

State of Arizona
House of Representatives
Forty-seventh Legislature
First Regular Session
2005

CHAPTER 223

HOUSE BILL 2277

AN ACT

AMENDING TITLE 45, CHAPTER 1, ARIZONA REVISED STATUTES, BY ADDING ARTICLE 13;
RELATING TO COMMUNITY WATER SYSTEMS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Title 45, chapter 1, Arizona Revised Statutes, is amended
3 by adding article 13, to read:

4 ARTICLE 13. COMMUNITY WATER SYSTEM PLANNING
5 AND REPORTING REQUIREMENTS

6 45-330. Definition

7 IN THIS ARTICLE, UNLESS THE CONTEXT OTHERWISE REQUIRES:

8 1. "COMMUNITY WATER SYSTEM" MEANS A PUBLIC WATER SYSTEM THAT SERVES AT
9 LEAST FIFTEEN SERVICE CONNECTIONS USED BY YEAR-ROUND RESIDENTS OF THE AREA
10 SERVED BY THE SYSTEM OR THAT REGULARLY SERVES AT LEAST TWENTY-FIVE YEAR-ROUND
11 RESIDENTS OF THE AREA SERVED BY THE SYSTEM. A PERSON IS A YEAR-ROUND
12 RESIDENT OF THE AREA SERVED BY A SYSTEM IF THE PERSON'S PRIMARY RESIDENCE IS
13 SERVED WATER BY THAT SYSTEM.

14 2. "LARGE COMMUNITY WATER SYSTEM" MEANS A COMMUNITY WATER SYSTEM THAT
15 SERVES WATER TO MORE THAN ONE THOUSAND EIGHT HUNDRED FIFTY PERSONS.

16 3. "PUBLIC WATER SYSTEM" MEANS AN ENTITY THAT DISTRIBUTES OR SELLS
17 WATER AND THAT QUALIFIES AS A PUBLIC WATER SYSTEM UNDER SECTION 49-352,
18 SUBSECTION B.

19 4. "SMALL COMMUNITY WATER SYSTEM" MEANS A COMMUNITY WATER SYSTEM THAT
20 DOES NOT QUALIFY AS A LARGE COMMUNITY WATER SYSTEM.

21 45-331. Water plan

22 A. EXCEPT AS PROVIDED IN SUBSECTIONS D AND E OF THIS SECTION, BY THE
23 DATES SPECIFIED IN SUBSECTIONS B OR C OF THIS SECTION, EACH COMMUNITY WATER
24 SYSTEM SHALL PREPARE AND SUBMIT TO THE DIRECTOR A SYSTEM WATER PLAN THAT
25 INCLUDES THE FOLLOWING COMPONENTS:

- 26 1. A WATER SUPPLY PLAN.
- 27 2. A DROUGHT PREPAREDNESS PLAN.
- 28 3. A WATER CONSERVATION PLAN.

29 B. EXCEPT AS PROVIDED IN SUBSECTION C OF THIS SECTION, A LARGE
30 COMMUNITY WATER SYSTEM SHALL SUBMIT ITS FIRST SYSTEM WATER PLAN TO THE
31 DIRECTOR ON OR BEFORE JANUARY 1, 2007, AND SHALL SUBMIT AN UPDATED PLAN
32 WITHIN SIX MONTHS PRIOR TO JANUARY 1 OF EVERY FIFTH CALENDAR YEAR THEREAFTER.
33 A SMALL COMMUNITY WATER SYSTEM SHALL SUBMIT ITS FIRST SYSTEM WATER PLAN TO
34 THE DIRECTOR ON OR BEFORE JANUARY 1, 2008, AND SHALL SUBMIT AN UPDATED PLAN
35 WITHIN SIX MONTHS PRIOR TO JANUARY 1 OF EVERY FIFTH CALENDAR YEAR THEREAFTER.
36 FOR A SMALL COMMUNITY WATER SYSTEM THAT SUBMITS ITS REQUEST TO THE DIRECTOR
37 AT LEAST NINETY DAYS BEFORE THE FILING DEADLINE, THE DIRECTOR MAY EXTEND THE
38 TIME FOR FILING THE FIRST WATER SYSTEM PLAN. IF A COMMUNITY WATER SYSTEM
39 REVISES ITS SYSTEM WATER PLAN AFTER SUBMITTING THE PLAN TO THE DIRECTOR, THE
40 COMMUNITY WATER SYSTEM SHALL SUBMIT THE REVISED PLAN TO THE DIRECTOR WITHIN
41 SIXTY DAYS FROM THE DATE OF REVISION.

