

RETAIL WATER LINE DISCLOSURE AMENDMENTS

2017 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Karen Mayne

House Sponsor: Stephen G. Handy

LONG TITLE

General Description:

This bill enacts provisions relating to service of culinary water.

Highlighted Provisions:

This bill:

- ▶ defines terms; and
- ▶ requires each public provider of culinary water to provide certain disclosures related to liability for the repair or replacement of a retail water line.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

11-8-4, as enacted by Laws of Utah 2016, Chapter 283

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

Section 1. Section **11-8-4** is amended to read:

CHAPTER 8. SEWAGE AND CULINARY WATER SYSTEMS

11-8-4. Sewer lateral disclosure required.

(1) As used in this section:



28 (a) "Public owner" means the same as that term is defined in Section 11-8-1.

29 (b) "Public provider" means a public owner or a public retail water provider.

30 (c) "Public retail water provider" means a public entity that provides culinary water to
31 end users.

32 (d) "Retail water line" means a pipe that connects a property to a public retail water
33 provider's water main line.

34 [~~(b)~~] (e) "Sanitary sewer service" means service provided by a public owner's sanitary
35 sewer facilities.

36 [~~(c)~~] (f) "Sewer lateral" means a pipe that connects a property to a public owner's
37 sanitary sewer main line.

38 (2) (a) Each calendar year, a public [~~owner~~] provider shall, in accordance with
39 Subsection (2)(b), distribute a disclosure that:

40 (i) (A) for a public owner, includes the definition of a sewer lateral; [~~and~~] or
41 (B) for a public retail water provider, includes the definition of a retail water line; and

42 (ii) states whether the record owner of the property or the public [~~owner~~] provider is
43 responsible for repair and replacement of the sewer lateral or retail water line that serves [~~a~~] the
44 property.

45 (b) A public [~~owner~~] provider may distribute the disclosure described in Subsection
46 (2)(a) by:

47 (i) once each calendar year conspicuously placing the disclosure:

48 (A) on each bill for sanitary sewer service or culinary water service in a particular
49 billing cycle; or

50 (B) in a newsletter that is circulated within the boundaries of the area served by the
51 public [~~owner~~] provider;

52 (ii) conspicuously placing the disclosure on the public [~~owner's~~] provider's website;

53 (iii) including the disclosure in a broad based social media campaign; or

54 (iv) any other means reasonably calculated to make the disclosure available to
55 individuals served by the public [~~owner~~] provider.

56 (c) A public [~~owner's~~] provider's failure to comply with a provision of this Subsection
57 (2) does not result in any liability for the public [~~owner~~] provider based on the public [~~owner's~~]
58 provider's failure to comply.

Legislative Review Note
Office of Legislative Research and General Counsel