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Water Commitment Amendments

2026 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Hoang Nguyen

Senate Sponsor: Scott D. Sandall

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LONG TITLE

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General Description:

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This bill addresses commitments of water by water providers.

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Highlighted Provisions:

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This bill:

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- ▶ permits a commitment of available water to uses on the Great Salt Lake to be included in a water conservation plan; and
- ▶ makes technical and conforming changes.

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Money Appropriated in this Bill:

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None

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Other Special Clauses:

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None

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Utah Code Sections Affected:

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AMENDS:

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73-10-32, as last amended by Laws of Utah 2023, Chapters 238, 435

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Be it enacted by the Legislature of the state of Utah:

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Section 1. Section **73-10-32** is amended to read:

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73-10-32 . Definitions -- Water conservation plan required.

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(1) As used in this section:

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(a) "Division" means the Division of Water Resources created under Section 73-10-18.

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(b) "Water conservancy district" means an entity formed under Title 17B, Chapter 2a, Part 10, Water Conservancy District Act.

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(c) "Water conservation plan" means a written document that contains existing and proposed water conservation measures describing what will be done by a water provider, and the end user of culinary water to help conserve water in the state in terms of per capita use of water provided through culinary water infrastructure owned or operated by the water provider so that adequate supplies of water are available for

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future needs.

(d) "Water provider" means:

(i) a retail water supplier, as defined in Section 19-4-102; or

(ii) a water conservancy district.

(2)(a) A water conservation plan shall contain:

(i)(A) a clearly stated overall water use reduction goal that is consistent with Subsection (2)(d); and

(B) an implementation plan for each water conservation measure a water provider chooses to use, including a timeline for action and an evaluation process to measure progress;

(ii) a requirement that a notification procedure be implemented that includes the delivery of the water conservation plan to the media and to the governing body of each municipality and county served by the water provider;

(iii) a copy of the minutes of the meeting regarding a water conservation plan and the notification procedure required in Subsection (2)(a)(ii) that shall be added as an appendix to the water conservation plan; and

(iv) for a retail water supplier, as defined in Section 19-4-102, the retail water supplier's rate structure that is:

(A) adopted by the retail water supplier's governing body in accordance with Section 73-10-32.5; and

(B) current as of the day the retail water supplier files a water conservation plan.

(b) A water conservation plan may include information regarding:

(i) the installation and use of water efficient fixtures and appliances, including toilets, shower fixtures, and faucets;

(ii) residential and commercial landscapes and irrigation that require less water to maintain;

(iii) more water efficient industrial and commercial processes involving the use of water;

(iv) water reuse systems, both potable and non-potable;

(v) distribution system leak repair:

(vi) dissemination of public information regarding more efficient use of water.

including public education programs, customer water use audits, and water saving demonstrations;

(vii) water rate structures designed to encourage more efficient use of water;

65 (viii) statutes, ordinances, codes, or regulations designed to encourage more efficient
66 use of water by means such as water efficient fixtures and landscapes;

67 (ix) incentives to implement water efficient techniques, including rebates to water
68 users to encourage the implementation of more water efficient measures;

69 (x) regional conservation planning and shared shortage agreements; [and]

70 (xi) the commitment of available water to uses on the Great Salt Lake; and

71 [(xi)] (xii) other measures designed to conserve water.

72 (c) The division may be contacted for information and technical resources regarding
73 measures listed in Subsection (2)(b).

74 (d)(i) The division shall adopt by rule, made in accordance with Title 63G, Chapter 3,
75 Utah Administrative Rulemaking Act, regional water conservation goals that:

76 (A) are developed by the division;

77 (B) take into consideration goals established in the Colorado River management
78 plan adopted [pursuant to] in accordance with Section 63M-14-204;

79 (C) for areas in the Great Salt Lake watershed, take into consideration the Great
80 Salt Lake, including the water budget associated with the integrated surface
81 and ground water assessment described in Section 73-10g-402;

82 (D) take into consideration how growth and regional conservation goals impact
83 agriculture water use;

84 (E) are reevaluated by December 31, 2030, and every 10 years after December 31,
85 2030; and

86 (F) define what constitutes "water being conserved" under a water conservation
87 goal after considering factors such as depletion, diversion, use, consumption,
88 or return flows.

89 (ii) As part of a water conservation plan, a water provider shall adopt one of the
90 following:

91 (A) the regional water conservation goal applicable to the water provider;

92 (B) a water conservation goal that would result in more water being conserved
93 than would be conserved under the regional water conservation goal; or

94 (C) a water conservation goal that would result in less water being conserved than
95 would be conserved under the regional water conservation goal with a
96 reasonable justification as to why the different water conservation goal is
97 adopted and an explanation of the factors supporting the reasonable
98 justification, such as demographics, geography, lot sizes, make up of water

99 service classes, or availability of secondary water.

100 (3)(a) A water provider shall:

101 (i) prepare and adopt a water conservation plan; and

102 (ii) file a copy of the water conservation plan with the division.

103 (b)(i) Before adopting or amending a water conservation plan, a water provider shall
104 hold a public hearing with reasonable, advance public notice in accordance with
105 this Subsection (3)(b).

106 (ii) The water provider shall provide public notice at least 14 days before the date of
107 the public hearing.

108 (iii) A water provider meets the requirements of reasonable notice required by this
109 Subsection (3)(b) if the water provider posts notice of the public hearing:

110 (A) for the service area of the water provider, as a class A notice under Section
111 63G-30-102, for at least 14 days; and

112 (B) if the water provider is a private entity and has a public website, on the water
113 provider's public website.

114 (iv) Proof that notice described in Subsection (3)(b)(iii) was given is *prima facie*
115 evidence that notice was properly given.

116 (v) If notice given under authority of this Subsection (3)(b) is not challenged within
117 30 days from the date of the public hearing for which the notice was given, the
118 notice is considered adequate and proper.

119 (c) A water provider shall:

120 (i) post the water provider's water conservation plan on a public website; or

121 (ii) if the water provider does not have a public website, make the water provider's
122 water conservation plan publicly available for inspection upon request.

123 (4)(a) The division shall:

124 (i) provide guidelines and technical resources to help water providers prepare and
125 implement water conservation plans;

126 (ii) assist water providers by identifying water conservation methods upon request;
127 and

128 (iii) provide an online submission form that allows for an electronic copy of the water
129 conservation plan to be filed with the division under Subsection (3)(a)(ii).

130 (b) The division shall post an annual report at the end of a calendar year listing water
131 providers in compliance with this section.

132 (5) A water provider may only receive state funds for water development if the water

133 provider complies with the requirements of this section.

134 (6) A water provider specified under Subsection (3)(a) shall:

135 (a) update the water provider's water conservation plan no less frequently than every five
136 years; and

137 (b) follow the procedures required under Subsection (3) when updating the water
138 conservation plan.

139 (7) It is the intent of the Legislature that the water conservation plans, amendments to
140 existing water conservation plans, and the studies and report by the division be handled
141 within the existing budgets of the respective entities or agencies.

142 **Section 2. Effective Date.**

143 This bill takes effect on May 6, 2026.