42 C. IF MORE THAN ONE COMMUNITY WATER SYSTEM SERVES WATER TO RESIDENTS
43 WITHIN A CITY OR TOWN, TWO OR MORE OF THE COMMUNITY WATER SYSTEMS SERVING
44 WATER TO RESIDENTS WITHIN THAT CITY OR TOWN MAY COORDINATE THEIR EFFORTS IN
45 PREPARING THE PLANS REQUIRED BY THIS SECTION AND MAY SUBMIT A JOINT PLAN THAT
46 CONTAINS THE INFORMATION REQUIRED IN THIS SECTION FOR THAT PORTION OF THE

1 COMMUNITY SUPPLIED BY THE COMMUNITY WATER SYSTEMS INSTEAD OF SUBMITTING
2 INDIVIDUAL WATER SYSTEM PLANS. COMMUNITY WATER SYSTEMS THAT SUBMIT A JOINT
3 PLAN PURSUANT TO THIS SUBSECTION SHALL SUBMIT THE PLAN TO THE DIRECTOR BY THE
4 DATE ON WHICH A SMALL COMMUNITY WATER SYSTEM IS REQUIRED TO SUBMIT ITS SYSTEM
5 WATER PLAN UNDER SUBSECTION B OF THIS SECTION. THE DIRECTOR MAY EXTEND THE
6 TIME FOR FILING THE FIRST WATER SYSTEM PLAN FOR A JOINT PLAN THAT INCLUDES A
7 SMALL COMMUNITY WATER SYSTEM IF THE REQUEST IS RECEIVED NINETY DAYS BEFORE
8 THE FILING DEADLINE.

9 D. A COMMUNITY WATER SYSTEM THAT HAS BEEN DESIGNATED AS HAVING AN
10 ASSURED WATER SUPPLY PURSUANT TO SECTION 45-576 IS EXEMPT FROM THE
11 REQUIREMENT TO SUBMIT A WATER SUPPLY PLAN UNDER THIS SECTION.

12 E. A COMMUNITY WATER SYSTEM REGULATED AS A LARGE MUNICIPAL PROVIDER
13 UNDER CHAPTER 2, ARTICLE 9 OF THIS TITLE IS EXEMPT FROM THE REQUIREMENT TO
14 SUBMIT A WATER CONSERVATION PLAN UNDER THIS SECTION. THE DIRECTOR SHALL
15 EXEMPT A COMMUNITY WATER SYSTEM REGULATED AS A SMALL MUNICIPAL PROVIDER UNDER
16 CHAPTER 2, ARTICLE 9 OF THIS TITLE FROM THE REQUIREMENT TO SUBMIT A WATER
17 CONSERVATION PLAN UNDER THIS SECTION IF THE COMMUNITY WATER SYSTEM:

18 1. PETITIONS THE DIRECTOR FOR AN EXEMPTION PRIOR TO JANUARY 1, 2007.

19 2. DEMONSTRATES, UNDER REASONABLE GROWTH PROJECTIONS, THAT IT WILL BE
20 REGULATED AS A LARGE MUNICIPAL PROVIDER UNDER CHAPTER 2, ARTICLE 9 OF THIS
21 TITLE PRIOR TO JANUARY 1, 2012.

