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FIRST REPRINT

A.B. 220

ASSEMBLY BILL NO. 220—COMMITTEE ON NATURAL RESOURCES

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

FEBRUARY 23, 2023

Referred to Committee on Natural Resources

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

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

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

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

AN ACT relating to water; requiring certain property owners with a septic system to connect to a community sewerage disposal system by January 1, 2054; revising provisions relating to a permit to operate a water system; revising provisions relating to water and sewer facilities; revising provisions relating to tentative maps and final maps for a subdivision of land; establishing minimum standards for certain landscaping irrigation fixtures in new construction and expansions and renovations in certain structures; revising provisions relating to grants of money for water conservation; 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
2 the use of a residential individual system for disposal of sewage in the district.
3 (NRS 444.650) Existing law also authorizes a district board of health, upon
4 approval of the State Board of Health, to adopt regulations to regulate sanitation
5 and the sanitary protection of water and food supplies. (NRS 439.366, 439.410)

6 **Section 1** of this bill requires a district board of health in a county whose
7 population is 700,000 or more (currently only Clark County) to: (1) require all
8 property owners with an existing septic system whose property is served by a
9 municipal water system to connect to the community sewerage disposal system not
10 later than January 1, 2054; and (2) enter into an agreement with a water authority to
11 establish a program to pay not less than 85 percent of the cost for property owners
12 to abandon an existing individual septic system and connect to the community
13 sewerage disposal system. **Section 1** also authorizes such a district board of health
14 to, upon an affirmative vote of two-thirds of the members of the board, impose a
15 fee on owners of such septic systems to carry out such requirements. **Section 2** of
16 this bill makes a conforming change to indicate the proper placement of **section 1**
17 in the Nevada Revised Statutes.

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

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

53 Under existing law, if the State Environmental Commission determines that, in
54 relevant part, water provided by a public utility or a municipality or other public



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

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

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

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

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



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

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

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

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

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

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

160 Existing law requires that applications for the appropriation of water or to
161 change the place of diversion, manner of use or place of use of certain waters must
162 be made to the Colorado River Commission. (NRS 538.171) **Section 27.5** of this



163 bill also requires that applications to change the holder of the entitlement to
164 appropriate certain waters be submitted to the Colorado River Commission.

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

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

185 **Section 29** further: (1) prohibits the installation of a new septic system on any
186 parcel of property that uses such waters of the Colorado River; and (2) requires any
187 parcel of property which uses such waters of the Colorado River to discontinue the
188 use of the septic system and connect to a public sewer system if the property served
189 by the existing septic system is connected to a municipal water system.

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

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

213 The Southern Nevada Water System Act of 1995 establishes certain powers and
214 duties of the Authority. (Section 2 of chapter 393, Statutes of Nevada 1995, at page
215 963) **Section 34** of this bill authorizes the Board of Directors of the Authority, by
216 resolution, to authorize the General Manager of the Authority to restrict water



217 usage during certain water emergencies and shortages and provides that the Board
218 of Directors must ratify any such restrictions imposed by the General Manager.

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

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

3 1. *The district board of health shall require a property owner*
4 *with an existing septic system whose property is served by a*
5 *municipal water system to connect to the community sewerage*
6 *disposal system not later than January 1, 2054.*

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

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

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

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

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

27 5. *In carrying out the program created pursuant to subsection*
28 *2, the district board of health may:*

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

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

37 (c) *Revoke a septic permit held by any property owner who*
38 *fails to pay the fee authorized pursuant to subsection 3, if imposed,*
39 *and require such property owner to immediately connect to a*



1 *community sewerage disposal system without financial assistance;*
2 *and*

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

6 *6. As used in this section:*

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

10 *(b) "Septic system" means a well that is used to place sanitary*
11 *waste below the surface of the ground that is typically composed of*
12 *a septic tank and a subsurface fluid distribution or disposal*
13 *system. The term includes a residential individual system for*
14 *disposal of sewage.*

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

16 439.361 The provisions of NRS 439.361 to 439.3685,
17 inclusive, *and section 1 of this act*, apply to a county whose
18 population is 700,000 or more.

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

20 445A.890 Before making the finding specified in NRS
21 445A.910 and before making the determinations specified in NRS
22 244.3655, 268.4102 and 445A.895, the *Commission or* Division, *as*
23 *applicable*, shall request comments from the:

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

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

30 445A.895 A permit to operate a water system may not be
31 issued pursuant to NRS 445A.885 unless all of the following
32 conditions are met:

33 1. Neither water provided by a public utility nor water
34 provided by a municipality or other public entity is available to the
35 persons to be served by the water system.

