

1-1 By: Armbrister S.B. No. 781  
1-2 (In the Senate - Filed February 28, 2003; March 5, 2003,  
1-3 read first time and referred to Committee on Natural Resources;  
1-4 April 29, 2003, reported adversely, with favorable Committee  
1-5 Substitute by the following vote: Yeas 9, Nays 0; April 29, 2003,  
1-6 sent to printer.)

1-7 COMMITTEE SUBSTITUTE FOR S.B. No. 781 By: Barrientos

1-8 A BILL TO BE ENTITLED  
1-9 AN ACT

1-10 relating to performance standards for toilets and water leak  
1-11 detection systems.

1-12 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-13 SECTION 1. Section 372.002, Health and Safety Code, is  
1-14 amended by adding Subsections (b-1), (b-2), and (b-3) and amending  
1-15 Subsection (c) to read as follows:

1-16 (b-1) In addition to the requirements of Subsection (b), for  
1-17 a gravity flush toilet, the maximum flow may not exceed 2.0 gallons  
1-18 of water per flushing if a non-early-closure flapper is installed  
1-19 or if the water level in the tank is raised to the maximum allowable  
1-20 height of the overflow tube.

1-21 (b-2) The water saving performance standards for a water  
1-22 leak detection system are the more restrictive of:

1-23 (1) the standards established by the Uniform Plumbing  
1-24 Code and the International Association of Plumbing and Mechanical  
1-25 Officials and in effect on September 1, 2003; or

1-26 (2) the following standards:

1-27 (A) the system must sound a continuous alarm and  
1-28 shut off a valve on the main water line coming into the structure  
1-29 immediately on detecting a water leak;

1-30 (B) the system must be listed by Underwriters  
1-31 Laboratories; and

1-32 (C) the system must have a means to reset the  
1-33 system so as to restore water flow once the water leak has been  
1-34 located.

1-35 (b-3) All new home construction and all home construction  
1-36 involving substantial remodeling shall include a water leak  
1-37 detection system that meets the water saving performance standards  
1-38 in Subsection (b-2).

1-39 (c) The commission shall make and maintain a current list of  
1-40 plumbing fixtures and water leak detection systems that are  
1-41 certified to the commission by the manufacturer or importer to meet  
1-42 the water saving performance standards established by Subsections  
1-43 [Subsection] (b), (b-1), and (b-2). To have a plumbing fixture or  
1-44 water leak detection system included on the list, a manufacturer or  
1-45 importer must supply to the commission, in the form prescribed by  
1-46 the commission, the identification and the performance  
1-47 specifications of the plumbing fixture or water leak detection  
1-48 system. The manufacturer or importer must submit test results from  
1-49 an independent laboratory to verify that a toilet described by  
1-50 Subsection (b-1) meets the standards of that subsection. The  
1-51 commission may test a listed fixture or water leak detection system  
1-52 to determine the accuracy of the manufacturer's or importer's  
1-53 certification and shall remove from the list a fixture or system the  
1-54 commission finds to be inaccurately certified.

1-55 SECTION 2. (a) This Act takes effect September 1, 2003.

1-56 (b) The change in law made by Subsection (b-1), Section  
1-57 372.002, Health and Safety Code, as added by this Act, applies only  
1-58 to a toilet described by that subsection that is sold, offered for  
1-59 sale, distributed, or imported into this state for use in this state  
1-60 on or after September 1, 2005.

1-61 (c) The change in law made by Subsection (b-3), Section  
1-62 372.002, Health and Safety Code, as added by this Act, applies only

2-1 to new home construction and home construction involving  
2-2 substantial remodeling that begins on or after January 1, 2004.

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