

BILL ANALYSIS

Senate Research Center
78R11829 MI-F

C.S.S.B. 781
By: Armbrister
Natural Resources
4/26/2003
Committee Report (Substituted)

DIGEST AND PURPOSE

Currently, no standard replacement toilet flapper exists, and as a result, some toilets sold in Texas cannot be retrofitted to prevent wasted water. C.S.S.B. 781 provides a method of ensuring that a toilet's water efficiency is retained.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 372.002, Health and Safety Code, by adding Subsection (b-1), (b-2), and (b-3) and amending Subsection (c), as follows:

(b-1) Prohibits the maximum flow, in addition to the requirements of Subsection (b), for a gravity flush toilet, from exceeding 2.0 gallons of water per flushing if a non-early closure flapper is installed or if the water level in the tank is raised to the maximum allowable height of the overflow tube.

(b-2) Provides that the water saving performance standards for a water leak detection system are the more restrictive of certain standards.

(b-3) Requires all new home construction and all home construction involving substantial remodeling to include a water leak detection system that meets the water saving performance standards in Subsection (b-2).

(c) Requires the Texas Commission on Environmental Quality (TCEQ) to make and maintain a current list of plumbing fixtures and water leak detection systems that are certified to TCEQ by the manufacturer or importer to meet the water saving performance standards established by Subsections (b), (b-1), and (b-2). Requires the manufacturer or importer to submit test results from an independent laboratory to verify that the toilet described by Subsection (b-1) meets the standards of that subsection. Makes conforming changes.

SECTION 2. (a) Effective date: September 1, 2003.

(b) Provides that the change in law made by Section 372.002(b-1), Health and Safety Code, as added by this Act, applies only to a toilet described by that section that is sold, offered for sale, distributed, or imported into this state for use in this state on or after September 1, 2005.

(c) Provides that the change in law made by Section 372.002(b-3), Health and Safety Code, as added by this Act, applies only to new home construction and home construction involving substantial remodeling that begins on or after January 1, 2004.