

HCS HB 1738 -- WATER RESOURCES (Brattin)

COMMITTEE OF ORIGIN: Standing Committee on Conservation and Natural Resources

This bill specifies that in Cass County, a property owner is liable for extending the minimum size water main the minimum feasible distance necessary to establish a connection with the main, including any fire protection requirements. 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. The provisions do not apply to an investor-owned water supplier if the supplier is governed by a tariff.

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 property is five acres or more and is outside the boundaries of a municipality. If the Department of Natural Resources can provide evidence of water contamination in the area, the department must provided the information to the property owner prior to well construction. Any private domestic well construction must meet state well construction requirements.

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