

First Regular Session
Seventy-second General Assembly
STATE OF COLORADO

REENGROSSED

*This Version Includes All Amendments
Adopted in the House of Introduction*

LLS NO. 19-0849.01 Jennifer Berman x3286

HOUSE BILL 19-1200

HOUSE SPONSORSHIP

Arndt, Bird, Buentello, Duran, Esgar, Hansen, Kipp, McLachlan, Roberts, Titone, Valdez
D.

SENATE SPONSORSHIP

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A BILL FOR AN ACT

101 CONCERNING THE POINT OF COMPLIANCE RELATED TO THE
102 TREATMENT PROCESS INVOLVED IN TREATING RECLAIMED
103 DOMESTIC WASTEWATER FOR INDOOR NONPOTABLE USES
104 WITHIN A BUILDING WHERE THE GENERAL PUBLIC CAN ACCESS
105 PLUMBING FIXTURES THAT ARE USED TO DELIVER THE
106 RECLAIMED DOMESTIC WASTEWATER.

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov>.)

In 2018, the general assembly authorized the use of reclaimed

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters or bold & italic numbers indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.

HOUSE
3rd Reading Unamended
March 8, 2019

HOUSE
Amended 2nd Reading
March 7, 2019

domestic wastewater for irrigation of food crops and industrial hemp and for toilet flushing if, at the point of compliance in the water treatment process, the reclaimed domestic wastewater met certain water quality standards.

The bill authorizes the water quality control commission (commission) to adopt rules requiring a point of compliance for disinfection residual related to the treatment process for reclaimed domestic wastewater used for toilet flushing within a building where the general public can access the plumbing fixtures used to deliver the reclaimed domestic wastewater. If the commission adopts the rules, the rules must establish a point of compliance for disinfection residual at a single location where reclaimed domestic wastewater is delivered to the occupied premises and before the water is distributed for use in the occupied premises.

1 *Be it enacted by the General Assembly of the State of Colorado:*

2 **SECTION 1.** In Colorado Revised Statutes, 25-8-205.7, **amend**
3 (1)(f) as follows:

4 **25-8-205.7. Control regulations for reuse of reclaimed**
5 **domestic wastewater - food crops - definitions - rules.** (1) As used in
6 this section, unless the context otherwise requires:

7 (f) ~~(f)~~ "Point of compliance" means ~~except as provided in~~
8 ~~subsection (1)(f)(H) of this section,~~ a point, as identified by the person
9 that treats the water, in the reclaimed domestic wastewater treatment
10 process or the reclaimed domestic wastewater transportation process, that
11 occurs after all treatment has been completed but before dilution and
12 blending of the water has occurred.

13 ~~(H) If reclaimed domestic wastewater is used for indoor~~
14 ~~nonpotable uses within a building where plumbing fixtures are accessible~~
15 ~~by the general public, "point of compliance" is at the location where water~~
16 ~~is delivered to the occupied premises.~~

17 **SECTION 2.** In Colorado Revised Statutes, 25-8-205.8, **amend**

1 (1)(f); and **add** (1.5) as follows:

2 **25-8-205.8. Control regulations for reuse of reclaimed**
3 **domestic wastewater - toilet flushing - definitions - rules.** (1) As used
4 in this section, unless the context otherwise requires:

5 (f) ~~(f)~~ "Point of compliance" means, except as provided in
6 subsection ~~(1)(f)(H)~~ (1.5) of this section, a point, as identified by the
7 person that treats the water, in the reclaimed domestic wastewater
8 treatment process or the reclaimed domestic wastewater transportation
9 process, that occurs after all treatment has been completed but before
10 dilution and blending of the water has occurred.

11 ~~(H) If reclaimed domestic wastewater is used for indoor~~
12 ~~nonpotable uses within a building where plumbing fixtures are accessible~~
13 ~~by the general public, "point of compliance" is at the location where water~~
14 ~~is delivered to the occupied premises.~~

15 (1.5) WITH REGARD TO RECLAIMED DOMESTIC WASTEWATER USED
16 FOR INDOOR NONPOTABLE USES WITHIN A BUILDING WHERE THE GENERAL
17 PUBLIC CAN ACCESS THE PLUMBING FIXTURES THAT ARE USED TO DELIVER
18 THE RECLAIMED DOMESTIC WASTEWATER, THE COMMISSION MAY
19 PROMULGATE RULES TO REQUIRE A POINT OF COMPLIANCE FOR
20 DISINFECTION RESIDUAL, WHICH RULES MUST:

21 (a) BE BASED ON A DETERMINATION THAT THE ADDITIONAL POINT
22 OF COMPLIANCE WOULD PROTECT PUBLIC HEALTH; AND

23 (b) ESTABLISH A POINT OF COMPLIANCE FOR DISINFECTION
24 RESIDUAL AT A SINGLE LOCATION BETWEEN WHERE RECLAIMED DOMESTIC
25 WASTEWATER IS DELIVERED TO THE OCCUPIED PREMISES AND BEFORE THE
26 WATER IS DISTRIBUTED FOR USE IN THE OCCUPIED PREMISES.

27 **SECTION 3.** In Colorado Revised Statutes, 25-8-205.9, **amend**

1 (1)(g) as follows:

2 **25-8-205.9. Control regulations for reuse of reclaimed**
3 **domestic wastewater - industrial hemp - definitions - rules.** (1) As
4 used in this section, unless the context otherwise requires:

5 (g) ~~(f)~~ "Point of compliance" means ~~except as provided in~~
6 ~~subsection (1)(g)(H) of this section,~~ a point, as identified by the person
7 that treats the water, in the reclaimed domestic wastewater treatment
8 process or the reclaimed domestic wastewater transportation process, that
9 occurs after all treatment has been completed but before dilution and
10 blending of the water has occurred.

11 ~~(H) If reclaimed domestic wastewater is used for indoor~~
12 ~~nonpotable uses within a building where plumbing fixtures are accessible~~
13 ~~by the general public, "point of compliance" is at the location where water~~
14 ~~is delivered to the occupied premises.~~

15 **SECTION 4. Act subject to petition - effective date.** This act
16 takes effect at 12:01 a.m. on the day following the expiration of the
17 ninety-day period after final adjournment of the general assembly (August
18 2, 2019, if adjournment sine die is on May 3, 2019); except that, if a
19 referendum petition is filed pursuant to section 1 (3) of article V of the
20 state constitution against this act or an item, section, or part of this act
21 within such period, then the act, item, section, or part will not take effect
22 unless approved by the people at the general election to be held in
23 November 2020 and, in such case, will take effect on the date of the
24 official declaration of the vote thereon by the governor.