

Senate Engrossed House Bill

~~rulemaking review; time frame~~

(now: gray water; residential standards; rules)

State of Arizona
House of Representatives
Fifty-sixth Legislature
First Regular Session
2023

CHAPTER 105
HOUSE BILL 2143

AN ACT

AMENDING SECTION 49-204, ARIZONA REVISED STATUTES; RELATING TO GRAY WATER REUSE.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:
2 Section 1. Section 49-204, Arizona Revised Statutes, is amended to
3 read:
4 49-204. Gray water reuse; residential standards; rules
5 A. A city, town or county may not ~~further~~ limit the use of gray
6 water by rule or ordinance ~~if the gray water use is allowed by a permit~~
7 ~~that is issued by the department for the direct reuse of reclaimed water;~~
8 unless, in an initial active management area that has a groundwater
9 management goal of safe yield and that does not contain a part of the
10 central Arizona project aqueduct, effluent has been included in an assured
11 water supply determination pursuant to section 45-576 and the use of gray
12 water would reduce the volume of effluent available to satisfy assured
13 water supply requirements applicable to that determination.
14 B. FOR RESIDENTIAL GRAY WATER TREATMENT SYSTEMS THAT ARE USED
15 INDOORS FOR TOILET FLUSHING, THE DIRECTOR MAY ESTABLISH BY RULE MINIMUM
16 REQUIREMENTS THAT ARE NECESSARY SPECIFICALLY TO ADDRESS PUBLIC HEALTH OR
17 SAFETY CONCERNS.
18 C. UNTIL RULES ARE ADOPTED PURSUANT TO SUBSECTION B OF THIS
19 SECTION, RESIDENTIAL GRAY WATER MAY BE USED INDOORS FOR TOILET FLUSHING
20 WITH A GRAY WATER TREATMENT SYSTEM THAT COMPLIES WITH ALL OF THE
21 FOLLOWING:
22 1. USES LESS THAN FOUR HUNDRED GALLONS OF GRAY WATER PER DAY.
23 2. IS CERTIFIED TO MEET STANDARD 350 FOR RESIDENTIAL GRAY WATER
24 RECYCLING THAT IS ISSUED BY A NATIONAL SANITARY FOUNDATION AND AN AMERICAN
25 NATIONAL STANDARDS INSTITUTE.
26 3. REASONABLY PRECLUDES HUMAN CONTACT WITH GRAY WATER.
27 4. PROVIDES A DEDICATED PIPING SYSTEM THAT SUPPLIES ONLY TREATED
28 GRAY WATER TO THE TOILET FLUSHING FACILITIES.
29 5. PROVIDES GRAY WATER FOR TOILET FLUSHING ONLY IF THE SYSTEM IS
30 PROPERLY FUNCTIONING.
31 D. ANY RESIDENTIAL GRAY WATER TREATMENT SYSTEM THAT IS INSTALLED
32 AFTER THE EFFECTIVE DATE OF RULES ADOPTED PURSUANT TO SUBSECTION B OF THIS
33 SECTION AND THAT INCLUDES THE USE OF GRAY WATER FOR INDOOR TOILET FLUSHING
34 SHALL MEET THE MINIMUM REQUIREMENTS THAT ARE ESTABLISHED BY THOSE RULES.

APPROVED BY THE GOVERNOR MAY 1, 2023.

FILED IN THE OFFICE OF THE SECRETARY OF STATE MAY 1, 2023.