

BILL ANALYSIS

H.B. 2428
By: Puente
Natural Resources
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Pre-rinse spray valves are used to remove larger food and waste particles from dishes and utensils before they are washed by hand or machine in restaurants, schools and other commercial kitchens. Spray valves in common use today tend to use 3 to 6 gallons of hot water per minute. In a typical restaurant, each spray valve is used several hours each day. Newer, high-efficiency spray valves use less than 2 gallons per minute – a substantial savings in both water and the energy used to heat the water.

In recent years, high-efficiency spray valves have come into the market. Nationwide, more than 20,000 new spray valves have been deployed. They have been well received by users and have resulted in substantial water and energy savings on a per-unit basis, but their vast potential has yet to be realized. In Texas, an estimated 75,000 inefficient spray valves remain in use.

This bill sets water efficiency standards for commercial pre-rinse spray valves by requiring that commercial spray valves sold in Texas use no more than 1.6 gallons per minute – the same standard used by other states leading the way in water-and energy-conservation efforts.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

HB 2428 defines a commercial spray valve as a device designed and marketed for use with commercial dishwashing and ware washing equipment and that sprays water on dishes, flatware and other food service items for the purpose of removing food residue prior to their entering the washing cycle either by hand washing or use of a ware washing device.

The bill prohibits the sale or distribution of commercial spray valves in Texas unless the spray valve meets specifications set forth in the bill.

The bill requires the TCEQ to maintain a list of commercial spray valves certified to the commission by the manufacturer or importer as meeting the standards set forth in the bill. The agency may also test listed washers to determine the accuracy of the certification and shall remove any spray valves that do not meet this standard. The TCEQ may assess a reasonable fee to be deposited in the water resources management account for this inspection to determine the accuracy of the certification.

The bill allows for the sale of commercial spray valves which do not meet the specifications set forth in this bill from January 2006 to September 2006 if it is already in the inventory of a commercial pre-rinse spray valve retailer, distributor, lessor or importer or has been ordered by a commercial pre-rinse spray valve retailer, distributor, lessor or importer on or before January 1, 2006 and delivery takes place prior to February 1, 2006.

EFFECTIVE DATE

January 1, 2006.

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