
 DIGEST

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Cortez

SB No. 425

Proposed law provides relative to private water or sewer system providers.

Proposed law provides that the provisions of proposed law apply to any political subdivision located within any parish having a population greater than 107,000 but less than 110,000 and to any political subdivision located within any parish with a population greater than 200,000 but less than 230,000.

Proposed law requires that a private water supply or sewer system provider serving the residents of a political subdivision as defined in the proposed law to comply with all applicable health standards set forth in law and regulation, including standards relative to chlorination of such private water supply or sewer system provider and disinfection of waste water discharged in compliance with such sewer system provider's permit, rules, regulations, and laws governing the operation of such sewer system provider. Also requires the private water supply system provider to have iron and manganese controls for such water systems.

Proposed law provides that in addition to any other penalty or liability authorized by law that may be imposed upon a private water supply or sewer system provider who fails to meet applicable health standards, a political subdivision may by ordinance adopt a remediation charge to be imposed in accordance with such conditions and in such an amount as the political subdivision may determine.

Proposed law provides that the remediation charge shall be utilized by the political subdivision solely to ensure that the services provided by the private water supply or sewer system provider are in compliance with law and regulation, and that the health and safety of residents of the political subdivision are protected against harm.

Proposed law provides that in order to protect public health and safety, a private water or sewer system provider who within a consecutive 12-month period is penalized by the state or political subdivision at least three separate times due to failure to comply with applicable laws and regulations concerning health standards shall forfeit such system to the political subdivision in addition to any other penalty. Proposed law further provides that any forfeiture is subject to current rules, regulations, and laws governing the transfer of a permit, license, and certificate for a private water supply or sewer system provider.

Proposed law relative to any parish with a population greater than 200,000 but less than 230,000 requires the Dept. of Health and Hospitals to work with private water providers to pursue possible solutions and requires private water providers that have on-site water filtration systems to maintain and utilize such systems. Further provides that any private water provider that fails to comply with proposed law is subject to a fine by the Dept. of Health and Hospitals of \$1,000 per day until the system is maintained and utilized.

(Adds R.S. 33:42)

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Local and Municipal Affairs to the original bill

1. Adds requirement of iron and manganese controls.

Senate Floor Amendments to engrossed bill

1. Adds requirement for disinfection of discharged waste water.
2. Provides for transfer of a permit, license, and certificate for a private water supply or sewer system provider if such system is forfeited.
3. Makes technical changes.

Summary of Amendments Adopted by House

Committee Amendments Proposed by House Committee on Municipal, Parochial and Cultural Affairs to the reengrossed bill.

1. Expands proposed law to include any political subdivision located within a parish having a population greater than 107,000 but less than 110,000.
2. Adds provision that requires the Dept. of Health and Hospitals to work with private water providers located in certain parishes.
3. Adds provision that requires that private water providers that have on-site water filtration systems located in certain parishes to maintain and utilize such systems. Adds provisions for fines.