

HOUSE FLOOR AMENDMENT EXPLANATION



Bill Number: **HB 2737**

Gillette Floor Amendment

-
- Adds *or remediation* to the definition of Water Supply Development as it pertains to the Water Infrastructure Finance Authority (WIFA).

Amendment explanation prepared by Corbin W

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2/24/2025

GILLETTE FLOOR AMENDMENT
HOUSE OF REPRESENTATIVES AMENDMENTS TO H.B. 2737
(Reference to NATURAL RESOURCES, ENERGY & WATER S/E Committee amendment)

Amendment instruction key:

[GREEN UNDERLINING IN BRACKETS] indicates text added to statute or previously enacted session law.

[Green underlining in brackets] indicates text added to new session law or text restoring existing law.

[~~GREEN STRIKEOUT IN BRACKETS~~] indicates new text removed from statute or previously enacted session law.

[~~Green strikeout in brackets~~] indicates text removed from existing statute, previously enacted session law or new session law.

<<Green carets>> indicate a section added to the bill.

<<~~Green strikeout in carets~~>> indicates a section removed from the bill.

1 The bill as proposed to be amended is reprinted as follows:

2 Strike everything after the enacting clause and insert:

3 "Section 1. Section 49-1201, Arizona Revised Statutes, is amended to read:

4 49-1201. Definitions

5 In this chapter, unless the context otherwise requires:

6 1. "Authority" means the water infrastructure finance authority of
7 Arizona.

8 2. "Board" means the water infrastructure finance authority board
9 established by section 49-1206.

10 3. "Bonds of a political subdivision" means bonds issued by a political
11 subdivision as authorized by law.

12 4. "Clean water act" means the federal water pollution control act
13 amendments of 1972 (P.L. 92-500; 86 Stat. 816), as amended by the water quality
14 act of 1987 (P.L. 100-4; 101 Stat. 7).

15 5. "Concession agreement" means any lease, ground lease, franchise,
16 easement, permit or other binding agreement transferring rights for the use or
17 control, in whole or in part, of water-related facilities by the authority to a
18 private partner in accordance with this chapter.

19 6. "Drinking water facility":

20 (a) Means a community water system or a nonprofit noncommunity water
21 system as defined in the safe drinking water act of 1974 (P.L. 93-523; 88 Stat.
22 1660; P.L. 95-190; 91 Stat. 1393; P.L. 104-182; 110 Stat. 1613) that is located
23 in this state.

24 (b) Does not include water systems owned by federal agencies.

25 7. "Financial assistance loan repayment agreement" means an agreement to
26 repay a loan provided to design, construct, acquire, rehabilitate or improve
27 water or wastewater infrastructure, related property and appurtenances or a loan
28 provided to finance a water supply development project.

1 8. "Imported water" means any water that originates outside of this state
2 and that is made available to water users within this state by conveyance, ~~OR~~
3 exchange or otherwise through projects that are funded or financed in whole or in
4 part with monies from the long-term water augmentation fund.

5 9. "Import water" means to make water originating outside of this state
6 available to water users within this state by conveyance, ~~OR~~ OR exchange or
7 otherwise through projects that are funded or financed in whole or in part with
8 monies from the long-term water augmentation fund.

9 10. "Indian tribe" means any Indian tribe, band, group or community that
10 is recognized by the United States secretary of the interior and that exercises
11 governmental authority within the limits of any Indian reservation under the
12 jurisdiction of the United States government, notwithstanding the issuance of any
13 patent and including rights-of-way running through the reservation.

14 11. "Long-term water augmentation bonds" means bonds that are issued by
15 the authority in accordance with article 4 of this chapter.

16 12. "Long-term water augmentation fund" means the fund established by
17 section 49-1302.

18 13. "Nonpoint source project" means a project designed to implement a
19 certified water quality management plan.

20 14. "Political subdivision" means a county, city, town or special taxing
21 district authorized by law to construct wastewater treatment facilities, drinking
22 water facilities or nonpoint source projects.

23 15. "Private partner" means a person, entity or organization that is not
24 the federal government, this state or a political subdivision of this state.

25 16. "Public-private partnership project" means any water supply
26 development project that is the subject of a public-private partnership agreement
27 in accordance with this chapter.

28 17. "Safe drinking water act" means the federal safe drinking water act of
29 1974 (P.L. 93-523; 88 Stat. 1660; P.L. 95-190; 91 Stat. 1393; P.L. 104-182; 110
30 Stat. 1613), as amended in 1996.

31 18. "Technical assistance loan repayment agreement" means either of the
32 following:

33 (a) An agreement to repay a loan provided to develop, plan and design
34 water or wastewater infrastructure, related property and appurtenances. The
35 agreement shall be for a term of not more than three years and the maximum amount
36 that may be borrowed is limited to not more than \$500,000.

37 (b) An agreement to repay a loan provided to develop, plan or design a
38 water supply development project.

39 19. "Wastewater treatment facility" means a treatment works, as defined in
40 section 212 of the clean water act, that is located in this state and that is
41 designed to hold, cleanse or purify or to prevent the discharge of untreated or
42 inadequately treated sewage or other polluted waters for purposes of complying
43 with the clean water act.

44 20. "Water provider" means any of the following:

45 (a) A municipal water delivery system as defined in section 42-5301.

46 (b) A county water augmentation authority established under title 45,
47 chapter 11.

48 (c) A county water authority established under title 45, chapter 13.

(d) An Indian tribe.

(e) A community facilities district as established by title 48, chapter 4.

(f) A public water system as prescribed in section 49-352.

(g) A county with a population of less than three hundred thousand persons.

(h) A natural resource conservation district.

(i) For purposes of funding from the water supply development revolving fund pursuant to article 3 of this chapter only, a county that enters into an intergovernmental agreement or other formal written agreement with a city, town or other water provider regarding a water supply development project.

21. "Water-related facilities" means any facility related to the production, delivery, conservation or storage of water, including any canals, pipelines, desalination plants, pumping stations, storage projects, recovery wells, delivery and retention projects, water and wastewater treatment plants, and other equipment and facilities installed for water conservation purposes, together with any land, buildings or other improvements and equipment or personal property related thereto.

22. "Water supply development" means any of the following:

(a) Acquiring water or rights to or contracts for water to augment the water supply of a water provider, including any environmental or other reviews, permits or plans reasonably necessary for that acquisition.

(b) Planning, designing, building or developing water-related facilities, including any environmental or other reviews, permits or plans reasonably necessary for those facilities, for ~~either~~ ANY of the following purposes:

(i) Conveyance or delivery of water.

(ii) Storage or recovery of water under title 45, chapter 3.1.

(iii) Reclamation[, REMEDATION] and reuse of water, INCLUDING BY A RECLAMATION [OR REMEDIATION] PROJECT THAT IS APPROVED BY THE UNITED STATES ENVIRONMENTAL PROTECTION AGENCY AND THAT INCREASES THE AVAILABILITY OF WATER.

(iv) Replenishment of groundwater.

(v) Active or passive stormwater recharge structures that increase water supplies.

(c) Conservation through reducing existing water use or more efficient uses of existing water supplies."

Enroll and engross to conform

Amend title to conform

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