

STORM WATER PERMITTING AMENDMENTS

2020 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Casey Snider

Senate Sponsor: _____

LONG TITLE

General Description:

This bill addresses effects of storm water.

Highlighted Provisions:

This bill:

- ▶ enacts the Storm Water Permitting Act, including:
 - defining terms;
 - prohibiting certain permits;
 - directing that storm water containment be studied;
 - requiring the Division of Water Quality to report on the study of storm water containment; and
 - requiring the legislative committee to make recommendations to the Legislature.

Money Appropriated in this Bill:

None

Other Special Clauses:

This bill provides a special effective date.

This bill provides revisor instructions.

Utah Code Sections Affected:

ENACTS:

73-31-101, Utah Code Annotated 1953

73-31-102, Utah Code Annotated 1953



28 **73-31-201**, Utah Code Annotated 1953

29 **73-31-202**, Utah Code Annotated 1953

30 **Utah Code Sections Affected by Revisor Instructions:**

31 **73-31-201**, Utah Code Annotated 1953



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

34 Section 1. Section **73-31-101** is enacted to read:

35 **CHAPTER 31. STORM WATER PERMITTING ACT**

36 **Part 1. General Provisions**

37 **73-31-101. Title.**

38 This chapter is known as the "Storm Water Permitting Act."

39 Section 2. Section **73-31-102** is enacted to read:

40 **73-31-102. Definitions.**

41 As used in this chapter:

42 (1) "Division" means the Division of Water Quality.

43 (2) "Government entity" means the following within the state:

44 (a) the Department of Environmental Quality or any of the Department of
45 Environmental Quality's divisions;

46 (b) the Department of Natural Resources or any of the Department of Natural
47 Resource's divisions;

48 (c) a municipality or any agency of a municipality; or

49 (d) an entity similar to one described in this Subsection (2).

50 (3) "Storm water permit" means a permit required by a governmental entity to engage
51 in an activity that may result in storm water discharges.

52 Section 3. Section **73-31-201** is enacted to read:

53 **Part 2. Residential Construction Storm Water Permits**

54 **73-31-201. Prohibition of storm water permit requirements.**

55 Beginning on and after the effective date of this bill, a governmental entity may not
56 require, issue, or enforce a storm water permit related to construction.

57 Section 4. Section **73-31-202** is enacted to read:

58 **73-31-202. Study of the need for storm water containment.**

59 (1) The division shall complete a study or collect studies that address:
60 (a) what need, if any, Utah has to contain storm water related to construction; and
61 (b) if there is a need to contain storm water related to construction, the best options in
62 the state to provide for storm water containment.

63 (2) Once the division complies with Subsection (1), the division shall report the studies
64 described in Subsection (1) to the Natural Resources, Agriculture, and Environment Interim
65 Committee.

66 (3) After receiving the report under Subsection (2), the Natural Resources, Agriculture,
67 and Environment Interim Committee shall recommend to the Legislature that:

68 (a) the prohibition on storm water permits under Section [73-31-201](#) be repealed;

69 (b) the prohibition on storm water permits under Section [73-31-201](#) be continued,
70 either unchanged or with amendments;

71 (c) another method of addressing storm water containment be pursued; or

72 (d) other legislative action be pursued.

73 **Section 5. Effective date.**

74 If approved by two-thirds of all the members elected to each house, this bill takes effect
75 upon approval by the governor, or the day following the constitutional time limit of Utah
76 Constitution, Article VII, Section 8, without the governor's signature, or in the case of a veto,
77 the date of veto override.

78 **Section 6. Revisor instructions.**

79 The Legislature intends that the Office of Legislative Research and General Counsel, in
80 preparing the Utah Code database for publication, replace the reference in Section [73-31-201](#)
81 "the effective date of this bill" to the bill's actual effective date.