

## **BILL ANALYSIS**

Senate Research Center  
78R11475 QS-D

H.B. 2661  
By: Puente (Armbrister)  
Natural Resources  
5/21/2003  
Engrossed

### **DIGEST AND PURPOSE**

The use of "graywater," which is household wastewater from clothes washing machines, showers, bathtubs, handwashing lavatories, and sinks, can produce approximately 100 gallons of excess water per day in the typical Texas household. This is water which could be used to replace potable water for irrigation purposes and presents a tremendous potential for water conservation. However, graywater generated by commercial/industrial users may have characteristics that necessitate more stringent regulations than those that are created for domestic graywater. H.B. 2661 defines graywater and sets standards for graywater use.

### **RULEMAKING AUTHORITY**

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Section 26.0311, Water Code, as follows:

- (a) Redefines "graywater."
- (b) Requires the Texas Commission on Environmental Quality (TCEQ) by rule to adopt and implement minimum standards for the use of graywater for certain purposes.
- (c) Requires the standards adopted by TCEQ under Subsection (b) to assure that the use of graywater is not a nuisance and does not damage the quality of surface water and groundwater in this state.

SECTION 2. Amends Section 341.039, Health and Safety Code, as follows:

- (a) Requires TCEQ by rule to adopt and implement minimum standards for the use and reuse of graywater for certain purposes. Deletes text requiring the Texas State Board of Plumbing Examiners to adopt rules and implement minimum standards for the use and reuse of graywater.
- (b) Requires the standards adopted by TCEQ under Subsection (a) to assure that the use of graywater is not a nuisance and does not damage the quality of surface water and groundwater in this state.
- (c) Prohibits TCEQ, under certain circumstances, from requiring a permit for the domestic use of less than 400 gallons of graywater each day.
- (d) Provides that each builder is encouraged to take certain actions, regarding the use of graywater.
- (e) Redefines "graywater." Redesignates (b) as (e).

SECTION 3. Amends Section 366.012(a), Health and Safety Code, to require TCEQ to adopt certain rules, in order to assure the effective and efficient administration of this chapter.

SECTION 4. Requires TCEQ, not later than June 1, 2004, to adopt and implement minimum standards for the use of graywater under Section 26.0311(Wastewater Operations Company Registration and Operator Licensing), Water Code, as amended by this Act; and address the separation of graywater in a residence served by an on-site sewage disposal system under Section 366.012(a), Health and Safety Code, as amended by this Act.

SECTION 5. Effective date: September 1, 2003.