

By: Puente

H.B. No. 488

A BILL TO BE ENTITLED

AN ACT

relating to performance standards for toilets sold in the state.

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

SECTION 1. Section 372.002, Health and Safety Code, is amended by adding Subsection (b-1) and amending Subsection (c) to read as follows:

(b-1) In addition to the requirements of Subsection (b), for a gravity flush toilet, the maximum flow may not exceed 2.0 gallons of water per flushing if a non-early closure flapper is installed or if the water level in the tank is raised to the maximum allowable height of the overflow tube.

(c) The commission shall make and maintain a current list of plumbing fixtures that are certified to the commission by the manufacturer or importer to meet the water saving performance standards established by Subsections [~~Subsection~~] (b) and (b-1).

To have a plumbing fixture included on the list, a manufacturer or importer must supply to the commission, in the form prescribed by the commission, the identification and the performance specifications of the plumbing fixture. The manufacturer or importer must submit test results from an independent laboratory to verify that the toilet described by Subsection (b-1) meets the standards of that subsection. The commission may test a listed

fixture to determine the accuracy of the manufacturer's or importer's certification and shall remove from the list a fixture

1 the commission finds to be inaccurately certified.

2 SECTION 2. (a) This Act takes effect September 1, 2003.

3 (b) The change in law made by this Act applies only to a  
4 toilet described by Section 372.002(b-1), Health and Safety Code,  
5 as added by this Act, that is sold, offered for sale, distributed,  
6 or imported into this state for use in this state on or after  
7 September 1, 2005.