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

38 3. The applicant submits to the Division or the district board of
39 health designated by the Commission documentation issued by the
40 State Engineer which sets forth that the applicant holds water rights
41 that are sufficient to operate the water system.

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

43 ~~(a) Responsibility in case of~~ *That, except as otherwise*
44 *provided in paragraph (b), in the event of a* default by the builder,
45 ~~or~~ *developer or owner* of the water system, *the sole and exclusive*



1 *obligation of the local governing body shall be to use the surety*
2 *furnished to the local governing body pursuant to subsection 5 to*
3 *contract with and pay the operator of the water system for ~~its~~ the*
4 *continued operation and maintenance ~~in accordance with all the~~*
5 *~~terms and conditions of the permit.~~ of the water system.*

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

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

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

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

18 ↪ whichever is later.

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

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

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

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

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



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

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

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

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

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

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

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

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

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

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

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

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



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

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

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

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

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

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

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

17 461.175 1. Each manufactured building on which
18 construction begins on or after March 1, 1992, and before March 1,
19 1993, must incorporate the following minimal standards for
20 plumbing fixtures:

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

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

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

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

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

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

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

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

44 (a) If the WaterSense program established by the United States
45 Environmental Protection Agency has developed a final product



1 specification for a type of toilet, shower apparatus, urinal or faucet,
2 must not install any toilet, shower apparatus, urinal or faucet that
3 has not been certified under the WaterSense program.

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

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

13 *5. Each manufactured building on which construction begins*
14 *on or after January 1, 2024, and each existing manufactured*
15 *building which is expanded or renovated on or after January 1,*
16 *2024:*

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

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

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

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

33 244.3655 1. If the State Environmental Commission
34 determines that:

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

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

42 *↪ the board of county commissioners of that county shall, in a*
43 *county whose population is 700,000 or more, and may, in all*
44 *other counties,* require all users of the system to connect into the
45 available water system provided by a public utility or a municipality



1 or other public entity, and may assess each lot or parcel served for
2 its proportionate share of the costs associated with connecting into
3 that water system. If the water system is being connected into a
4 public utility, the Public Utilities Commission of Nevada shall
5 determine the amount of the assessments for the purposes of
6 establishing a lien pursuant to NRS 445A.900.

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

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

10 244.366 1. The board of county commissioners of any county
11 whose population is 700,000 or more has the power, outside of the
12 limits of incorporated cities and towns:

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

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

20 (2) A water treatment plant, including but not limited to
21 reservoirs, storage facilities, and all appurtenances necessary or
22 useful and convenient thereto for the collection, storage and
23 treatment, purification and disposal of water for domestic uses and
24 purposes.

25 (3) A storm sewer or sanitary sewage collection system,
26 including but not limited to intercepting sewers, outfall sewers,
27 force mains, collecting sewers, storm sewers, combined sanitary and
28 storm sewers, pumping stations, ejector stations, and all other
29 appurtenances necessary, useful or convenient for the collection,
30 transportation and disposal of sewage.

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

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

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

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

44 (e) To prescribe and collect rates, fees, tolls or charges,
45 including but not limited to the levy or assessments of such rates,



1 fees, tolls or charges against governmental units, departments or
2 agencies, including the State of Nevada and political subdivisions
3 thereof, for the services, facilities and commodities furnished by
4 those water facilities and sewer facilities, and to provide methods of
5 collections, and penalties, including but not limited to denial of
6 service, for nonpayment of the rates, fees, tolls or charges.

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

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

23 (h) *To require any building or other structure that uses or is*
24 *served by any private sewage disposal plant, privy vault, septic*
25 *system, septic tank, cesspool or other private sewage system or*
26 *facility to connect to a public sewage system if the building or*
27 *other structure is served by a municipal water system and is within*
28 *400 feet of the service lines and appurtenances of public sewage*
29 *system provided by a public utility, municipality or other public*
30 *entity.*

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

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

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

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



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

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

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

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

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

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

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

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

23 268.4102 1. If the State Environmental Commission
24 determines that:

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

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

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

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

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

45 268.4105 1. If the governing body of the city determines that:



1 (a) A package plant for sewage treatment which is located
2 within the city limits and is exempt from the provisions of NRS
3 445A.540 to 445A.560, inclusive, is not satisfactorily serving the
4 needs of its users; and

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

9 ~~↳ the governing body shall, in a county whose population is~~
10 ~~700,000 or more, and may, in all other counties,~~ require all users
11 of the plant to connect into the available sewers provided by ~~[a]~~ the
12 public utility, the city or another municipality or other public entity,
13 and may assess each lot or parcel served for its proportionate share
14 of the cost of connecting into those sewers. These assessments are
15 not subject to the jurisdiction of the Public Utilities Commission of
16 Nevada.

