

Regular Session, 2014

HOUSE BILL NO. 580

BY REPRESENTATIVE GEYMANN

DISTRICTS/WATERWORKS: Limits the powers granted to the governing authorities of waterworks districts located in the parishes of Beauregard and Calcasieu

1 AN ACT

2 To enact R.S. 33:3815.5, relative to the parishes of Beauregard and Calcasieu; to provide  
3 relative to waterworks districts located within such parishes; to provide relative to  
4 the powers and duties of the governing authorities of such districts; to limit the  
5 powers granted to such governing authorities with respect to the adoption of  
6 regulations governing the installation of backflow preventers and water meters and  
7 the use of water wells; and to provide for related matters.

8 Notice of intention to introduce this Act has been published  
9 as provided by Article III, Section 13 of the Constitution of  
10 Louisiana.

11 Be it enacted by the Legislature of Louisiana:

12 Section 1. R.S. 33:3815.5 is hereby enacted to read as follows:

13 §3815.5. Waterworks districts; parishes of Beauregard and Calcasieu; limitations  
14 on powers

15 A. No rule or regulation adopted by the governing authority of any  
16 waterworks district located within Beauregard Parish or Calcasieu Parish shall  
17 require any person who owns a residential dwelling, building, or other structure that  
18 is located within the boundaries of any such waterworks district to install a backflow  
19 preventer or a second water meter on the property on which such dwelling, building,

1 or other structure is situated if there are only two or fewer residential dwellings,  
2 buildings, or other structures located on such property.

3 B. No rule or regulation adopted by the governing authority of any  
4 waterworks district located within such parishes shall require any person who owns  
5 an inhabited dwelling, building, or other structure that is located within the  
6 boundaries of any such waterworks district to connect any such dwelling, building,  
7 or other structure to a water system owned or operated by a waterworks district.

8 C. No rule or regulation adopted by the governing authority of any  
9 waterworks district located within such parishes shall prohibit any person who owns  
10 an inhabited dwelling, building, or other structure that is located within the  
11 boundaries of any such waterworks district from using water from any well located  
12 on his property for the purpose of supplying water to such property; however, the use  
13 of water from a well located on any such property is subject to all applicable federal  
14 and state laws, rules, and regulations.

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#### DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

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HB No. 580

**Abstract:** Relative to waterworks districts located within the parishes of Beauregard and Calcasieu, limits the powers granted to the governing authorities of such districts.

Present law generally authorizes parishes to create waterworks districts to oversee the installation, operation, and maintenance of waterworks systems. Provides that each waterworks district is governed by a board of five commissioners, with certain exceptions. Proposed law retains present law.

Present law provides for the powers and duties of the waterworks districts, including the authority to expropriate property for any purpose that it may find necessary in the operation of its waterworks system, and the authority to acquire by donation or purchase any existing waterworks system in the district. Authorizes the districts to acquire all machinery necessary for the purpose of affecting the object for which they are formed. Authorizes the districts to cooperate with other districts within their respective parishes and with private individuals, associations, corporations, or municipalities. Present law additionally authorizes waterworks districts that own property in an adjoining parish to expropriate property within their respective districts, to acquire by donation, purchase, exchange, lease, or otherwise, any property or facilities located at any location which affects the object for which the districts were formed, and to supply water services to other waterworks districts or fire districts in an adjoining parish, with certain exceptions.

Proposed law retains present law but provides limits on the powers granted to the governing authorities of waterworks districts located in Beauregard Parish or Calcasieu Parish. Prohibits any regulation adopted by such governing authorities from requiring a person who owns a residential dwelling to install a backflow preventer or a second water meter if there are only two or fewer residential dwellings located on the property.

Proposed law additionally prohibits the governing authorities from requiring a person who owns an inhabited dwelling to connect the dwelling to a water system owned by a waterworks district. Further prohibits the governing authorities from prohibiting the property owner from supplying water to his property from a well located on his property. Provides that the use of well water is subject to federal and state law.

(Adds R.S. 33:3815.5)