

SUBJECT: Rainwater harvesting systems connected to public water supply systems

COMMITTEE: Natural Resources — favorable, without amendment

VOTE: 10 ayes — Ritter, T. King, Beck, Creighton, Hopson, Larson, Lucio,
Martinez Fischer, D. Miller, Price

0 nays

1 absent — Keffer

SENATE VOTE: On final passage, May 10 — 31-0, on Local and Uncontested Calendar

WITNESSES: No public hearing

BACKGROUND: The Health and Safety Code standards for harvested rainwater require that if a structure is connected to a public water supply system and has a rainwater harvesting system for indoor use, the structure must have appropriate cross-connection safeguards and the rainwater must be used only for nonpotable indoor purposes.

DIGEST: SB 1073 would remove the requirement that a rainwater harvesting system, on a structure also connected to a public water supply, be used only for nonpotable indoor purposes.

Public health protections. The Texas Commission on Environmental Quality (TCEQ) would be required to work with the Texas Department of State Health Services (DSHS) to develop rules regarding the installation and maintenance of rainwater harvesting systems used for indoor potable purposes and connected to a public water supply system. The rules would have to contain criteria sufficient to ensure that safe sanitary drinking water standards were met and harvested rainwater would not come into communication with a public water supply system's drinking water at a location off of the property where the rainwater harvesting system was located.

A person who installed and maintained rainwater harvesting systems that were connected to a public water supply system and used for potable

purposes would have to be licensed by the Texas State Board of Plumbing Examiners as a master plumber or journeyman plumber and hold an endorsement issued by the Texas Board of Health as a water supply protection specialist.

No liability for city or operator of a public water supply system. A person who intended to connect a rainwater harvesting system to a public water supply system for use for potable purposes would have to give written notice of that intention to the municipality in which the rainwater harvesting system was located or to the owner or operator of the public water supply system before connecting the rainwater harvesting system to the public water supply system.

A municipally owned water or wastewater utility, a municipality, or the owner or operator of a public water supply system would not be held liable for any adverse health effects allegedly caused by the consumption of water collected by a rainwater harvesting system that was connected to a public water supply system and used for potable purposes if the municipally owned water or wastewater utility, municipality, or public water supply system complied with the applicable sanitary standards for drinking water.

Effective date. The bill would take effect September 1, 2011.

**SUPPORTERS
SAY:**

The development, management, and preservation of water resources throughout Texas has become a major priority as the state faces significant population growth and increased demands on the water supply. Recently, legislation was enacted to further water conservation efforts critical to meeting future water demands, including legislation that would provide citizens who harvested rainwater responsibly a wider range of indoor use and applications. SB 1073 would enable rainwater that had been harvested using appropriate cross-connection safeguards to be used for potable indoor purposes.

SB 1073 would address public health concerns with the House-passed companion bill, HB 3372, by providing additional safeguards to ensure that safe sanitary drinking water standards were met and the public water supply was protected by requiring TCEQ to work with DSHS to develop rules regarding the installation and maintenance of rainwater harvesting systems used for indoor potable purposes and connected to a public water supply system. Further, the bill would require a person who installed and

maintained rainwater harvesting systems connected to a public water supply system and used for potable purposes to be licensed by the Texas State Board of Plumbing Examiners as a master plumber or journeyman plumber and hold an endorsement issued by the Texas Board of Health as a water supply protection specialist.

OPPONENTS
SAY:

No apparent opposition.

NOTES:

The companion bill, HB 3372 by T. King, passed the House by 141-7 on April 20 and passed the Senate, as amended, by 31-0 on May 19 on the Local and Uncontested Calendar. The House concurred with Senate amendments on May 21 by 139-0. The amendment language is identical to SB 1073.