

AMENDED IN SENATE JUNE 5, 2014  
AMENDED IN ASSEMBLY MAY 23, 2014  
AMENDED IN ASSEMBLY APRIL 21, 2014  
CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

**ASSEMBLY BILL**

**No. 2071**

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**Introduced by Assembly Member Levine  
(Coauthor: Assembly Member Gatto)**

February 20, 2014

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An act to add Section 13521.1 to the Water Code, relating to recycled water.

LEGISLATIVE COUNSEL'S DIGEST

AB 2071, as amended, Levine. Recycled water: pasture animals.

Existing law requires the State Department of Public Health to establish uniform statewide recycling criteria for each varying type of use of recycled water where the use involves the protection of public health.

This bill would require, by December 31, 2016, the department, in consultation with ~~the Department of Food and Agriculture~~ *impacted state agencies*, to determine whether the use of disinfected tertiary treated recycled water for the purpose of providing water to pasture animals would be safe for public and animal health. This bill would require the department to establish uniform statewide recycling criteria for the use of recycled water for the purpose of providing water to pasture animals if the department determines that the use of disinfected tertiary treated recycled water for this purpose would harm public or animal health. The bill would authorize the department to approve the use of disinfected tertiary treated recycled water for this purpose if the

department determines that its use would not harm public or animal health but would prohibit the use of disinfected tertiary treated recycled water in the water supply for dairy animals that are currently producing dairy products for human consumption.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: no.

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

1 SECTION 1. Section 13521.1 is added to the Water Code, to  
2 read:

3 13521.1. (a) By December 31, 2016, the State Department of  
4 Public Health, in consultation with ~~the Department of Food and~~  
5 ~~Agriculture~~ *impacted state agencies*, shall determine whether the  
6 use of disinfected tertiary treated recycled water, as defined by  
7 Section 60301.230 of Title 22 of the California Code of  
8 Regulations, for the purpose of providing water to pasture animals,  
9 would be safe for public and animal health. If the State Department  
10 of Public Health determines that the use of disinfected tertiary  
11 treated recycled water for the purpose of providing water to pasture  
12 animals would harm public or animal health, the State Department  
13 of Public Health shall establish uniform statewide recycling criteria  
14 for the use of disinfected tertiary recycled water for the purpose  
15 of providing water to pasture animals. Except as provided in  
16 subdivision (c), if the State Department of Public Health determines  
17 that the use of disinfected tertiary treated recycled water for the  
18 purpose of providing water to pasture animals would not harm  
19 public or animal health, the State Department of Public Health  
20 may approve the use of disinfected tertiary treated recycled water  
21 for these purposes.

22 (b) In evaluating the use of disinfected tertiary treated recycled  
23 water for the purpose of providing water to pasture animals, the  
24 State Department of Public Health shall consider all of the  
25 following:

- 26 (1) Recommendations from the existing Advisory Panel on
- 27 Constituents of Emerging Concerns in Recycled Water.
- 28 (2) State-funded research performed pursuant to Section 79144
- 29 and subdivision (b) of Section 79145.
- 30 (3) Research by the state board relating to unregulated pollutants.

1 (c) Disinfected tertiary treated recycled water shall not be used  
2 in the water supply for dairy animals that are currently producing  
3 dairy products for human consumption.

4 (d) A person shall not be required to use disinfected tertiary  
5 treated recycled water for the purposes described in this section.

6 (e) The adoption of uniform statewide recycling criteria pursuant  
7 to this section shall be subject to the provisions of Chapter 3.5  
8 (commencing with Section 11340) of Part 1 of Division 3 of Title  
9 2 of the Government Code.

10 (f) *For purposes of this section, the State Department of Public*  
11 *Health shall also mean any successor agency.*