22 F. A COMMUNITY WATER SYSTEM THAT HAS PREVIOUSLY SUBMITTED INFORMATION
23 REQUIRED BY THIS SECTION TO THE DIRECTOR MAY MAKE A WRITTEN REQUEST TO THE
24 DIRECTOR TO BE EXEMPTED FROM THE REQUIREMENT TO SUBMIT THE INFORMATION IN ITS
25 SYSTEM WATER PLAN. THE DIRECTOR SHALL GRANT THE EXEMPTION IF THE DIRECTOR
26 DETERMINES THAT THE INFORMATION IS ALREADY ON FILE WITH THE DEPARTMENT.

27 G. THE DIRECTOR SHALL REVIEW A SYSTEM WATER PLAN, INCLUDING A REVISED
28 PLAN, SUBMITTED BY A COMMUNITY WATER SYSTEM PURSUANT TO SUBSECTION B OF THIS
29 SECTION AND SHALL NOTIFY THE COMMUNITY WATER SYSTEM IN WRITING AS TO WHETHER
30 THE PLAN COMPLIES WITH THIS SECTION. IF THE DIRECTOR DETERMINES THAT THE
31 PLAN DOES NOT COMPLY WITH THIS SECTION, THE DIRECTOR SHALL GIVE WRITTEN
32 NOTICE OF THAT DETERMINATION TO THE COMMUNITY WATER SYSTEM AND GIVE THE
33 COMMUNITY WATER SYSTEM AT LEAST ONE HUNDRED TWENTY DAYS TO MAKE REVISIONS OR
34 ADDITIONS AS ARE NECESSARY TO BRING THE PLAN INTO COMPLIANCE. IF THE
35 COMMUNITY WATER SYSTEM DOES NOT BRING THE PLAN INTO COMPLIANCE BY THE DATE
36 SPECIFIED IN THE NOTICE, THE DIRECTOR SHALL PROVIDE NOTICE OF THE
37 NONCOMPLIANCE TO THE GOVERNING BODIES OF THE CITIES, TOWNS AND COUNTIES
38 LOCATED WITHIN THE SERVICE AREA OF THE COMMUNITY WATER SYSTEM. IF THE
39 DIRECTOR DETERMINES THAT THE PLAN IS IN COMPLIANCE WITH THIS SECTION BUT THAT
40 CHANGES WOULD IMPROVE THE PLAN, THE DIRECTOR SHALL GIVE WRITTEN NOTICE OF THE
41 CHANGES TO THE COMMUNITY WATER SYSTEM BUT THE WATER SYSTEM SHALL NOT BE
42 REQUIRED TO MAKE THE CHANGES.

43 H. THE WATER SUPPLY PLAN SHALL EVALUATE THE WATER SUPPLY NEEDS IN THE
44 SERVICE AREA AND PROPOSE A STRATEGY TO MEET IDENTIFIED NEEDS. THE PLAN SHALL
45 INCLUDE:

1 1. A LIST AND DESCRIPTION OF SERVICE AREA LANDS, SOURCES OF SUPPLY,
2 INCLUDING EMERGENCY SOURCES, WELL REGISTRATION NUMBERS AND WATER LEVELS AT
3 THE WELL SITES, IF KNOWN, AND STORAGE AND TREATMENT FACILITIES. THE LIST
4 SHALL NOT INCLUDE WATER LEVELS AT WELL SITES THAT ARE SOURCES OF SUPPLY FOR
5 HARD ROCK MINING OR METALLURGICAL PROCESSING OR INDUSTRIAL USES RELATED TO
6 HARD ROCK MINING OR METALLURGICAL PROCESSING.

7 2. A MAP AND DESCRIPTION OF EXISTING TRANSMISSION AND DISTRIBUTION
8 FACILITIES, UNLESS PREVIOUSLY PROVIDED PURSUANT TO SECTION 45-498. FOR A
9 SMALL COMMUNITY WATER SYSTEM A MAP IS NOT REQUIRED.

10 3. A DESCRIPTION OF MONTHLY SYSTEM PRODUCTION DATA CATEGORIZED BY THE
11 SYSTEM'S SOURCES OF SUPPLY AND, FOR SYSTEMS THAT USE METERS TO MEASURE
12 WITHDRAWALS AND DIVERSIONS, A SUMMARY OF SYSTEM AVERAGE DAILY DEMANDS,
13 MAXIMUM MONTHLY DEMANDS AND AN ESTIMATE OF PEAK DAY DEMANDS FOR THE PAST FIVE
14 YEARS.

