

A-Engrossed
House Bill 3910

Ordered by the House April 15
Including House Amendments dated April 15

Sponsored by Representative WRIGHT; Representatives HELM, LEVY B

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure. The statement includes a measure digest written in compliance with applicable readability standards.

Digest: The Act would let a water supply district act as a sanitary district in more cases. The Act would require a public hearing first. The Act would require written consent from the sanitary district or other current provider of the service in the district. (Flesch Readability Score: 61.2).

[Digest: The Act would let a water supply district act as a sanitary district in more cases. (Flesch Readability Score: 63.6).]

Expands the justifications for a domestic water supply district to exercise the powers of a sanitary district. **Requires a public hearing on the exercise of the powers and written consent from any sanitary district or other provider of sanitary services within the district.**

Declares an emergency, effective on passage.

A BILL FOR AN ACT

1
2 Relating to domestic water supply district authority; amending ORS 264.335 and 264.336; and de-
3 claring an emergency.

4 **Be It Enacted by the People of the State of Oregon:**

5 **SECTION 1.** ORS 264.335 is amended to read:

6 264.335. In addition to the other powers granted to districts under this chapter, **after holding**
7 **a public hearing on the question**, a district may exercise the powers granted to sanitary districts
8 under ORS 450.005 to 450.245 *[when]* **if**:

9 (1) The district obtains all or part of its supply of water from a watershed[;] **and**:

10 [(2)] (a) The watershed is located in a sole-source aquifer designated prior to September 29, 1991,
11 by the United States Environmental Protection Agency under the Safe Drinking Water Act (42
12 U.S.C. 300f et seq.);

13 [(3)] (b) The watershed is recognized under rules of the Environmental Quality Commission as
14 a watershed requiring protection from contamination in order to maintain high water quality; *[and]*
15 **or**

16 [(4)] (c) The district adopts a resolution declaring that the health of the residents of the district
17 *[and]* **or** the general public interest requires the district to protect the water quality of the
18 watershed[.]; **and**

19 (2) **The district obtains written consent to its exercise of such powers from any sanitary**
20 **district or other service provider that has been providing sanitary service to territory that**
21 **will be served by the district pursuant to such exercise.**

22 **SECTION 2.** ORS 264.336 is amended to read:

23 264.336. Notwithstanding ORS 264.335, a district may exercise the powers granted to sanitary

NOTE: Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted. New sections are in **boldfaced** type.

1 districts under ORS 450.005 to 450.245 if:

2 (1) The district meets the requirements of ORS 264.335 (1), (3) and (4) **(2023 Edition)**;

3 (2) Any part of the territory of the district is covered by the major disaster declaration related
4 to wildfires requested by the Governor on September 14, 2020, and approved by the President of the
5 United States on September 15, 2020; and

6 (3) The district is adjacent to a river that serves as a source of drinking water for a metropol-
7 itan area with a population greater than 100,000.

8 **SECTION 3. This 2025 Act being necessary for the immediate preservation of the public**
9 **peace, health and safety, an emergency is declared to exist, and this 2025 Act takes effect**
10 **on its passage.**

11
