

PROPOSED

SENATE AMENDMENTS TO H.B. 2441

(Reference to House engrossed bill)

1 Strike everything after the enacting clause and insert:

2 "Section 1. City or town water service outside city or town;
3 requirements; delayed repeal

4 A. A city or town that provides water service in a county with a
5 population of more than five hundred thousand persons shall provide water
6 for a period of not more than three years by use of a standpipe for water
7 hauling to residences that are outside the city's or town's water service
8 area if all of the following apply:

9 1. The number of residences to be served is not more than seven
10 hundred fifty, and the residences are in an area that is an unincorporated
11 community within the county and adjacent to the city or town.

12 2. The city or town previously provided standpipe service to water
13 haulers that deliver water to the residences and the city or town ceased
14 providing that service pursuant to a drought management plan adopted by the
15 city or town.

16 3. There is no other source of water for those persons within ten
17 miles of their residences.

18 4. The city or town is reimbursed for the full reasonable costs of
19 providing the water as prescribed by this section. The city or town shall
20 not charge residences prescribed by this section for water-related costs,
21 expenses and acre-feet of water that do not provide a direct benefit to the
22 residences.

1 B. A city or town that provides water pursuant to subsection A of
2 this section shall do all of the following either directly or by way of a
3 contract with one or more third parties:

4 1. Allow water to be received at the standpipe and delivered
5 pursuant to this section through water haulers that have established a
6 water hauling account with the city or town or its contractors.

7 2. Bill and collect from the water haulers the reasonable cost of
8 providing the water to the standpipe pursuant to this section, which shall
9 not exceed \$7 per each one thousand gallons.

10 3. Provide annually not less than one hundred fifty acre-feet of
11 water to the standpipe.

12 C. A city or town that provides water at a standpipe pursuant to
13 this section shall disclose to the public the source of water that is
14 provided through the standpipe.

15 D. A city or town that provides water pursuant to subsection A of
16 this section is not liable for any actions taken or omissions after water
17 is provided at the standpipe.

18 E. A city or town that provides water pursuant to subsection A of
19 this section may not reduce or suspend the amount of water provided
20 pursuant to this section for any reason except if the city or town has
21 disclosed the source of the water pursuant to subsection C of this section
22 and that source has been reduced or suspended by a proportionate amount
23 outside the city's or town's control. A city or town drought management
24 plan shall include the option for the city or town to enter into contracts
25 with private entities, including private water companies, to ensure the
26 integration of stable and secure water supplies.

27 F. A city or town is not liable to any person or entity for
28 providing or failing to provide water pursuant to this section. For the
29 purposes of section 9-516, Arizona Revised Statutes, standpipe service
30 prescribed by this section does not constitute utility service.

31 G. This section does not preclude the execution or implementation of
32 a voluntary agreement before the effective date of this section.

1 H. This section is repealed from and after December 31, 2025.

2 Sec. 2. Emergency

3 This act is an emergency measure that is necessary to preserve the
4 public peace, health or safety and is operative immediately as provided by
5 law."

6 Amend title to conform

SINE KERR

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03/28/2023

03:15 PM

C: MR