

1 SENATE BILL NO. 82  
 2 INTRODUCED BY C. FRIEDEL  
 3 BY REQUEST OF THE DEPARTMENT OF ENVIRONMENTAL QUALITY  
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5 A BILL FOR AN ACT ENTITLED: "AN ACT REVISING ANNUAL FEES FOR PUBLIC WATER SUPPLY  
 6 SYSTEMS; AMENDING SECTION 75-6-108, MCA; AND PROVIDING AN EFFECTIVE DATE."  
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8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:  
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10 **Section 1.** Section 75-6-108, MCA, is amended to read:

11 **"75-6-108. Department to prescribe fees -- opportunity for appeal.** (1) The department shall by  
 12 rule prescribe fees to be assessed annually on owners of public water supply systems to recover department  
 13 costs in providing services under this part.

14 (2) (a) The Until June 30, 2024, the annual fee for a public water supply system is no more than  
 15 ~~\$2.25 for each service connection to the public water supply system for the biennium beginning July 1, 1991,~~  
 16 ~~and ending June 30, 1993, and thereafter is no more than \$2 for each service connection to the public water~~  
 17 ~~supply system, although the and the~~ minimum fee for any system is \$100, except that the fee for a transient  
 18 noncommunity water system is \$50.

19 (b) On or after July 1, 2024, the annual fee for a public water supply system is \$4 for each service  
 20 connection to the public water supply system, and the minimum fee for any system is \$200, except that the fee  
 21 for a transient noncommunity water system is \$100.

22 ~~(2)(3)~~ Public water supply systems in a municipality may raise the rates to recover costs associated  
 23 with the fees prescribed in this section without the public hearing required in 69-7-111.

24 ~~(3)(4)~~ The department shall by rule prescribe fees assessed on persons who submit plans and  
 25 specifications for construction, alteration, or extension of a public water supply system or public sewage  
 26 system. The fees must be commensurate with the cost to the department of reviewing the plans and  
 27 specifications.

28 ~~(4)(5)~~ Fees collected pursuant to this section must be deposited in the public drinking water special

1 revenue fund established in 75-6-115.

2 ~~(5)(6)~~ (a) The department shall notify the owner of a public water supply system in writing of the  
3 amount of the fee to be assessed and the basis for the assessment. The owner may appeal the fee  
4 assessment in writing to the board within 20 days after receipt of the written notice.

5 (b) An appeal must be based on the allegation that the fee is erroneous or excessive. An appeal  
6 may not be based only on the fee schedule adopted by the department.

7 (c) If any part of the fee assessment is not appealed, it must be paid to the department upon  
8 receipt of the notice provided for in subsection ~~(5)(a)~~ (6)(a)."

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10 NEW SECTION. Section 2. Effective date. [This act] is effective July 1, 2023.

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