

Senate File 455

H-1304

1 Amend Senate File 455, as amended, passed, and reprinted by
2 the Senate, as follows:

3 1. Page 1, after line 31 by inserting:

4 <(3) A county may impose a storm water runoff requirement
5 that is more restrictive than what is allowed or required by
6 federal or state law if the county meets all of the following
7 conditions:

8 (a) The county pays for all study, design, and engineering
9 costs for implementing the storm water runoff requirement.

10 (b) The county pays for one-half of any costs of
11 installation of equipment or practices required for a property
12 owner to comply with the storm water runoff requirement.

13 (c) If the storm water runoff requirement results in the
14 county using a person's private property, whether by easement
15 or otherwise taking an interest in the property, the county
16 pays the property owner the fair market value of the property
17 taken.

18 (d) The county pays costs incurred by the county under
19 this subparagraph from the county's general fund. The county
20 shall not impose a special assessment or otherwise recover the
21 costs from the property owner for the portion of the costs
22 attributable to the county.

23 (4) A county may impose a storm water runoff requirement
24 that is more restrictive than what is allowed or required
25 by federal or state law if the county and the owner of the
26 affected property agree to the requirement.>

27 2. Page 2, after line 27 by inserting:

28 <(3) A city may impose a storm water runoff requirement that
29 is more restrictive than what is allowed or required by federal
30 or state law if the city meets all of the following conditions:

31 (a) The city pays for all study, design, and engineering
32 costs for implementing the storm water runoff requirement.

33 (b) The city pays for one-half of any costs of installation
34 of equipment or practices required for a property owner to
35 comply with the storm water runoff requirement.

1 (c) If the storm water runoff requirement results in the
2 city using a person's private property, whether by easement or
3 otherwise taking an interest in the property, the city pays the
4 property owner the fair market value of the property taken.

5 (d) The city pays costs incurred by the city under this
6 subparagraph from the city's general fund. The city shall not
7 impose a special assessment or otherwise recover the costs from
8 the property owner for the portion of the costs attributable
9 to the city.>

DUNWELL of Jasper