

1-1 By: Jackson S.B. No. 1073
1-2 (In the Senate - Filed March 2, 2011; March 16, 2011, read
1-3 first time and referred to Committee on Natural Resources;
1-4 April 28, 2011, reported adversely, with favorable Committee
1-5 Substitute by the following vote: Yeas 9, Nays 0; April 28, 2011,
1-6 sent to printer.)

1-7 COMMITTEE SUBSTITUTE FOR S.B. No. 1073 By: Jackson

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

1-10 relating to rainwater harvesting systems that are connected to
1-11 public water supply systems.

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

1-13 SECTION 1. Section 341.042, Health and Safety Code, is
1-14 amended by amending Subsection (b) and adding Subsections (b-1),
1-15 (b-2), (b-3), and (b-4) to read as follows:

1-16 (b) The commission by rule shall provide that if a structure
1-17 is connected to a public water supply system and has a rainwater
1-18 harvesting system for indoor use, ~~[+]~~

1-19 ~~[(1)]~~ the structure must have appropriate
1-20 cross-connection safeguards ~~[+ and~~

1-21 ~~[(2) the rainwater harvesting system may be used only~~
1-22 ~~for nonpotable indoor purposes].~~

1-23 (b-1) The commission shall work with the department to
1-24 develop rules regarding the installation and maintenance of
1-25 rainwater harvesting systems that are used for indoor potable
1-26 purposes and connected to a public water supply system. The rules
1-27 must contain criteria that are sufficient to ensure that:

1-28 (1) safe sanitary drinking water standards are met;
1-29 and

1-30 (2) harvested rainwater does not come into
1-31 communication with a public water supply system's drinking water at
1-32 a location off of the property on which the rainwater harvesting
1-33 system is located.

1-34 (b-2) A person who installs and maintains rainwater
1-35 harvesting systems that are connected to a public water supply
1-36 system and are used for potable purposes must be licensed by the
1-37 Texas State Board of Plumbing Examiners as a master plumber or
1-38 journeyman plumber and hold an endorsement issued by the board as a
1-39 water supply protection specialist.

1-40 (b-3) A person who intends to connect a rainwater harvesting
1-41 system to a public water supply system for use for potable purposes
1-42 must give written notice of that intention to the municipality in
1-43 which the rainwater harvesting system is located or the owner or
1-44 operator of the public water supply system before connecting the
1-45 rainwater harvesting system to the public water supply system.

1-46 (b-4) A municipally owned water or wastewater utility, a
1-47 municipality, or the owner or operator of a public water supply
1-48 system may not be held liable for any adverse health effects
1-49 allegedly caused by the consumption of water collected by a
1-50 rainwater harvesting system that is connected to a public water
1-51 supply system and is used for potable purposes if the municipally
1-52 owned water or wastewater utility, municipality, or public water
1-53 supply system is in compliance with the sanitary standards for
1-54 drinking water applicable to the municipally owned water or
1-55 wastewater utility, municipality, or public water supply system.

1-56 SECTION 2. This Act takes effect September 1, 2011.

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