

**Representative Melissa G. Ballard** proposes the following substitute bill:

**WATER LOSS ACCOUNTING**

2020 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Melissa G. Ballard**

Senate Sponsor: David P. Hinkins

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**LONG TITLE**

**General Description:**

This bill addresses data related to water including water losses.

**Highlighted Provisions:**

This bill:

- ▶ requires the creation of a working group to address how to implement standardized water loss accounting practices;
- ▶ requires reporting and recommendations;
- ▶ lists concepts to be included in developing recommendations; and
- ▶ provides a repeal date.

**Money Appropriated in this Bill:**

None

**Other Special Clauses:**

None

**Utah Code Sections Affected:**

ENACTS:

**63I-2-273**, Utah Code Annotated 1953

**73-1-20**, Utah Code Annotated 1953

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

27 Section 1. Section **63I-2-273** is enacted to read:

28 **63I-2-273. Repeal dates -- Title 73.**

29 Section **73-1-20** is repealed on July 1, 2021.

30 Section 2. Section **73-1-20** is enacted to read:

31 **73-1-20. Study of water loss accounting.**

32 (1) As used in this section:

33 (a) "Commissioner" means the commissioner of agriculture and food.

34 (b) "Executive director" means the executive director of the Department of Natural  
35 Resources.

36 (c) "Utah Water Task Force" means a task force created by the Department of Natural  
37 Resources to review and make recommendations regarding water issues.

38 (2) (a) The executive director and the commissioner shall jointly form a working group  
39 from the water community with:

40 (i) expertise in the areas of:

41 (A) water utility service;

42 (B) water loss accounting and water loss control practices; or

43 (C) water infrastructure planning; or

44 (ii) other qualifying experience as considered appropriate by the executive director and  
45 commissioner.

46 (b) The executive director and commissioner shall jointly designate the working group  
47 chair from the members of the working group. The working group shall comply with Title 52,  
48 Chapter 4, Open and Public Meetings Act.

49 (3) The working group shall investigate, study, and develop recommendations on how  
50 to implement standardized water loss accounting practices with reporting results and  
51 potentially incorporating the data into a water conservation plan.

52 (4) (a) The working group is to report the working group's findings and  
53 recommendations to the Utah Water Task Force ~~H~~→ **and the Legislative Water Development**  
53a **Commission** ←~~H~~ by October 1, 2020.

54 (b) The executive director and commissioner shall report the Utah Water Task Force's  
55 findings and recommendations to the Natural Resources, Agriculture, and Environment Interim  
56 Committee at either the October or November 2020 interim committee meeting, as determined

57 by the chairs of the Natural Resources, Agriculture, and Environment Interim Committee.

58 (5) The concepts that the working group and the executive director and commissioner  
59 shall consider when developing recommendations for the Natural Resources, Agriculture, and  
60 Environment Interim Committee include:

61 (a) the promotion of improved understanding of water system losses, water delivery  
62 efficiency, and the conservation of water delivered by public retail water suppliers by the use of  
63 water loss accounting practices;

64 (b) the development of reliable information from consistent reporting requirements,  
65 and to recommend how the information may be used at state wholesale and retail levels;

66 (c) a recommendation of appropriate roles for the state wholesale and retail public  
67 water suppliers to encourage water delivery efficiency and water conservation from water loss  
68 accounting at each level;

69 (d) a recommendation of appropriate levels of funding for state wholesale and retail  
70 conservation measures and improved water delivery efficiency resulting from water loss  
71 accounting practices;

72 (e) a recommendation of potential changes to Section [73-10-32](#), to implement plans for  
73 water conservation from water loss accounting practices, including the authorization of  
74 rulemaking authority, if necessary, and water loss accounting reporting requirements, including  
75 a validity score on submitted data;

76 (f) a recommendation for the frequency of water loss accounting audits, as well as  
77 recommendation for the use of annual validated water use reports to the state engineer;

78 (g) a recommendation of which entities should be required to submit water loss  
79 accounting audits based on size, region, or both size and region;

80 (h) a potential recommendation of the appropriate role for a state technical advisory  
81 committee and whether this state technical advisory committee should have counterparts at the  
82 wholesale and retail levels; and

83 (i) estimating the amount of water losses and associated revenue losses that can  
84 reasonably be recovered through water loss control activities.