15 4. A LIST, DESCRIPTION AND MAP OF EXISTING INTERCONNECTIONS UNLESS
16 PREVIOUSLY PROVIDED PURSUANT TO SECTION 45-498, AND THE QUANTITIES OF WATER
17 SOLD TO OR PURCHASED FROM OTHER WATER SYSTEMS DURING THE PREVIOUS FIVE YEARS,
18 UNLESS PREVIOUSLY PROVIDED PURSUANT TO SECTION 45-632. FOR A SMALL COMMUNITY
19 WATER SYSTEM A MAP IS NOT REQUIRED.

20 5. AN ANALYSIS OF PRESENT AND FUTURE WATER SUPPLY DEMANDS FOR THE NEXT
21 FIVE, TEN AND TWENTY YEARS.

22 I. THE DROUGHT PREPAREDNESS PLAN SHALL BE DESIGNED TO MEET THE
23 SPECIFIC NEEDS OF THE WATER SYSTEM FOR WHICH IT APPLIES AND SHALL INCLUDE:

24 1. THE NAME, ADDRESS AND TELEPHONE NUMBER OF THE COMMUNITY WATER
25 SYSTEM AND THE NAMES OF THE OFFICERS OR OTHER PERSONS RESPONSIBLE FOR
26 DIRECTING OPERATIONS DURING A WATER SHORTAGE EMERGENCY.

27 2. DROUGHT OR EMERGENCY RESPONSE STAGES PROVIDING FOR THE
28 IMPLEMENTATION OF MEASURES IN RESPONSE TO REDUCTION IN AVAILABLE WATER SUPPLY
29 DUE TO DROUGHT OR INFRASTRUCTURE FAILURE.

30 3. A PLAN OF ACTION THAT THE COMMUNITY WATER SYSTEM WILL TAKE TO
31 RESPOND TO DROUGHT OR WATER SHORTAGE CONDITIONS, INCLUDING:

32 (a) PROVISIONS TO ACTIVELY INFORM THE PUBLIC OF THE WATER SUPPLY
33 SHORTAGE AND A PROGRAM FOR CONTINUED EDUCATION AND INFORMATION REGARDING
34 IMPLEMENTATION OF THE DROUGHT PREPAREDNESS PLAN.

35 (b) DEVELOPMENT OF EMERGENCY SUPPLIES, WHICH MAY INCLUDE
36 IDENTIFICATION OF EMERGENCY OR REDUNDANT FACILITIES TO WITHDRAW, DIVERT OR
37 TRANSPORT SUBSTITUTE SUPPLIES OF THE SAME OR OTHER TYPES OF WATER.

38 (c) SPECIFIC WATER SUPPLY OR WATER DEMAND MANAGEMENT MEASURES FOR EACH
39 STAGE OF DROUGHT OR WATER SHORTAGE CONDITIONS, SUBJECT TO APPROVAL BY THE
40 CORPORATION COMMISSION IF THE COMMUNITY WATER SYSTEM IS A PUBLIC SERVICE
41 CORPORATION. THIS REQUIREMENT MAY BE MET BY PROVIDING A CURTAILMENT TARIFF
42 ON FILE WITH THE CORPORATION COMMISSION.

43 J. THE WATER CONSERVATION PLAN SHALL BE DESIGNED TO INCREASE THE
44 EFFICIENCY OF THE WATER SYSTEM, REDUCE WASTE AND ENCOURAGE CONSUMER WATER
45 CONSERVATION EFFORTS. THE WATER CONSERVATION PLAN SHALL BE DESIGNED TO MEET

1 THE SPECIFIC NEEDS OF THE COMMUNITY WATER SYSTEM AND SHALL INCLUDE BOTH
2 DEMAND AND SUPPLY MANAGEMENT MEASURES INCLUDING THE FOLLOWING:

3 1. FEASIBLE MEASURES THAT MAY BE IMPLEMENTED TO DETERMINE AND CONTROL
4 LOST AND UNACCOUNTED FOR WATER.

