

HCS HB 1738 -- WATER RESOURCES

SPONSOR: Brattin

COMMITTEE ACTION: Voted "Do Pass with Amendments" by the Standing Committee on Conservation and Natural Resources by a vote of 8 to 3. Voted "Do Pass with HCS" by the Select Committee on Agriculture by a vote of 6 to 3.

This bill specifies that no political subdivision by rule, regulation, order, or ordinance may prevent a property owner from constructing a private domestic well if the construction is allowed under state law. If the Department of Natural Resources can provide evidence of water contamination in the area, the political subdivision may regulate domestic well construction in order to protect water quality. The political subdivision may also require that a water filtration system be installed as a condition of receiving a permit for a new well.

This bill specifies that a property owner is liable for extending the minimum size water main the minimum feasible distance necessary to establish a connection with the main. The property owner may collect private bids for the project but must meet the same specifications required of the water supplier. Upon completion of the project, the water main becomes property of the water supplier and the property owner must provide any necessary easements. Prevailing wage does not apply to residential or private installations of the water main.

This bill is the same as HB 1007 (2015).

PROPOSERS: Supporters say that currently, some counties prohibit wells on certain residential property, and this bill would allow all residents to provide water to their home as long as the well complies with state law.

Testifying for the bill was Representative Brattin.

OPPOSERS: There was no opposition voiced to the committee.