

Local Mandate Fiscal Impact Estimate
Kentucky Legislative Research Commission
2016 Regular Session

Part I: Measure Information

Bill Request #: 1201

Bill #: HB 431 GA

Bill Subject/Title: AN ACT relating to water conservation

Sponsor: Representative Rocky J. Adkins

Unit of Government: City County Urban-County
 Charter County Consolidated Local Unified Local
Government

Office(s) Impacted: local health departments

Requirement: Mandatory Optional

Effect on

Powers & Duties: Modifies Existing Adds New Eliminates Existing

Part II: Purpose and Mechanics

The purpose of HB 431 is to facilitate water re-use and conservation. Section 1 of the bill would amend KRS 211.350 to recognize “gray water technologies” as a separate category of on-site sewage disposal systems and would regulate them the same as other on-site wastewater systems. The bill would include a definition of “black water” as wastewater containing liquid or solid waste generated by use of sanitary fixtures (example: urinal, water closet, garbage disposal); and a definition of “gray water” as wastewater generated by hygiene activities (example: laundry, lavatory sinks, showers). As with other on-site wastewater systems, the Cabinet for Health and Family Services would regulate the construction, installation, or alteration of gray water systems and local health departments would review plans and specifications for proposed gray water systems, conduct site evaluations, review applications and issue permits, and conduct a final systems installation inspection. Section 2 of HB 431 would create a new section of KRS Chapter 211 requiring that the Cabinet promulgate regulations updating the daily waste flow charts to account for technological improvements in water conservation using fixtures and appliances that reduce water usage, and to develop a methodology for using conservation credits for gray water systems that reduce total daily waste flows. Section 2 would also prohibit a city or county or any political subdivision of the state from prohibiting the use of gray water reduction of average daily waste flows if the gray water

use is allowed pursuant to Section 1.

Part III: Fiscal Explanation, Bill Provisions, and Estimated Cost

HB 431 would have nil to minimal fiscal impact on local governments.

Basic gray water reduction systems, such as separate lines for laundry waste, are already allowed under current law and are considered standard. The Department for Public Health of the Cabinet for Health and Human Resources anticipates very few applications for a permit to install the alternative gray water systems contemplated by the bill because they are complex, often designed by private engineers, very expensive, and best suited for multi-family, commercial, and industrial development. There may be some additional costs and local health department staff time to review and inspect these complex gray water reduction systems, and perhaps some additional training required; however, because of the expense and expected infrequent use of these systems such additional costs would be minimal. While local health department on-site sewage programs are supported by local tax dollars, they are largely funded by fees established by the local board of health as provided in KRS 211.355. Therefore, HB 431 would result in minimal, if any, fiscal impact on local governments.

Data Source(s): Kentucky Department of Public Health, local health departments

Preparer: Mary Stephens **Reviewer:** JWN **Date:** 2/24/16