

AMENDED IN ASSEMBLY MAY 8, 2014  
AMENDED IN ASSEMBLY APRIL 24, 2014  
AMENDED IN ASSEMBLY APRIL 21, 2014  
AMENDED IN ASSEMBLY MARCH 24, 2014  
CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

**ASSEMBLY BILL**

**No. 2282**

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**Introduced by Assembly Member Gatto**

February 21, 2014

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

LEGISLATIVE COUNSEL'S DIGEST

AB 2282, as amended, Gatto. Building standards: recycled water infrastructure.

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 propose the adoption, amendment, or repeal by the commission, of mandatory building standards for the installation of recycled water infrastructure 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 piping to areas within a local jurisdiction that meet specified conditions, and to consider whether a service area plans to provide potable water prior to mandating the use of recycled water piping. The bill would require the ~~department~~ *commission* to seek advice from specified entities when developing the application provisions for the mandatory building standards. The bill would require the commission to undertake identical research and activities with respect to development of mandatory green building standards for the installation of recycled water infrastructure for newly constructed commercial and public buildings.

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 17921.5 is added to the Health and Safety  
2 Code, to read:  
3 17921.5. (a) (1) The department shall conduct research to  
4 assist in the development of mandatory building standards for the  
5 installation of recycled water infrastructure for newly constructed  
6 single-family and multifamily residential buildings. In conducting  
7 this research, the department shall actively consult with the State  
8 Water Resources Control Board, the State Department of Public  
9 Health, and other interested parties, including, but not limited to,  
10 public water systems, recycled water producers, product  
11 manufacturers, local building officials, apartment owners, certified  
12 contractors, and the building industry.  
13 (2) In researching, developing, and proposing mandatory  
14 building standards under this section, the department may expend

1 funds from the Building Standards Administration Special  
2 Revolving Fund, upon appropriation pursuant to Section 18931.7.

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

5 (A) Potential outdoor applications for recycled water, including  
6 drip and sprinkler irrigation and use in certain aesthetic water  
7 features.

8 (B) Potential indoor applications for recycled water, including  
9 use in toilets, washing machines, or both. With respect to indoor  
10 applications, the department shall consider whether to adopt or  
11 recommend measures to ensure that indoor recycled water piping  
12 is safely installed, including, but not limited to, requiring purple  
13 pipe *or* special markings on recycled water piping that states clearly  
14 whether it is approved for indoor use, or recommending restrictions  
15 on who may purchase or install recycled water piping for indoor  
16 use.

17 (C) The cost of various recycled water systems and  
18 infrastructure.

19 (D) The estimated quantity of water savings under varying levels  
20 of application of recycled water in residential buildings and  
21 adjacent landscaping.

22 (b) (1) The department shall propose the adoption, amendment,  
23 or repeal by the California Building Standards Commission  
24 pursuant to Chapter 4 (commencing with Section 18935) of Part  
25 2.5, of mandatory building standards for the installation of ~~future~~  
26 recycled water infrastructure for *newly constructed* single-family  
27 residential and multifamily residential buildings. The department  
28 shall submit these proposed mandatory building standards to the  
29 commission for consideration in the next regularly scheduled  
30 Intervening Code Cycle adopted after January 1, 2017.

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

1 (3) The department shall consider whether a service area plans  
2 to provide potable water prior to mandating the use of recycled  
3 water piping.

4 (4) In developing the mandatory building standards required  
5 under paragraph (1), the department shall consider the definition  
6 for recycled water as established in ~~Section 60301~~ *Article 1*  
7 *(commencing with Section 60301.100) of Chapter 3 of Division 4*  
8 of Title 22 of the California Code of Regulations.

9 (5) The department shall seek advice from the State Department  
10 of Public Health, the Department of Water Resources, the State  
11 Water Resources Control Board, public water systems, recycled  
12 water producers, and water research associations when developing  
13 the application provisions for the mandatory building standards  
14 required under paragraph (1).

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

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

23 18940.6. (a) (1) The California Building Standards  
24 Commission shall conduct research to assist in the development  
25 of mandatory green building standards for the installation of  
26 recycled water infrastructure for newly constructed commercial  
27 and public buildings. In conducting this research, the commission  
28 shall actively consult with the State Water Resources Control  
29 Board, the State Department of Public Health, and other interested  
30 parties, including, but not limited to, public water systems, recycled  
31 water producers, product manufacturers, local building officials,  
32 apartment owners, certified contractors, and the building industry.

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

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

1 (A) Potential outdoor applications for recycled water, including  
2 drip and sprinkler irrigation and use in certain aesthetic water  
3 features.

4 (B) Potential indoor applications for recycled water, including  
5 use in toilets, washing machines, or both. With respect to indoor  
6 applications, the commission shall consider whether to adopt or  
7 recommend measures to ensure that indoor recycled water piping  
8 is safely installed, including, but not limited to, requiring purple  
9 pipe or special markings on recycled water piping that states clearly  
10 whether it is approved for indoor use, or recommending restrictions  
11 on who may purchase or install recycled water piping for indoor  
12 use.

13 (C) The cost of various recycled water systems and  
14 infrastructure.

15 (D) The estimated quantity of water savings under varying levels  
16 of application of recycled water in commercial and public buildings  
17 and adjacent landscaping.

18 (b) (1) ~~The Building Standards Commission~~ *commission* shall  
19 develop and adopt mandatory building standards for the installation  
20 of ~~future~~ recycled water infrastructure for *newly constructed*  
21 commercial and public buildings in the next regularly scheduled  
22 Intervening Code Cycle adopted after January 1, 2017.

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

32 (3) The commission shall consider whether a service area plans  
33 to provide potable water prior to mandating the use of recycled  
34 water piping.

35 (4) In developing the mandatory building standards required  
36 under paragraph (1), the department shall consider the definition  
37 for recycled water as established in ~~Section 60301~~ *Article 1*  
38 *(commencing with Section 60301.100) of Chapter 3 of Division 4*  
39 *of Title 22 of the California Code of Regulations.*

- 1 (5) The ~~department~~ *commission* shall seek advice from the State  
2 Department of Public Health, the Department of Water Resources,  
3 the State Water Resources Control Board, public water systems,  
4 recycled water producers, and water research associations when  
5 developing the application provisions for the mandatory building  
6 standards required under paragraph (1).
- 7 (6) A city, county, or city and county, in consultation with the  
8 public water system and recycled water producer, may further  
9 reduce the area for which the mandate to install recycled water  
10 piping applies, if the local public water system or recycled water  
11 producer finds that providing recycled water to an area is not  
12 feasible or cost effective.