



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

2021-2022 General Assembly

Committee:	Senate Rules and Operations of the Senate	Date:	June 10, 2021
Introduced by:	Reps. Sasser, Moss	Prepared by:	Jennifer McGinnis and Aaron McGlothlin
Analysis of:	Second Edition		Staff Attorneys

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

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, authorized the issuance of general obligation bonds of the State to fund grants and loans to local governments for water supply and distribution systems, water collection systems, wastewater treatment works, water conservation projects, and water reuse projects. 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 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 to i) address an existing threat to public health or water quality, or ii) provide 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: 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 bill 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.

Staff Attorney Billy R. Godwin substantially contributed to this summary.

Jeffrey Hudson
Director



Legislative Analysis
Division
919-733-2578