



# HOUSE BILL 20: 1998 Clean Water Bond Add'l Connections.

2021-2022 General Assembly

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<b>Committee:</b>	House Energy and Public Utilities. If favorable, re-refer to Local Government - Land Use, Planning and Development. If favorable, re-refer to Rules, Calendar, and Operations of the House	<b>Date:</b>	March 9, 2021
<b>Introduced by:</b>	Reps. Sasser, Moss	<b>Prepared by:</b>	Aaron McGlothlin
<b>Analysis of:</b>	PCS to First Edition H20-CSCC-1		Staff Attorney

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**OVERVIEW:** *The Proposed Committee Substitute (PCS) for House Bill 20 would require the Secretary of Environmental Quality to authorize additional connections to waterlines funded by the 1998 Clean Water and Natural Gas Critical Needs Bond Act from structures located on lots zoned for residential use and mixed-use development.*

*The PCS adds language that would limit the applicability of expanded waiver criteria to projects for which requests for waivers were submitted on or before the effective date of the act.*

**CURRENT LAW:** The Clean Water and Natural Gas Critical Needs Bond Act of 1998 (Act), as amended by Section 5 of S.L. 2011-412, provided for the issuance of general obligation bonds of the State and for the allocation of the proceeds from the sale of those bonds for the construction of water and wastewater systems. The Act prohibited the use of the proceeds to construct new water or sewer lines in areas designated as WS-I or the critical areas of WS-II, WS-III, or WS-IV.

However, the Act provides that the Secretary of Environmental Quality must grant a waiver to allow additional water and sewer connections in these areas if the design capacity and size of the existing bond-funded waterline can accommodate the additional connections, and the purpose of the additional connection is for i) addressing an existing threat to public health or water quality, or ii) providing water to a habitable structure located on a lot zoned for single-family residential use. There is no requirement that the structure existed at the time the bond-funded waterline was constructed.

**BILL ANALYSIS:** The PCS for House Bill 20 would expand the criteria under which the Secretary must grant a waiver to allow additional connections for provision of water to include structures located on lots that are ***zoned for residential use or mixed-use development***. This PCS eliminates the requirement under existing law that the structure be "habitable" and located on lots that are zoned for a "single-family residence."

**EFFECTIVE DATE:** This act is effective when it becomes law, and applies to requests for waivers to allow additional water lines submitted on or before that date.

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