5 2. CONSIDERATION OF WATER RATE STRUCTURES THAT ENCOURAGE EFFICIENT USE
6 OF WATER, AS SET BY THE COMMUNITY WATER SYSTEM'S GOVERNING BODY, SUBJECT TO
7 APPROVAL BY THE CORPORATION COMMISSION IF THE COMMUNITY WATER SYSTEM IS A
8 PUBLIC SERVICE CORPORATION.

9 3. A CONTINUING CONSERVATION EDUCATION PROGRAM CONTAINING PROVISIONS
10 TO ACTIVELY INFORM THE PUBLIC OF DROUGHT CONDITIONS AND INFORMATION REGARDING
11 CONSERVATION MEASURES TO REDUCE VULNERABILITY FROM DROUGHT CONDITIONS,
12 INCLUDING:

13 (a) CURTAILMENT OF NONESSENTIAL WATER USES.

14 (b) AFFORDABLE EFFICIENCY TECHNOLOGIES FOR INDOOR AND OUTDOOR USE.

15 (c) REBATE AND RETROFIT PROGRAMS FOR INDOOR AND OUTDOOR USES.

16 (d) REUSE AND RECYCLING PROGRAMS.

17 K. THE WATER CONSERVATION PLAN SHALL BE IMPLEMENTED BY THE COMMUNITY
18 WATER SYSTEM WITHIN TWELVE MONTHS AFTER RECEIVING WRITTEN NOTIFICATION FROM
19 THE DIRECTOR THAT THE PLAN COMPLIES WITH THIS SECTION. FOR A COMMUNITY WATER
20 SYSTEM THAT RECEIVES A NOTICE PURSUANT TO SUBSECTION G OF THIS SECTION THAT
21 THE WATER CONSERVATION PLAN DOES NOT COMPLY WITH THIS SECTION, THE WATER
22 CONSERVATION PLAN SHALL BE IMPLEMENTED WITHIN TWELVE MONTHS AFTER THE
23 EXPIRATION OF THE DATE BY WHICH THE SYSTEM IS REQUIRED TO MAKE REVISIONS OR
24 ADDITIONS TO THE PLAN TO BRING IT INTO COMPLIANCE, AS SPECIFIED IN THE NOTICE
25 GIVEN TO THE SYSTEM UNDER SUBSECTION G OF THIS SECTION.

26 L. THE DIRECTOR SHALL PREPARE FORMS THAT SMALL COMMUNITY WATER SYSTEMS
27 MAY COMPLETE AND SUBMIT AS THEIR SYSTEM WATER PLAN UNDER THIS SECTION. THE
28 DIRECTOR SHALL DISTRIBUTE THE FORMS ON A TIMELY SCHEDULE AND FURNISH THEM
29 UPON REQUEST. FAILURE TO RECEIVE OR OBTAIN A FORM DOES NOT RELIEVE ANY
30 COMMUNITY WATER SYSTEM FROM THE REQUIREMENT TO FILE A SYSTEM WATER PLAN BY
31 THE DATE PRESCRIBED IN SUBSECTIONS B OR C OF THIS SECTION. THE DIRECTOR OF
32 WATER RESOURCES SHALL COORDINATE WITH THE CORPORATION COMMISSION AND THE
33 DIRECTOR OF ENVIRONMENTAL QUALITY IN ESTABLISHING THE FORM TO FACILITATE THE
34 REPORTING OF SIMILAR OR IDENTICAL INFORMATION TO THE DEPARTMENT OF WATER
35 RESOURCES AND THE CORPORATION COMMISSION OR TO THE DEPARTMENT OF WATER
36 RESOURCES AND THE DEPARTMENT OF ENVIRONMENTAL QUALITY.

