

Representative Casey Snider proposes the following substitute bill:

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;
 - requiring the Division of Water Quality to report on storm water; 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



26 [73-31-201](#), Utah Code Annotated 1953

27 [73-31-202](#), Utah Code Annotated 1953

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

29 [73-31-201](#), Utah Code Annotated 1953



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

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

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

34 **Part 1. General Provisions**

35 **73-31-101. Title.**

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

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

38 **73-31-102. Definitions.**

39 As used in this chapter:

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

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

42 (a) the Department of Environmental Quality or any of the Department of
43 Environmental Quality's divisions;

44 (b) the Department of Natural Resources or any of the Department of Natural
45 Resource's divisions;

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

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

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

50 (4) "Subdivision" means the same as that term is defined in Section [10-9a-103](#).

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

52 **Part 2. Storm Water Permits**

53 **73-31-201. Prohibition of storm water permit requirements.**

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

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

58 **73-31-202. Reporting on the need for storm water containment.**

59 (1) The division shall report to the Natural Resources, Agriculture, and Environment
60 Interim Committee the following:

61 (a) how much storm water annually makes it to the rivers from subdivisions, and what
62 percentage of the total volume of water in rivers comes from subdivisions;

63 (b) what specific contaminants, and the volume of each contaminant, from
64 subdivisions are in the rivers, not including contaminants from other sources;

65 (c) how contaminants from subdivisions are different than contaminants from other
66 sources;

67 (d) whether there is a direct harm to the rivers from the contaminants from
68 subdivisions; and

69 (e) whether there are multiple methods to remedy the established damages caused to
70 the rivers and an estimate of the cost for each method.

71 (2) After receiving the report under Subsection (1), the Natural Resources, Agriculture,
72 and Environment Interim Committee shall recommend to the Legislature that:

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

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

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

77 (d) other legislative action be pursued.

78 Section 5. **Effective date.**

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

83 Section 6. **Revisor instructions.**

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