

HOUSE BILL NO. 368

INTRODUCED BY G. PARRY

A BILL FOR AN ACT ENTITLED: "AN ACT REQUIRING A COAL-FIRED GENERATING UNIT OPERATOR TO PROVIDE PERPETUAL ACCESS TO WATER FOR AN ATTENDANT CITY OR TOWN; ~~AND CLARIFYING~~ ~~REQUIRING THE OPERATOR TO DEMONSTRATE~~ THE FINANCIAL ASSURANCE NECESSARY TO PROVIDE WATER TO AN ATTENDANT CITY OR TOWN; ~~REVISING A DEFINITION; AND AMENDING~~ ~~SECTIONS 75-8-103 AND 75-10-721, MCA.~~"

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

(Refer to Introduced Bill)

Strike everything after the enacting clause and insert:

NEW SECTION. Section 1. Water supply for city or town -- coal-fired generation -- perpetual access. (1) Subject to the provisions of subsection (2), the operator of a coal-fired generating unit shall provide the water supply for residential and commercial use of the city or town in which the coal-fired generating unit is located to ensure an adequate water supply is available if a coal-fired generating unit closes or retires, potentially jeopardizing access to a water supply.

(2) If the operator of a coal-fired generating unit owns, operates, or both owns and operates a conveyance necessary to maintain a public water supply system as defined in 75-6-102, the operator shall provide operation of the conveyance and access to the necessary water supply until contamination from the coal-fired generating unit or its impoundments meets the department's cleanup criteria at the point of compliance pursuant to Title 75, chapter 20.

(3) The operator of a coal-fired generating unit shall demonstrate to a local government attendant to a coal-fired generating unit the financial assurance to provide the necessary water supply to the local government 30 years after final remediation, including operating of, access to, and maintenance of the water supply.

Amendment - 1st Reading-white - Requested by: Gary Parry - (H) Natural Resources

- 2025

69th Legislature 2025

Drafter: Griffin Burns,

HB0368.001.002

1

2

NEW SECTION. **Section 2. Codification instruction.** [Section 1] is intended to be codified as an integral part of Title 75, chapter 8, part 1, and the provisions of Title 75, chapter 8, part 1, apply to [section 1].

4

- END -

AMENDED