

HB25-1077: Backflow Prevention Devices Requirements

Fact Sheet

WHAT ARE BACKFLOW PREVENTION DEVICES?

Backflow occurs when water or other substances flow in reverse due to back pressure or siphon, potentially contaminating clean water supplies. These backflow devices prevent contamination by stopping the reverse flow of contaminated water or chemicals.

BACKGROUND

During the 2024 legislative session, the General Assembly passed HB 25-1344, a bipartisan plumbing sunset bill, which passed five committee hearings without public opposition. After the Governor signed it into law, however, individuals from the backflow industry raised concerns about changes it made to require who could test, inspect, and repair backflow prevention devices, limiting this work to licensed plumbers. This created significant compliance challenges for water utilities and non-licensed certified businesses not regulated by DORA, particularly regarding adherence to state and federal laws mandating annual testing of these devices.

Had these concerns been raised earlier, alternative approaches could have been considered, but their late emergence necessitated months of collaborative effort to resolve the unintended consequences. The State Plumbing Board acted quickly, delaying the bill's implementation to provide time for a legislative fix. This corrective process involved significant contributions from many parties, including the original HB 25-1344 sponsors, the Water Interim Committee, water utilities, the plumbing industry, contractors and unions, backflow testing businesses, DORA, CDPHE, and others.

Although addressing unforeseen issues after legislation has passed is never ideal, stakeholders and legislators worked diligently and seriously to develop a solution. Their collective efforts have aimed to restore appropriate policy and ensure compliance while addressing the concerns raised by affected industries and organizations.

KEY PROVISIONS OF HB25-1077

Referred to the legislature by the Water Resources and Agriculture Review Committee, HB 25-1077 essentially reverses the changes made under HB 24-1344 and restores the ability for certified unlicensed technicians to perform tests, inspections, and repairs on backflow prevention devices.

Backflow is the reverse flow of water, fluid, or gas caused by back pressure or back siphonage. Under the current law changed in 2024, individuals who are engaged in the business of installing, removing, inspecting, testing, or repairing backflow prevention devices are subject to the licensure requirements for plumbers, except when the individuals are installing or testing a stand-alone fire suppression sprinkler system.

The bill restores the law to pre-2024 status as it exempts individuals engaged in the business of inspecting, testing, or repairing backflow prevention devices from licensure requirements but retains the licensure requirements for individuals engaged in the installation or removal of the devices. This amendment seeks to require certified technicians and licensed plumbers to place a tag on backflow prevention devices, similar to buying a home, where tags are placed on installed equipment and include relevant details such as contact information, installation date, and equipment model, identifying individuals and businesses that performed work on these devices. This is simply free advertising.