Manager” means the General Manager of the*
22 *Southern Nevada Water Authority.*

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

27 *Sec. 38.2. 1. If the Federal Government ~~[declares a shortage on]~~*
28 *reduces Nevada’s allocation of the Colorado River for the upcoming year*
29 *~~to 270,000 acre-feet or less,~~ the Board of Directors may limit each*
30 *single-family residence that uses the waters of the Colorado River*
31 *distributed by the Southern Nevada Water Authority or a member agency*
32 *of the Southern Nevada Water Authority to not more than 0.5 acre-feet of*
33 *water for that upcoming year. Any limitation imposed by the Board of*
34 *Directors may not go into effect before December 31 of the year before*
35 *the year for which the ~~[shortage is declared.] Federal Government has~~*
36 *reduced Nevada’s allocation of the Colorado River to 270,000 acre-feet or*
37 *less.*

38 *2. If the Board of Directors limits water usage of single-family*
39 *residences pursuant to subsection 1, the Southern Nevada Water*
40 *Authority and the member agencies of the Southern Nevada Water*
41 *Authority shall notify all customers of the action of the Board of*
42 *Directors to limit water usage by not later than October 1 of the year*
43 *before the year for which the ~~[shortage is declared.] Federal Government~~*
44 *has reduced Nevada’s allocation of the Colorado River to 270,000 acre-*
45 *feet or less.*

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

49 *Sec. 38.4. 1. Except as otherwise provided in this section, on and*
50 *after the effective date of Assembly Bill No. 220 of the 82nd Session of*
51 *the Nevada Legislature, on any parcel of property that uses or will use the*
52 *waters of the Colorado River distributed by the Southern Nevada Water*

1 *Authority or one of the member agencies of the Southern Nevada Water*
2 *Authority no new septic system may be installed.*

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

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

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

12 **Sec. 38.6.** 1. *Except as otherwise provided in this subsection,*
13 *beginning on the effective date of Assembly Bill No. 220 of the 82nd*
14 *Session of the Nevada Legislature, and ending on December 31, 2023,*
15 *new turf may not be installed on any parcel of property that uses or will*
16 *use the waters of the Colorado River distributed by the Southern Nevada*
17 *Water Authority or one of the member agencies of the Southern Nevada*
18 *Water Authority. The provisions of this subsection do not apply to the*
19 *installation of warm-season turf in parks, schools or cemeteries.*

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

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

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

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

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

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

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

48 2. *The Board of Directors shall:*

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

51 (b) *Establish deadlines within the service area of the Southern*
52 *Nevada Water Authority for any owner subject to the requirements of*

subsection 1 to begin participating in the irrigation water efficiency monitoring program; and

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

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

(a) The provisions of subsection 1; or

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

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

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

2. The Board of Directors shall:

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

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

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

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

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

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

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

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

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

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

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

Sec. 13. 1. The Southern Nevada Water Authority may establish and collect each calendar year a fee to be assessed on users of groundwater

1 in the Basin. Money raised from the fees must be used as provided in
2 section 14 of this act.

3 2. Except as otherwise provided in this section:

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

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

10 3. Except as otherwise provided in subsections 4 and 5, if the
11 Southern Nevada Water Authority operates a project for the recharge and
12 recovery or underground storage and recovery of water *or a program for*
13 *the conversion of properties served by a septic system* pursuant to section
14 14.5 of this act:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

16 **Sec. 34.5.** On or before December 31, 2024, a district board of health that
17 creates a voluntary financial assistance program pursuant to section 1 of this act
18 shall submit a report to the Director of the Legislative Counsel Bureau for
19 transmittal to the Joint Interim Standing Committee on Natural Resources and the
20 83rd Session of the Legislature which sets forth the number of property owners that
21 are participating in the voluntary financial assistance program and any
22 recommendations for legislation.

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

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