37 M. THE DIRECTOR SHALL PREPARE A GUIDANCE DOCUMENT TO ASSIST COMMUNITY
38 WATER SYSTEMS IN PREPARING THE WATER SYSTEM PLAN. THE DIRECTOR SHALL
39 COOPERATE WITH CITIES AND TOWNS, PRIVATE WATER COMPANIES AND IRRIGATION
40 DISTRICTS THAT ARE COMMUNITY WATER SYSTEMS IN DEVELOPING THE GUIDANCE
41 DOCUMENT AND THE FORM DESCRIBED IN SUBSECTION L OF THIS SECTION.

1 45-332. Records and annual report of water use: penalty

2 A. EACH COMMUNITY WATER SYSTEM THAT IS REQUIRED TO FILE AN ANNUAL
3 REPORT UNDER THIS SECTION AND THAT USES METERS TO MEASURE WATER WITHDRAWALS
4 AND DIVERSIONS SHALL MAINTAIN CURRENT, COMPLETE, TRUE AND CORRECT RECORDS OF
5 ITS WITHDRAWALS, DIVERSIONS AND DELIVERIES OF WATER IN THE FORM AS PRESCRIBED
6 BY THE DIRECTOR. EACH COMMUNITY WATER SYSTEM THAT IS REQUIRED TO FILE AN
7 ANNUAL REPORT UNDER THIS SECTION AND THAT DOES NOT USE METERS TO MEASURE
8 WATER WITHDRAWALS AND DIVERSIONS SHALL MAINTAIN RECORDS OF THE ESTIMATED
9 AMOUNT OF ITS WITHDRAWALS, DIVERSIONS AND DELIVERIES OF WATER IN THE FORM AS
10 PRESCRIBED BY THE DIRECTOR.

11 B. AN ANNUAL REPORT SHALL BE FILED WITH THE DIRECTOR BY EACH COMMUNITY
12 WATER SYSTEM. A COMMUNITY WATER SYSTEM IS EXEMPT FROM THE REPORTING
13 REQUIREMENTS IN THIS SECTION IF IT IS REQUIRED TO FILE AN ANNUAL REPORT UNDER
14 SECTION 45-632.

15 C. A COMMUNITY WATER SYSTEM REQUIRED TO FILE AN ANNUAL REPORT UNDER
16 THIS SECTION SHALL REPORT THE FOLLOWING INFORMATION:

17 1. IF WATER WAS PUMPED OR DIVERTED BY THE COMMUNITY WATER SYSTEM
18 DURING THE YEAR:

19 (a) THE QUANTITY OF WATER PUMPED OR DIVERTED AND THE WELL REGISTRATION
20 NUMBERS OF ANY WELLS USED TO PUMP OR DIVERT THE WATER. COMMUNITY WATER
21 SYSTEMS THAT DO NOT USE METERS TO MEASURE WATER PUMPED OR DIVERTED SHALL
22 ESTIMATE THE QUANTITY OF WATER PUMPED OR DIVERTED.

23 (b) THE NUMBER OF CUSTOMERS TO WHOM THE COMMUNITY WATER SYSTEM
24 DELIVERED WATER DURING THE YEAR.

25 (c) AN IDENTIFICATION OF THE NUMBER OF STORAGE FACILITIES AND THE
26 STORAGE CAPACITY OF EACH FACILITY.

27 2. IF WATER WAS RECEIVED BY THE COMMUNITY WATER SYSTEM FROM ANOTHER
28 PERSON DURING THE YEAR:

29 (a) THE NAME OF THE PERSON FROM WHOM THE WATER WAS OBTAINED.

30 (b) IF THE WATER WAS PUMPED OR DIVERTED, THE REGISTRATION NUMBERS OF
31 ANY WELLS USED TO PUMP OR DIVERT THE WATER, IF KNOWN.

32 (c) THE QUANTITY OF WATER RECEIVED DURING THE YEAR.

33 (d) THE NUMBER OF CUSTOMERS TO WHOM THE COMMUNITY WATER SYSTEM
34 DELIVERED WATER DURING THE YEAR.

