

SENATE AMENDMENTS

2nd Printing

By: King of Zavala

H.B. No. 3372

A BILL TO BE ENTITLED

1 AN ACT
2 relating to standards for a structure that is connected to a public
3 water supply system and has a rainwater harvesting system.

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

5 SECTION 1. Section 341.042(b), Health and Safety Code, is
6 amended to read as follows:

7 (b) The commission by rule shall provide that if a structure
8 is connected to a public water supply system and has a rainwater
9 harvesting system for indoor use, +

10 [~~1~~] the structure must have appropriate
11 cross-connection safeguards ~~, and~~

12 [~~2~~] ~~the rainwater harvesting system may be used only~~
13 ~~for nonpotable indoor purposes~~].

14 SECTION 2. This Act takes effect September 1, 2011.

ADOPTED

MAY 19 2011

Atty. Gen.
Secretary of the Senate

By: Jackson

H.B. No. 3372

Substitute the following for H.B. No. 3372:

By: Jackson

C.S. H.B. No. 3372

A BILL TO BE ENTITLED

AN ACT

1
2 relating to rainwater harvesting systems that are connected to
3 public water supply systems.

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

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

8 (b) The commission by rule shall provide that if a structure
9 is connected to a public water supply system and has a rainwater
10 harvesting system for indoor use, [+

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

13 [~~(2) the rainwater harvesting system may be used only~~
14 ~~for nonpotable indoor purposes]~~.

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

20 (1) safe sanitary drinking water standards are met;

21 and

22 (2) harvested rainwater does not come into
23 communication with a public water supply system's drinking water at
24 a location off of the property on which the rainwater harvesting

1 system is located.

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

8 (b-3) A person who intends to connect a rainwater harvesting
9 system to a public water supply system for use for potable purposes
10 must give written notice of that intention to the municipality in
11 which the rainwater harvesting system is located or the owner or
12 operator of the public water supply system before connecting the
13 rainwater harvesting system to the public water supply system.

14 (b-4) A municipally owned water or wastewater utility, a
15 municipality, or the owner or operator of a public water supply
16 system may not be held liable for any adverse health effects
17 allegedly caused by the consumption of water collected by a
18 rainwater harvesting system that is connected to a public water
19 supply system and is used for potable purposes if the municipally
20 owned water or wastewater utility, municipality, or public water
21 supply system is in compliance with the sanitary standards for
22 drinking water applicable to the municipally owned water or
23 wastewater utility, municipality, or public water supply system.

24 SECTION 2. This Act takes effect September 1, 2011.

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE, 82ND LEGISLATIVE REGULAR SESSION

May 19, 2011

TO: Honorable Joe Straus, Speaker of the House, House of Representatives

FROM: John S O'Brien, Director, Legislative Budget Board

IN RE: HB3372 by King, Tracy O. (Relating to rainwater harvesting systems that are connected to public water supply systems.), **As Passed 2nd House**

No significant fiscal implication to the State is anticipated.

The bill would require the Texas Commission on Environmental Quality (TCEQ) to work with the Texas Department of State Health Services (DSHS) to develop and adopt rules to regulate a structure that has a rainwater harvesting system for indoor use and that is connected to a public water supply system. The bill would require that a person who installs and maintains rainwater harvesting systems connected to public water supply systems and used for potable purposes must be licensed as a master or journeyman plumber by the Texas State Board of Plumbing Examiners (SBPE) and hold a certification as a water supply protection specialist. The bill also would require that municipalities or owners/operators of public water supply systems be notified in writing of the intention of a person to connect a rainwater harvesting system used for potable purposes to a public water supply system.

None of the bill's provisions are expected to add significantly to the workload of the TCEQ, DSHS or SBPE.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies: 582 Commission on Environmental Quality, 456 Board of Plumbing Examiners

LBB Staff: JOB, SD, KKR, SZ, TL

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 82ND LEGISLATIVE REGULAR SESSION

May 11, 2011

TO: Honorable Troy Fraser, Chair, Senate Committee on Natural Resources

FROM: John S O'Brien, Director, Legislative Budget Board

IN RE: HB3372 by King, Tracy O. (Relating to rainwater harvesting systems that are connected to public water supply systems.), **Committee Report 2nd House, Substituted**

No significant fiscal implication to the State is anticipated.

The bill would require the Texas Commission on Environmental Quality (TCEQ) to work with the Texas Department of State Health Services (DSHS) to develop and adopt rules to regulate a structure that has a rainwater harvesting system for indoor use and that is connected to a public water supply system. The bill would require that a person who installs and maintains rainwater harvesting systems connected to public water supply systems and used for potable purposes must be licensed as a master or journeyman plumber by the Texas State Board of Plumbing Examiners (SBPE) and hold a certification as a water supply protection specialist. The bill also would require that municipalities or owners/operators of public water supply systems be notified in writing of the intention of a person to connect a rainwater harvesting system used for potable purposes to a public water supply system.

None of the bill's provisions are expected to add significantly to the workload of the TCEQ, DSHS or SBPE.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies: 582 Commission on Environmental Quality, 456 Board of Plumbing Examiners

LBB Staff: JOB, KKR, SZ, TL

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE, 82ND LEGISLATIVE REGULAR SESSION

April 28, 2011

TO: Honorable Troy Fraser, Chair, Senate Committee on Natural Resources

FROM: John S O'Brien, Director, Legislative Budget Board

IN RE: HB3372 by King, Tracy O. (Relating to standards for a structure that is connected to a public water supply system and has a rainwater harvesting system.), **As Engrossed**

No significant fiscal implication to the State is anticipated.

The bill would require the Texas Commission on Environmental Quality (TCEQ) to adopt rules to remove current language that limits the use of rainwater to non-potable uses if the structure is connected to a public water system. The bill would allow for the connection to a public water system if the rainwater system has appropriate cross-connection safeguards. The bill's passage is not expected to result in a significant fiscal impact to the TCEQ.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies: 582 Commission on Environmental Quality

LBB Staff: JOB, SZ, TL

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE, 82ND LEGISLATIVE REGULAR SESSION

March 28, 2011

TO: Honorable Allan Ritter, Chair, House Committee on Natural Resources

FROM: John S O'Brien, Director, Legislative Budget Board

IN RE: HB3372 by King, Tracy O. (Relating to standards for a structure that is connected to a public water supply system and has a rainwater harvesting system.), **As Introduced**

No significant fiscal implication to the State is anticipated.

The bill would require the Texas Commission on Environmental Quality (TCEQ) to adopt rules to remove current language that limits the use of rainwater to non-potable uses if the structure is connected to a public water system. The bill would allow for the connection to a public water system if the rainwater system has appropriate cross-connection safeguards. The bill's passage is not expected to result in a significant fiscal impact to the TCEQ.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies: 582 Commission on Environmental Quality

LBB Staff: JOB, SZ, TL