



321918

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
02/18/2026	.	
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The Committee on Rules (Mayfield) recommended the following:

**Senate Amendment (with title amendment)**

Delete lines 42 - 91

and insert:

4. "Owner" means a property owner or an association of property owners.

5. "Property" means lots or lands, or, in the case of an association of property owners, the contiguous group of lots or lands under the association of property owners.

6. "Sufficient capacity" means a water or sewer utility having, as applicable, the infrastructure, water supply, and



321918

12 managerial and financial ability to reliably meet current and  
13 reasonably anticipated future water demands for the treatment or  
14 disposal of wastewater flows while maintaining compliance with  
15 applicable state and federal drinking water and wastewater  
16 standards and requirements.

17 (b) A municipal utility may not decline to extend service  
18 to property outside of its corporate limits on the sole basis  
19 that the owner refuses to assent or otherwise consent to such  
20 property being annexed by that municipal utility's controlling  
21 municipality, unless the property is subject to an annexation  
22 agreement or developer agreement on or before July 1, 2026.

23 (c) Upon application for service by an owner, a municipal  
24 utility must expand its service territory to allow an owner  
25 whose property is located outside of the municipal utility's  
26 existing service territory to connect to the municipal utility,  
27 subject to the utility's service requirements, if:

28 1. The property is not within the service territory of  
29 another water or wastewater utility, as applicable;

30 2. The municipal utility has sufficient capacity to serve  
31 the property's anticipated water or wastewater load, as  
32 applicable;

33 3. The property is within one-half mile of a main line of  
34 the municipal utility, measured by the closest property boundary  
35 line from such main line. Or, if the property is more than one-  
36 half mile from but within one mile of such main line, measured  
37 in the same manner, as long as the property is within the  
38 municipality's urban service area; and

39 4. The property owner agrees to pay all fees associated  
40 with connection, including fees for infrastructure required to



321918

41 serve the property.

42 (d) Upon application by an owner pursuant to paragraph (c),  
43 the municipal utility must:

44 1. Within 90 days after receiving the application,  
45 determine whether it has sufficient capacity to provide service  
46 to the given property. Such determination may account for any  
47 anticipated development on such property. The municipal utility  
48 shall provide, in writing, the owner with its determination and  
49 the reasons for such determination.

50 2. If the municipal utility has sufficient capacity to  
51 serve the property, provide the owner with the anticipated fees,  
52 charges, contributions, and any other requirements to connect  
53 the property to the municipal utility, under its existing fee,  
54 charge, and contribution structure, including any proportionate  
55 share of onsite, offsite, or systemwide improvements necessary  
56 to serve the property.

57 3. Upon satisfaction of the requirements set forth by the  
58 municipal utility pursuant to subparagraph 2., including full  
59 payment of, or legally enforceable funding assurances for, all  
60 required capital improvements, connect the property to its  
61 system in a timely

62  
63 ===== T I T L E A M E N D M E N T =====

64 And the title is amended as follows:

65 Delete line 10

66 and insert:

67 circumstances, subject to the utility's service  
68 requirements; requiring the municipal utility to make