

1 _____ BILL NO. _____

2 INTRODUCED BY _____
3 (Primary Sponsor)

4 A BILL FOR AN ACT ENTITLED: "AN ACT REVISING LAWS RELATED TO THE CONNECTION OF A
5 PROPOSED SUBDIVISION TO A COUNTY OR MUNICIPAL WATER OR SEWER SYSTEM; PROVIDING
6 THAT A COUNTY OR MUNICIPAL WATER OR SEWER SYSTEM SHALL ACCEPT A PROPOSED
7 SUBDIVISION'S REQUEST FOR CONNECTION IN CERTAIN CIRCUMSTANCES; DIRECTING AN
8 AMENDMENT TO ARM 17.36.123 TO PROVIDE THAT A PUBLIC WATER SUPPLY AND WASTEWATER
9 SYSTEM ACCEPT A CONNECTION FROM A PROPOSED SUBDIVISION UNDER CERTAIN
10 CIRCUMSTANCES; PROVIDING RULEMAKING AUTHORITY; AND PROVIDING AN IMMEDIATE
11 EFFECTIVE DATE."

12

13 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

14

15 NEW SECTION. **Section 1. Department to amend rule.** (1) The department of environmental quality
16 shall amend ARM 17.36.123 to provide that new water supply and sewage disposal facilities in a proposed
17 subdivision must be provided by a connection to a public municipal or county water and/or sewer district water
18 supply or public wastewater system if:

19 (a) the proposed subdivision requests the connection;

20 (b) a boundary of the subdivision is within 501 to 1,000 feet of any component of the public
21 system; and

22 (c) the public system meets the requirements of ARM 17.36.123(2)(a) and (b).
23

24 NEW SECTION. **Section 2. Proposed subdivision connection to county water and/or sewer**
25 **district system.** A county water and/or sewer district system shall supply water and sewer services to a
26 subdivision proposed for review under Title 76, chapter 3 or 4, if:

27 (1) the proposed subdivision requests the connection;

28 (2) a boundary of the subdivision is within 501 to 1,000 feet of any component of the county

1 system; and

2 (3) the county system meets the following requirements, as established in administrative rule by
3 the department of environmental quality:

4 (a) the system is approved by the department and is in compliance with Title 75, chapter 6, part 1;
5 and

6 (b) the managing entity of the system certifies that:

7 (i) the system has adequate capacity to meet the needs of the proposed subdivision;

8 (ii) the connections are authorized;

9 (iii) the system is in compliance with applicable department regulations; and

10 (iv) an appropriate water right exists for the connection.
11

12 **NEW SECTION. Section 3. Proposed subdivision connection to municipal water or sewer**

13 **system.** A municipal water or sewer system shall supply water and sewer services to a subdivision proposed
14 for review under Title 76, chapter 3 or 4, if:

15 (1) the proposed subdivision requests the connection;

16 (2) a boundary of the subdivision is within 501 to 1,000 feet of any component of the municipal
17 system; and

18 (3) the municipal system meets the following requirements, as established in administrative rule by
19 the department of environmental quality:

20 (a) the system is approved by the department and is in compliance with Title 75, chapter 6, part 1;

21 and

22 (b) the managing entity of the system certifies that:

23 (i) the system has adequate capacity to meet the needs of the proposed subdivision;

24 (ii) the connections are authorized;

25 (iii) the system is in compliance with applicable department regulations; and

26 (iv) an appropriate water right exists for the connection.
27

28 **NEW SECTION. Section 4. Codification instruction.** (1) [Section 2] is intended to be codified as an

1 integral part of Title 7, chapter 13, part 22, and the provisions of Title 7, chapter 13, part 22, apply to [section 2].

2 (2) [Section 3] is intended to be codified as an integral part of Title 7, chapter 13, part 43, and the
3 provisions of Title 7, chapter 13, part 43, apply to [section 3].

4

5 NEW SECTION. **Section 5. Effective date.** [This act] is effective on passage and approval.

6 - END -