

HB0226S01 compared with HB0226

~~{deleted text}~~ shows text that was in HB0226 but was deleted in HB0226S01.

inserted text shows text that was not in HB0226 but was inserted into HB0226S01.

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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;

~~{~~ ~~• 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:

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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

73-31-201, Utah Code Annotated 1953

73-31-202, Utah Code Annotated 1953

Utah Code Sections Affected by Revisor Instructions:

73-31-201, Utah Code Annotated 1953

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

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

CHAPTER 31. STORM WATER PERMITTING ACT

Part 1. General Provisions

73-31-101. Title.

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

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

73-31-102. Definitions.

As used in this chapter:

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

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

(a) the Department of Environmental Quality or any of the Department of

Environmental Quality's divisions;

(b) the Department of Natural Resources or any of the Department of Natural

Resource's divisions;

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

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

(3) "Storm water permit" means a permit required by a governmental entity to engage

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in an activity that may result in storm water discharges.

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

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

Part 2. ~~{Residential Construction}~~ Storm Water Permits

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

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

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

73-31-202. ~~{ Study of}~~ Reporting on the need for storm water containment.

(1) The division shall ~~{complete a study or collect studies that address:~~

~~— (a) what need, if any, Utah has to contain storm water related to construction; and~~
~~— (b) if there is a need to contain storm water related to construction, the best options in the state to provide for storm water containment.~~

~~— (2) Once the division complies with Subsection (1), the division shall report the studies described in Subsection (1);~~ report to the Natural Resources, Agriculture, and Environment Interim Committee the following:

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

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

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

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

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

~~{3}~~2) After receiving the report under Subsection ~~{2}~~1), the Natural Resources, Agriculture, and Environment Interim Committee shall recommend to the Legislature that:

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

(b) the prohibition on storm water permits under Section 73-31-201 be continued,

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either unchanged or with amendments;

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

(d) other legislative action be pursued.

Section 5. **Effective date.**

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

Section 6. **Revisor instructions.**

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