

## Assembly Bill No. 2282

### CHAPTER 606

An act to add Sections 17921.5 and 18940.6 to the Health and Safety Code, relating to building standards.

[Approved by Governor September 26, 2014. Filed with Secretary of State September 26, 2014.]

#### LEGISLATIVE COUNSEL'S DIGEST

AB 2282, Gatto. Building standards: recycled water systems.

The California Building Standards Law provides for the adoption of building standards by state agencies by requiring all state agencies that adopt or propose adoption of any building standard to submit the building standard to the California Building Standards Commission for approval and adoption. In the absence of a designated state agency, the commission is required to adopt specific building standards, as prescribed. Existing law requires the commission to publish, or cause to be published, editions of the California Building Standards Code in its entirety once every 3 years. Existing law requires the Department of Housing and Community Development to propose the adoption, amendment, or repeal of building standards to the commission and to adopt, amend, and repeal other rules and regulations for the protection of the public health, safety, and general welfare of the occupants and the public involving buildings and building construction.

This bill would require the department, in consultation with other designated entities, to conduct research to assist in the development of, and to submit for adoption by the commission of, mandatory building standards for the installation of recycled water systems for newly constructed single-family and multifamily residential buildings. The bill would authorize the department to expend funds from the existing Building Standards Administration Special Revolving Fund for this purpose, upon appropriation. The bill would require the department to limit the mandate to install recycled water systems within residential buildings and building site landscaped areas to areas within a local jurisdiction that meet specified conditions. The bill would require the department to develop the application provisions in consultation with specified entities. The bill would define the term "recycled water" for these purposes.

This bill would require the commission to undertake identical research and activities with respect to development of, and would require the commission to adopt, mandatory green building standards for the installation of recycled water systems for newly constructed commercial and public buildings.

*The people of the State of California do enact as follows:*

SECTION 1. Section 17921.5 is added to the Health and Safety Code, to read:

17921.5. (a) For purposes of this section, “recycled water” has the same meaning as that term is defined in subdivision (n) of Section 13050 of the Water Code, and is consistent with the recycled water use criteria specified in Chapter 3 (commencing with Section 60301.100) of Division 4 of Title 22 of the California Code of Regulations.

(b) (1) The department shall conduct research to assist in the development of mandatory building standards for the installation of recycled water systems for newly constructed single-family and multifamily residential buildings. In conducting this research, the department shall actively consult with the State Water Resources Control Board, the State Department of Public Health, and other interested parties, including, but not limited to, public water systems, recycled water producers, product manufacturers, local building officials, apartment and other rental property owners, California-licensed contractors, and the building industry.

(2) In researching, developing, and proposing mandatory building standards under this section, the department is authorized to expend funds from the Building Standards Administration Special Revolving Fund, upon appropriation pursuant to Section 18931.7.

(3) Research conducted to propose building standards pursuant to this section shall include, but is not limited to, the following:

(A) Potential outdoor applications for recycled water, consistent with the recycled water use criteria specified in Chapter 3 (commencing with Section 60301.100) of Division 4 of Title 22 of the California Code of Regulations.

(B) Potential indoor applications for recycled water, consistent with the recycled water use criteria specified in Chapter 3 (commencing with Section 60301.100) of Division 4 of Title 22 of the California Code of Regulations. With respect to indoor applications, the department shall consider whether to adopt or recommend measures in addition to the current standards adopted in the California Plumbing Code in Title 24 of the California Code of Regulations to ensure the safe installation of indoor recycled water piping or systems, including, but not limited to, requiring purple pipe or special markings on recycled water piping that states clearly whether it is approved for indoor use, or recommending restrictions on who may purchase or install recycled water piping for indoor use.

(C) The cost of various recycled water systems.

(D) The estimated quantity of water savings under varying levels of application of recycled water in residential buildings and building site landscaped areas.

(4) The department may research standards for different types of water recycling systems, including noncentralized systems, but shall only mandate systems to the extent that they meet all of the health and safety standards specified in this section.

(c) (1) The department shall submit for adoption mandatory building standards for the installation of recycled water systems for newly constructed single-family residential and multifamily residential buildings. The department shall submit the proposed mandatory building standards to the California Building Standards Commission for consideration during the 2016 Intervening Code Adoption Cycle, and may propose the amendment or repeal of these mandatory standards as necessary in future code adoption cycles, consistent with the recycled water use criteria specified in Chapter 3 (commencing with Section 60301.100) of Division 4 of Title 22 of the California Code of Regulations.