17 2. If the State Department of Conservation and Natural
18 Resources has found that a package plant for sewage treatment
19 which is exempt from the provisions of NRS 445A.540 to
20 445A.560, inclusive, is violating any of the conditions of NRS
21 445A.465 to 445A.515, inclusive, and has notified the holder of the
22 permit that he or she must bring the plant into compliance, but the
23 holder of the permit has failed to comply within a reasonable time
24 after the date of the notice, the governing body of the city in which
25 the plant is located may take the following actions independently of
26 any further action by the State Department of Conservation and
27 Natural Resources:

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

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

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



1 unless it obtains an order from the district court authorizing an
2 extension.

3 4. Each lot and parcel served by a package plant for sewage
4 treatment which is exempt from the provisions of NRS 445A.540 to
5 445A.560, inclusive, is subject to assessment by the governing body
6 of the city in which the plant is located for its proportionate share of
7 the cost of continued operation and maintenance of the plant if there
8 is a default or the city assumes control and operation of the plant
9 pursuant to subsection 2 or 3.

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

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

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

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

31 278.010 As used in NRS 278.010 to 278.630, inclusive, *and*
32 *sections 13 and 14 of this act*, unless the context otherwise requires,
33 the words and terms defined in NRS 278.0103 to 278.0195,
34 inclusive, have the meanings ascribed to them in those sections.

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

36 278.347 **1.** When any subdivider proposes to subdivide land,
37 any part of which is located within the boundaries of any general
38 improvement district organized or reorganized pursuant to chapter
39 318 of NRS, the planning commission or its designated
40 representative, or, if there is no planning commission, the clerk or
41 other designated representative of the governing body shall file a
42 copy of the subdivider's tentative map with ~~[the]~~ :

43 ~~(a) The~~ board of trustees of the district ~~[- The board of trustees~~
44 ~~may within]~~ ; and



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

3 2. *Within 30 days :*

4 (a) *The board of trustees may review and comment in writing*
5 *upon the tentative map filed pursuant to subsection 1 to the*
6 *planning commission or governing body* ~~H~~; *and*

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

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

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

18 278.349 1. Except as otherwise provided in subsection 2, the
19 governing body, if it has not authorized the planning commission to
20 take final action, shall, by an affirmative vote of a majority of all the
21 members, approve, conditionally approve or disapprove a tentative
22 map filed pursuant to NRS 278.330:

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

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

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

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

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

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

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

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

37 (a) Environmental and health laws and regulations concerning
38 water and air pollution, the disposal of solid waste, facilities to
39 supply water, community or public sewage disposal and, where
40 applicable, individual systems for sewage disposal;

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

44 (c) The availability and accessibility of utilities;



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

3 (e) Conformity with the zoning ordinances and master plan,
4 except that if any existing zoning ordinance is inconsistent with the
5 master plan, the zoning ordinance takes precedence;

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

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

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

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

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

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

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

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

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

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

42 ➡ Any disapproval or conditional approval must include a
43 statement of the reason for that action.



1 **Sec. 18.** NRS 278.373 is hereby amended to read as follows:
2 278.373 The certificates and acknowledgments required by
3 NRS 116.2109 and 278.374 to 278.378, inclusive, *and section 14 of*
4 *this act, if applicable*, must appear on a final map and may be
5 combined where appropriate.

6 **Sec. 19.** NRS 278.4955 is hereby amended to read as follows:
7 278.4955 1. The map of reversion submitted pursuant to NRS
8 278.490 must contain the appropriate certificates required by NRS
9 278.376, ~~and~~ 278.377 *and section 14 of this act, if applicable*, for
10 the original division of the land, any agreement entered into for a
11 required improvement pursuant to NRS 278.380 for the original
12 division of the land, and the certificates required by NRS 278.496
13 and 278.4965. If the map includes the reversion of any street or
14 easement owned by a city, a county or the State, the provisions of
15 NRS 278.480 must be followed before approval of the map.

16 2. The final map of reversion must:

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

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

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

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

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

44 6. Each future conveyance of the reverted property must
45 contain a metes and bounds legal description of the property and



1 must include the name and mailing address of the person who
2 prepared the legal description.

