



30 or a customer that falls within the industrial or institutional classification.

31 (b) (i) "Industrial user" means a secondary water user that manufactures or produces  
32 materials.

33 (ii) "Industrial user" includes a manufacturing plant, an oil and gas producer, and a  
34 mining company.

35 (c) (i) "Institutional user" means a secondary water user that is dedicated to public  
36 service, regardless of ownership.

37 (ii) "Institutional user" includes a school, church, hospital, park, golf course, and  
38 government facility.

39 (d) (i) "Residential user" means a secondary water user in a residence.

40 (ii) "Residential user" includes a single-family or multi-family home, apartment,  
41 duplex, twin home, condominium, or planned community.

42 (e) "Secondary water" means water that is:

43 (i) not culinary or water used on land assessed under Title 59, Chapter 2, Part 5,  
44 Farmland Assessment Act; and

45 (ii) delivered to and used by an end consumer for the irrigation of landscaping or a  
46 garden.

47 (f) "Secondary water supplier" means an entity that supplies pressurized secondary  
48 water.

49 (2) A secondary water supplier that begins design work for new service on or after  
50 April 1, 2020, to a commercial, industrial, institutional, or residential user shall meter the use  
51 of pressurized secondary water by the users receiving that new service.

52 ~~[(3) (a) A secondary water provider that provides pressurized secondary water to a  
53 commercial, industrial, institutional, or residential user shall develop a plan for metering the  
54 use of the pressurized water in accordance with this Subsection (3).]~~

55 ~~[(b) The plan required by this Subsection (3) shall be filed with the Division of Water  
56 Resources by no later than December 31, 2019, and address the process the secondary water  
57 supplier will follow to implement metering, including:]~~

58           ~~[(i) the costs of full metering by the secondary water provider;]~~  
59           ~~[(ii) how long it would take the secondary water provider to complete full metering;~~  
60 ~~including an anticipated begin date and completion date; and]~~  
61           ~~[(iii) how the secondary water supplier will finance metering.]~~  
62           ~~[(4) (a) The Department of Natural Resources shall oversee a study by the Utah Water~~  
63 ~~Task Force within the Department of Natural Resources of issues related to metering secondary~~  
64 ~~water in the state including cost, timing, the need for exemptions, resources to pay the cost of~~  
65 ~~metering, and any other issues the Department of Natural Resources finds relevant.]~~  
66           ~~[(b) The Department of Natural Resources shall report the results of the study to the~~  
67 ~~Natural Resources, Agriculture, and Environment Interim Committee by no later than the~~  
68 ~~November interim meeting of 2019.]~~  
69           ~~[(5)]~~ (3) A secondary water supplier shall on or before March 31 of each year, report to  
70 the Division of Water Rights:  
71           (a) for commercial, industrial, institutional, and residential users whose pressurized  
72 secondary water use is metered, the number of acre feet of pressurized secondary water the  
73 secondary water supplier supplied to the commercial, industrial, institutional, and residential  
74 users during the preceding 12-month period;  
75           (b) the number of secondary water meters within the secondary water supplier's service  
76 boundary;  
77           (c) a description of the secondary water supplier's service boundary;  
78           (d) the number of connections in each of the following categories through which the  
79 secondary water supplier supplies pressurized secondary water:  
80           (i) commercial;  
81           (ii) industrial;  
82           (iii) institutional; and  
83           (iv) residential;  
84           (e) the total volume of water that the secondary water supplier receives from its  
85 sources; and

86 (f) the dates of service during the preceding 12-month period in which the secondary  
87 water supplier supplied pressurized secondary water.

88 ~~[(6)]~~ (4) (a) Beginning July 1, 2019, the Board of Water Resources may make up to  
89 \$10,000,000 in low-interest loans available each year:

90 (i) from the Water Resources Conservation and Development Fund, created in Section  
91 [73-10-24](#); and

92 (ii) for financing the cost of secondary water metering.

93 (b) The Division of Water Resources and the Board of Water Resources shall make  
94 rules in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act,  
95 establishing the criteria and process for receiving a loan described in this Subsection ~~[(6)]~~ (4),  
96 except the rules may not include prepayment penalties.

97 (5) This section does not apply to a secondary water supplier to the extent that:

98 (a) the secondary water supplier supplies secondary water within a county of the third,  
99 fourth, fifth, or sixth class; or

100 (b) there is no meter that a meter manufacturer will warranty because of the water  
101 quality within a specific location.

102 (6) Nothing in this section affects a water right holder's obligation to measure and  
103 report water usage as described in Sections [73-5-4](#) and [73-5-8](#).

104 Section 2. **Effective date.**

105 If approved by two-thirds of all the members elected to each house, this bill takes effect  
106 upon approval by the governor, or the day following the constitutional time limit of Utah  
107 Constitution, Article VII, Section 8, without the governor's signature, or in the case of a veto,  
108 the date of veto override.