35 (e) AN IDENTIFICATION OF THE NUMBER OF STORAGE FACILITIES AND THE
36 STORAGE CAPACITY OF EACH FACILITY.

37 3. IF EFFLUENT THAT IS GENERATED FROM A WASTEWATER TREATMENT FACILITY
38 WAS USED OR RECEIVED BY THE COMMUNITY WATER SYSTEM DURING THE YEAR, THE
39 ESTIMATED QUANTITY OF EFFLUENT GENERATED FROM THE WASTEWATER TREATMENT
40 FACILITY DURING THE YEAR, THE ESTIMATED QUANTITY OF EFFLUENT USED DIRECTLY
41 FROM THE WASTEWATER TREATMENT FACILITY DURING THE YEAR AND THE SPECIFIC USES
42 TO WHICH THE EFFLUENT WAS APPLIED DURING THE YEAR.

43 D. COMMUNITY WATER SYSTEMS REQUIRED TO FILE ANNUAL REPORTS UNDER THIS
44 SECTION SHALL MAINTAIN A CURRENT MAP CLEARLY DELINEATING ITS SERVICE AREA AND
45 DISTRIBUTION SYSTEM.

1 E. THE RECORDS AND REPORTS REQUIRED TO BE KEPT AND FILED UNDER THIS
2 SECTION SHALL BE IN THE FORM AS THE DIRECTOR PRESCRIBES. THE DIRECTOR SHALL
3 PREPARE BLANK FORMS AND DISTRIBUTE THEM ON A TIMELY SCHEDULE AND FURNISH THEM
4 UPON REQUEST. FAILURE TO RECEIVE OR OBTAIN THE FORMS DOES NOT RELIEVE ANY
5 PERSON FROM KEEPING THE REQUIRED RECORDS OR MAKING ANY REQUIRED REPORT. THE
6 DIRECTOR SHALL COOPERATE WITH CITIES AND TOWNS, PRIVATE WATER COMPANIES AND
7 IRRIGATION DISTRICTS THAT ARE COMMUNITY WATER SYSTEMS IN ESTABLISHING THE
8 FORM OF THE RECORDS AND REPORTS TO BE KEPT AND FILED BY THEM. THE DIRECTOR
9 OF WATER RESOURCES SHALL COORDINATE WITH THE CORPORATION COMMISSION AND THE
10 DIRECTOR OF ENVIRONMENTAL QUALITY IN ESTABLISHING THE FORM OF THE REPORTS
11 REQUIRED TO BE FILED BY THIS SECTION TO FACILITATE THE REPORTING OF SIMILAR
12 OR IDENTICAL INFORMATION TO THE DEPARTMENT OF WATER RESOURCES AND THE
13 CORPORATION COMMISSION OR TO THE DEPARTMENT OF WATER RESOURCES AND THE
14 DEPARTMENT OF ENVIRONMENTAL QUALITY.

15 F. IF A COMMUNITY WATER SYSTEM FAILS TO TIMELY FILE THE REPORT
16 PRESCRIBED BY THIS SECTION, THE DIRECTOR SHALL PROVIDE A WRITTEN NOTICE TO
17 THE WATER SYSTEM THAT REQUIRES COMPLIANCE WITHIN SIXTY DAYS OF THE DATE OF
18 THE NOTICE. IF THE WATER SYSTEM DOES NOT COMPLY WITHIN THE SIXTY DAY PERIOD,
19 THE DIRECTOR SHALL PROVIDE NOTICE OF THAT NONCOMPLIANCE TO THE GOVERNING
20 BODIES OF THE CITIES, TOWNS AND COUNTIES LOCATED WITHIN THE SERVICE AREA OF
21 THE WATER SYSTEM.

22 G. A VIOLATION OF THIS ARTICLE DOES NOT CONSTITUTE A VIOLATION OF
23 CHAPTER 2 OF THIS TITLE.

APPROVED BY THE GOVERNOR APRIL 25, 2005.

FILED IN THE OFFICE OF THE SECRETARY OF STATE APRIL 25, 2005.