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

4 278.582 1. Each county and city shall include in its
5 respective building code the requirements of this section. If a county
6 or city has no building code, it shall adopt those requirements by
7 ordinance and provide for their enforcement by its own officers or
8 employees or through interlocal agreement by the officers or
9 employees of another local government. Additionally, each county
10 and city shall prohibit by ordinance the sale and installation of any
11 plumbing fixture *or landscape irrigation fixture* which does not
12 meet the standards made applicable for the respective county or city
13 pursuant to this section.

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

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

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

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

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

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

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

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



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

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

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

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

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

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

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

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

30 5. *Except as otherwise provided in subsection 7, each*
31 *residential, commercial or industrial structure on which*
32 *construction begins on or after January 1, 2024, and each existing*
33 *residential, commercial or industrial structure which is expanded*
34 *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*
37 *specification for an irrigation controller or spray sprinkler body,*
38 *must not install any irrigation controller or spray sprinkler body*
39 *that has not been certified under the WaterSense program.*

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



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

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

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

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

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

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

22 ~~[6.]~~ **7.** The requirements of this section ~~[for]~~ :

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

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

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

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

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

36 278A.570 1. A plan which has been given final approval by
37 the city or county must be certified without delay by the city or
38 county and filed of record in the office of the appropriate county
39 recorder before any development occurs in accordance with that
40 plan. A county recorder shall not file for record any final plan unless
41 it includes:

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

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



1 (c) The same certificates of approval as are required under NRS
2 278.377 *and section 14 of this act, if applicable*, or evidence that:

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

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

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

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

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

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

24 338.193 1. Each public building sponsored or financed by a
25 public body must meet the standards made applicable for the
26 building pursuant to this section.

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

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

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

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

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



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

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

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

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

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

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

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

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

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

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

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

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



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

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

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

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

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

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

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

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

29 349.981 1. There is hereby established a program to provide
30 grants of money to:

31 (a) A purveyor of water to pay for costs of capital improvements
32 to publicly owned community water systems and publicly owned
33 nontransient water systems required or made necessary by the State
34 Environmental Commission pursuant to NRS 445A.800 to
35 445A.955, inclusive, or made necessary by the Safe Drinking Water
36 Act, 42 U.S.C. §§ 300f et seq., and the regulations adopted pursuant
37 thereto.

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

- 40 (1) Piping or lining of an irrigation canal;
41 (2) Recovery or recycling of wastewater or tailwater;
42 (3) Scheduling of irrigation;
43 (4) Measurement or metering of the use of water;
44 (5) Improving the efficiency of irrigation operations; and



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

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

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

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

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

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

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

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

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

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

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



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

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

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

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

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

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

24 4. As used in this section:

25 (a) "Eligible recipient" means:

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

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

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

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

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

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

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

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



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

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

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

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

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

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

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

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

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

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

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

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

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



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

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

7 **Sec. 24.5.** NRS 533.027 is hereby amended to read as follows:
8 533.027 1. The provisions of this chapter do not apply to

9 ~~the~~:

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

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

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

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

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

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

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

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

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

25 2. As used in this section:

26 (a) "Domestic use" has the meaning ascribed to it in NRS
27 534.013. ~~;~~ ~~and~~

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

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

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

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

34 534.120 1. Within an area that has been designated by the
35 State Engineer, as provided for in this chapter, where, in the
36 judgment of the State Engineer, the groundwater basin is being
37 depleted, the State Engineer in his or her administrative capacity
38 may make such rules, regulations and orders as are deemed essential
39 for the welfare of the area involved.

40 2. In the interest of public welfare, the State Engineer is
41 authorized and directed to designate preferred uses of water within
42 the respective areas so designated by the State Engineer and from
43 which the groundwater is being depleted, and in acting on
44 applications to appropriate groundwater, the State Engineer may



1 designate such preferred uses in different categories with respect to
2 the particular areas involved within the following limits:

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

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

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

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

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

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

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

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

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

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

29 (b) Limit the depth of domestic wells.

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

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

42 ~~[4.—The State Engineer may revoke a temporary permit issued~~
43 ~~pursuant to subsection 3 for residential use, and require a person to~~
44 ~~whom groundwater was appropriated pursuant to the permit to~~
45 ~~obtain water from an entity such as a water district or a municipality~~



1 ~~engaged in furnishing water to the inhabitants of the designated~~
2 ~~area, only if:~~

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

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

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

13 (a) **Shall:**

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

17 (2) **Limit** the depth of a domestic well ~~[pursuant to paragraph~~
18 ~~(e) of subsection 3 or]~~; **or**

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

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

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

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

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

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

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

44 534.180 1. Except as otherwise provided in subsection 2 and
45 as to the furnishing of any information required by the State



1 Engineer, this chapter does not apply in the matter of obtaining
2 permits for the development and use of underground water from a
3 well for domestic purposes where the draught does not exceed 2
4 acre-feet per year.

