

FIFTY-SEVENTH LEGISLATURE
FIRST SESSION

February 26, 2025

SENATE FLOOR AMENDMENT number 2 to SENATE JUDICIARY COMMITTEE
SUBSTITUTE FOR SENATE BILLS
21 & 22

Amendment sponsored by Senator William E. Sharer

1. On page 4, between lines 7 and 8, insert:

"A. "abatement costs" means costs incurred in accordance with an abatement plan prepared and approved in accordance with rules adopted by the commission;

B. "aquatic resources" means wetlands, streams, lakes, rivers and other bodies of water, riparian habitats and the organisms that live in them and the ecological functions, services and values they provide;".

2. On page 6, between lines 20 and 21, insert:

"H. "dredged material" means material that is excavated or dredged from a surface water;".

3. On page 7, between lines 9 and 10, insert:

"K. "fill material" means material that is placed in a surface water where the material has the effect of replacing any portion of a surface water with dry land or changing the bottom elevation of a surface water; "fill material" does not include trash, garbage or incidental fallback resulting from excavation activities when small volumes of material fall back to substantially the same place as the initial removal;".

4. On page 8, between lines 14 and 15, insert:

"R. "point source" means a discernable, confined and

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discrete conveyance, including a pipe, ditch, channel, tunnel, conduit, well, discrete fissure, container, rolling stock, concentrated animal feeding operation, landfill leachate collection system or vessel or other floating craft from which water contaminants are or may be discharged; "point source" does not include a discharge composed entirely of return flows from irrigated agriculture or agricultural storm water runoff;".

5. On page 10, between lines 16 and 17, insert:

"BB. "surface water discharge" means:

(1) the addition of a water contaminant or combination of water contaminants to a surface water from a point source, including surface runoff collected or channeled by human effort, discharges through pipes, sewers or other conveyances owned by the state, a municipality or another person that do not lead to a treatment works and discharges through pipes, sewers or other conveyances leading into privately owned treatment works, but does not include the addition of water contaminants from an indirect discharger; or

(2) the addition of dredged or fill material into a surface water from excavation of a surface water or from filling in a surface water in a manner that replaces the surface water with dry land or changes the bottom elevation of the surface water but does not include incidental fallback;".

6. Reletter subsections to correspond to these amendments.

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William E. Sharer

Adopted _____ Not Adopted _____
(Chief Clerk) (Chief Clerk)

Date _____