(2) When developing the application provisions for the mandatory building standards, the department shall limit the mandate to install recycled water systems within residential buildings and building site landscaped areas to only those areas within a local jurisdiction that have feasible and cost-efficient access to a water recycling facility, or that have been identified by the local jurisdiction within a planned service area for the provision of recycled water for which a specific implementation timeline has been identified by the public water system in its most recent urban water management plan.

(3) The mandate to install recycled water piping shall not apply to service areas in which the only recycled water use is for potable purposes, or in which net nonpotable deliveries are anticipated to remain level or decrease as a result of the potable reuse project.

(4) The department shall develop the application provisions for the mandatory building standards required under paragraph (1), in consultation with the State Water Resources Control Board, public water systems, recycled water producers, and water research associations.

(5) A city, county, or city and county, in consultation with the public water system and recycled water producer, may further reduce the area for which the mandate to install recycled water piping applies, if the local public water system or recycled water producer finds that providing recycled water to an area is not feasible or cost effective.

SEC. 2. Section 18940.6 is added to the Health and Safety Code, to read:

18940.6. (a) For purposes of this section, “recycled water” has the same meaning as that term is defined in subdivision (n) of Section 13050 of the Water Code, and is consistent with the recycled water use criteria specified in Chapter 3 (commencing with Section 60301.100) of Division 4 of Title 22 of the California Code of Regulations.

(b) (1) The California Building Standards Commission shall conduct research to assist in the development of mandatory green building standards for the installation of recycled water systems for newly constructed commercial and public buildings, in consultation with the State Water Resources Control Board and other interested parties, including, but not limited to, public water systems, recycled water producers, product manufacturers, local building officials, apartment and other rental property owners, California-licensed contractors, and the building industry.

(2) In researching, developing, and proposing mandatory building standards under this section, the commission is authorized to expend funds from the Building Standards Administration Special Revolving Fund, upon appropriation pursuant to Section 18931.7.

(3) Research conducted in order to propose building standards pursuant to this section shall include, but is not limited to, the following:

(A) Potential outdoor applications for recycled water, consistent with the recycled water use criteria specified in Chapter 3 (commencing with Section 60301.100) of Division 4 of Title 22 of the California Code of Regulations.

(B) Potential indoor applications for recycled water, consistent with the recycled water use criteria specified in Chapter 3 (commencing with Section 60301.100) of Division 4 of Title 22 of the California Code of Regulations. With respect to indoor applications, the commission shall consider whether to adopt or recommend measures in addition to the current standards adopted in the California Plumbing Code in Title 24 of the California Code of Regulations, to ensure the safe installation of indoor recycled water piping or systems, including, but not limited to, requiring purple pipe or special markings on recycled water piping or systems that states clearly whether it is approved for indoor use, or recommending restrictions on who may purchase or install recycled water piping for indoor use.

(C) The cost of various recycled water systems.

(D) The estimated quantity of water savings under varying levels of application of recycled water in commercial and public buildings and building site landscaped areas.

(4) The commission may research standards for different types of water recycling systems, including noncentralized systems, but shall only mandate systems to the extent that they meet all of the health and safety standards specified in this section.

(c) (1) The commission shall adopt mandatory building standards for the installation of recycled water systems for newly constructed commercial and public buildings. The commission shall consider the proposed mandatory building standards during the 2016 Intervening Code Adoption Cycle and may amend these mandatory standards as necessary in future code adoption cycles, consistent with the recycled water use criteria specified in Chapter 3 (commencing with Section 60301.100) of Division 4 of Title 22 of the California Code of Regulations.

(2) When developing the application provisions for the mandatory building standards, the commission shall limit the mandate to install recycled water systems within commercial and public buildings and building site landscaped areas to only those areas within a local jurisdiction that have feasible and cost-efficient access to a water recycling facility, or that have been identified by the local jurisdiction within a planned service area for the provision of recycled water for which a specific implementation timeline has been identified by the public water system in its most recent urban water management plan.

(3) The mandate to install recycled water piping shall not apply to service areas in which the only recycled water use is for potable purposes, or in which net nonpotable deliveries are anticipated to remain level or decrease as a result of the potable reuse project.

(4) The commission shall develop the application provisions for the mandatory building standards required under paragraph (1) in consultation with the State Water Resources Control Board, public water systems, recycled water producers, and water research associations.

(5) A city, county, or city and county, in consultation with the public water system and recycled water producer, may further reduce the area for which the mandate to install recycled water piping applies, if the local public water system or recycled water producer finds that providing recycled water to an area is not feasible or cost effective.