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

13 3. The State Engineer may require the plugging of such a well
14 which is drilled on or after July 1, 1981, at any time not sooner than
15 1 year after water can be furnished to the site by:

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

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

19 ↪ but only if ~~the charge for making the connection to the service is~~
20 ~~less than \$200.] such a well is within 1,250 feet of a municipal~~
21 ~~water system.~~

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

26 (a) The owner of the well shall:

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

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

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

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

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

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

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

44 538.171 1. The Commission shall receive, protect and
45 safeguard and hold in trust for the State of Nevada all water and



1 water rights, and all other rights, interests or benefits in and to the
2 waters described in NRS 538.041 to 538.251, inclusive, and to the
3 power generated thereon, held by or which may accrue to the State
4 of Nevada under and by virtue of any Act of the Congress of the
5 United States or any agreements, compacts or treaties to which the
6 State of Nevada may become a party, or otherwise.

7 2. Except as otherwise provided in this subsection, applications
8 for the original appropriation of such waters, or to change the *holder*
9 *of the entitlement to appropriate water*, place of diversion, manner
10 of use or place of use of water covered by the original appropriation,
11 must be made to the Commission in accordance with the regulations
12 of the Commission. In considering such an application, the
13 Commission shall use the criteria set forth in ~~subsection 3 of~~ NRS
14 533.370. The Commission's action on the application constitutes the
15 recommendation of the State of Nevada to the United States for the
16 purposes of any federal action on the matter required by law. The
17 provisions of this subsection do not apply to supplemental water.

18 3. The Commission shall furnish to the State Engineer a copy
19 of all agreements entered into by the Commission concerning the
20 original appropriation and use of such waters. It shall also furnish to
21 the State Engineer any other information it possesses relating to the
22 use of water from the Colorado River which the State Engineer
23 deems necessary to allow the State Engineer to act on applications
24 for permits for the subsequent appropriation of these waters after
25 they fall within the State Engineer's jurisdiction.

26 4. Notwithstanding any provision of chapter 533 of NRS, any
27 original appropriation and use of the waters described in subsection
28 1 by the Commission or by any entity to whom or with whom the
29 Commission has contracted the water is not subject to regulation by
30 the State Engineer.

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

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

38 (b) "Intentionally created surplus" has the meaning ascribed to it
39 in NRS 533.030.

40 **Sec. 28.** The Conservation of Colorado River Water Act,
41 being chapter 364, Statutes of Nevada 2021, at page 2179, is hereby
42 amended by adding thereto a new section to be designated as section
43 37.5, immediately following section 37, to read as follows:

44 *Sec. 37.5. "General Manager" means the General*
45 *Manager of the Southern Nevada Water Authority.*



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

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

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

23 *Sec. 38.4. 1. Except as otherwise provided in this*
24 *section, on and after the effective date of Assembly Bill No.*
25 *220 of the 82nd Session of the Nevada Legislature, on any*
26 *parcel of property that uses or will use the waters of the*
27 *Colorado River distributed by the Southern Nevada Water*
28 *Authority or one of the member agencies of the Southern*
29 *Nevada Water Authority:*

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

31 *(b) If the parcel of property has an existing septic system*
32 *installed and a connection to a municipal water system, the*
33 *owner of the property shall be required to connect to the*
34 *public sewer system and discontinue the use of the existing*
35 *septic system.*

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

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

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



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

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

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

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

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

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

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

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

44 2. *The Board of Directors shall:*



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

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

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

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

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

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

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

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

27 2. The Board of Directors shall:

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

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

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

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

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



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

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

5 from:

6 (a) Complying with any requirement adopted by the

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

8 NRS to maintain open space or drought tolerant landscaping

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

10 a single family residence; or

11 (b) Using alternative sources of water to irrigate

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

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

14 family residence.

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

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

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

18 amended to read as follows:

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

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

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

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

23 act.

24 2. Except as otherwise provided in this section:

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

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

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

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

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

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

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

32 if the Southern Nevada Water Authority operates a project for

33 the recharge and recovery or underground storage and

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

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

36 of this act:

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

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

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

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

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

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

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

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

45 The maximum amount of the adjustment must be determined



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

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

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

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

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

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

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

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

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

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

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

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

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

43 2. *Any restrictions imposed by the General Manager*
44 *pursuant to subsection 1 must be ratified by the Board of*
45 *Directors of the Southern Nevada Water Authority not more*



1 *than 15 calendar days after the date the restrictions are*
2 *imposed.*

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

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

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