AN ACT DIRECTING AN AMENDMENT TO ARM 17.36.328 TO REQUIRE A MUNICIPAL OR COUNTY WATER AND/OR SEWER DISTRICT WATER AND WASTEWATER SYSTEM TO ACCEPT A CONNECTION FROM A PROPOSED SUBDIVISION UNDER CERTAIN CIRCUMSTANCES; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE.

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

Section 1. Department to amend rule. (1) The department of environmental quality shall amend ARM 17.36.328 to add a requirement that a municipal or county water and/or sewer district water and wastewater system must accept a connection request from a proposed subdivision and make public wastewater service available to the subdivision if:

(a) any boundary of the subdivision is within 1,000 feet of any component of the municipal or county water and/or sewer district water and wastewater system;

(b) any boundary of the subdivision is adjacent to a stream, lake, pond, or other body of water, or the department has determined that onsite disposal of wastewater from the subdivision does not meet the criteria in 75-5-301 for nonsignificant surface water impacts; and

(c) the municipal or county water and/or sewer district water and wastewater system has an adequate wastewater capacity to meet the needs of the subdivision.

(2) The amendments to ARM 17.36.328 required in this section are subject to subsections (2) and (3) of ARM 17.36.328.

Section 2. Effective date. [This act] is effective on passage and approval.

- END -
I hereby certify that the within bill, SB 215, originated in the Senate.

___________________________________________
Secretary of the Senate

___________________________________________
President of the Senate

Signed this _______________________________ day
of ________________________________, 2023.

___________________________________________
Speaker of the House

Signed this _______________________________ day
of ________________________________, 2023.
SENATE BILL NO. 215
INTRODUCED BY S. FITZPATRICK

AN ACT DIRECTING AN AMENDMENT TO ARM 17.36.328 TO REQUIRE MUNICIPAL OR COUNTY WATER
AND/OR SEWER DISTRICT WATER AND WASTEWATER SYSTEM TO ACCEPT A CONNECTION FROM A
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