

111TH CONGRESS
2^D SESSION

H. R. 5724

To amend the Federal Water Pollution Control Act to clarify Federal responsibility for stormwater pollution.

IN THE HOUSE OF REPRESENTATIVES

JULY 13, 2010

Ms. NORTON (for herself, Mr. MORAN of Virginia, and Ms. GIFFORDS) introduced the following bill; which was referred to the Committee on Transportation and Infrastructure

A BILL

To amend the Federal Water Pollution Control Act to clarify Federal responsibility for stormwater pollution.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. FEDERAL RESPONSIBILITY FOR STORMWATER**
4 **POLLUTION.**

5 Section 313 of the Federal Water Pollution Control
6 Act (33 U.S.C. 1323) is amended by adding at the end
7 the following:

8 “(c) **FEDERAL RESPONSIBILITY FOR STORMWATER**
9 **POLLUTION.**—Reasonable service charges described in
10 subsection (a) include reasonable fees or assessments

1 made for the purpose of stormwater management in the
2 same manner and to the same extent as any nongovern-
3 mental entity.

4 “(d) NO TREATMENT AS TAX OR LEVY.—A fee or
5 assessment described in this section—

6 “(1) shall not be considered to be a tax or other
7 levy subject to an assertion of sovereign immunity;
8 and

9 “(2) may be paid using appropriated funds.”.

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