

AMENDED IN SENATE JUNE 30, 2014

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. *Existing law transfers these duties to the State Water Resources Control Board on July 1, 2014.*

This bill would require, by December 31, 2016, the ~~department~~ *state board*, in consultation with 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~~ *state board* to establish uniform statewide recycling criteria for the use of recycled water for the purpose of providing water to pasture animals if the ~~department~~ *state board* 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~~ *state board* to approve the use of disinfected tertiary treated recycled water for this purpose if the ~~department~~ *state board* 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~~ *state board*, in consultation with impacted state  
 5 agencies, shall determine whether the use of disinfected tertiary  
 6 treated recycled water, as defined by Section 60301.230 of Title  
 7 22 of the California Code of Regulations, for the purpose of  
 8 providing water to pasture animals, would be safe for public and  
 9 animal health. If the ~~State Department of Public Health~~ *state board*  
 10 determines that the use of disinfected tertiary treated recycled  
 11 water for the purpose of providing water to pasture animals would  
 12 harm public or animal health, the ~~State Department of Public~~  
 13 ~~Health~~ *state board* shall establish uniform statewide recycling  
 14 criteria for the use of disinfected tertiary recycled water for the  
 15 purpose of providing water to pasture animals. Except as provided  
 16 in subdivision (c), if the ~~State Department of Public Health~~ *state*  
 17 *board* determines that the use of disinfected tertiary treated recycled  
 18 water for the purpose of providing water to pasture animals would  
 19 not harm public or animal health, the ~~State Department of Public~~  
 20 ~~Health~~ *state board* may approve the use of disinfected tertiary  
 21 treated recycled water 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~~ *state board* shall ~~consider~~  
 25 *consider, at minimum*, all of the following:  
 26 (1) Recommendations from the existing Advisory Panel on  
 27 Constituents of Emerging Concerns in Recycled Water.

1 (2) State-funded research performed pursuant to Section 79144  
2 and subdivision (b) of Section 79145.

3 (3) Research by the state board relating to unregulated pollutants.

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

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

9 (e) The adoption of uniform statewide recycling criteria pursuant  
10 to this section shall be subject to the provisions of Chapter 3.5  
11 (commencing with Section 11340) of Part 1 of Division 3 of Title  
12 2 of the Government Code.

13 (f) ~~For purposes of this section, the State Department of Public~~  
14 ~~Health shall also mean any successor agency.~~

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