

CHAPTER 78

HEALTH AND ENVIRONMENT

HOUSE BILL 19-1200

BY REPRESENTATIVE(S) Arndt, Bird, Buentello, Duran, Esgar, Hansen, Kipp, McLachlan, Roberts, Titone, Valdez D.;
also SENATOR(S) Bridges and Coram, Crowder, Donovan, Priola, Smallwood, Tate.

AN ACT

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

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

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

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

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

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

SECTION 2. In Colorado Revised Statutes, 25-8-205.8, **amend** (1)(f); and **add** (1.5) as follows:

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

Capital letters or bold & italic numbers indicate new material added to existing law; dashes through words or numbers indicate deletions from existing law and such material is not part of the act.

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

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

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

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

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

SECTION 3. In Colorado Revised Statutes, 25-8-205.9, **amend** (1)(g) as follows:

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

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

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

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

and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.

Approved: April 4, 2019