

## **BILL ANALYSIS**

C.S.H.B. 2798  
By: Farrar  
Environmental Regulation  
Committee Report (Substituted)

### **BACKGROUND AND PURPOSE**

Interested parties assert that, in order to meet growing water demands, the state needs a regulatory framework for reusing all forms of wastewater. C.S.H.B. 2798 seeks to help address this issue by providing for a pilot program for the reuse of any form of wastewater.

### **CRIMINAL JUSTICE IMPACT**

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that rulemaking authority is expressly granted to the Texas Commission on Environmental Quality in SECTION 1 of this bill.

### **ANALYSIS**

C.S.H.B. 2798 amends the Health and Safety Code to authorize a county with a population of more than 3.3 million to implement a pilot program to reuse any form of wastewater at a county facility for subsurface irrigation and toilet and urinal flushing. The bill requires such a program to require the wastewater to be treated at the facility before reuse. The bill authorizes the Texas Commission on Environmental Quality to adopt rules to ensure that such a program does not create a nuisance and does not threaten human health or damage the quality of surface water and groundwater in Texas.

### **EFFECTIVE DATE**

September 1, 2017.

### **COMPARISON OF ORIGINAL AND SUBSTITUTE**

While C.S.H.B. 2798 may differ from the original in minor or nonsubstantive ways, the following comparison is organized and formatted in a manner that indicates the substantial differences between the introduced and committee substitute versions of the bill.

#### **INTRODUCED**

SECTION 1. Section 341.039, Health and Safety Code, is amended by adding Subsections (a-2) and (a-3) to read as follows:

#### **HOUSE COMMITTEE SUBSTITUTE**

SECTION 1. Subchapter C, Chapter 341, Health and Safety Code, is amended by adding Section 341.0391 to read as follows:  
Sec. 341.0391. COUNTY PILOT PROGRAM FOR WASTEWATER

(a-2) This subsection applies only to a county with a population of more than 3.3 million:

(1) The county may implement a pilot program to reuse any form of wastewater, treated on-site, at a county owned facility only, for:

(A) subsurface irrigation; and

(B) toilet and urinal flushing.

(a-3) If deemed necessary, the commission by rule shall adopt minimum standards to implement subsection (a-2).

SECTION 2. This Act takes effect September 1, 2017.

REUSE.

(a) This section applies only to a county with a population of more than 3.3 million.

(b) A county may implement a pilot program to reuse any form of wastewater at a county facility for subsurface irrigation and toilet and urinal flushing. The program must require the wastewater to be treated at the facility before reuse.

(c) The commission may adopt rules to ensure that a program implemented under this section does not create a nuisance and does not threaten human health or damage the quality of surface water and groundwater in this state.

SECTION 2. Same as introduced version.