



Colorado
Legislative
Council
Staff

Bill 4

FISCAL NOTE

FISCAL IMPACT: State Local Statutory Public Entity Conditional No Fiscal Impact

Drafting Number: LLS 17-0121
Prime Sponsor(s):

Date: September 12, 2016
Bill Status: WRRRC Bill Request
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BILL TOPIC: GRAYWATER REGULATION EXEMPTION FOR SCIENTIFIC RESEARCH

Summary of Legislation

Under current law, the Water Quality Control Commission (commission) in the Colorado Department of Public Health and Environment (CDPHE) adopts rules concerning water quality. One set of rules has been adopted for the control and use of graywater. Graywater refers to wastewater that, prior to being treated or combined with other wastewater, is collected from certain fixtures within residential, commercial, or industrial buildings for a beneficial use.

This bill, *requested by the Water Resources Review Committee*, authorizes the use of graywater for scientific research involving human subjects, and sets minimum requirements for conducting such research. Research must be conducted by an educational institution, and researchers must submit a plan for the proposed research through the school's institutional review board (IRB). The IRB is required to share the research plan with the CDPHE and provide an opportunity for public comment. Following prescribed time limits, the IRB must either approve the plan, give conditional approval to the plan but recommend changes, or deny the plan. Once approved, researchers are required to provide a copy of the IRB's written approval to the CDPHE, to report annually the results of periodic monitoring conducted to assess the continued functioning of the graywater treatment system used in the research project(s), and to ensure the projects' compliance with federal rules concerning the protection of human research subjects. Graywater research conducted pursuant to this bill's authority need not comply with the commission's water quality control regulations.

Assessment

This bill does not change the workload, revenue, expenditures, or required appropriations of any state agency, or any institution of higher education. The bill merely allows an institution of higher education to conduct human-subject research on graywater systems. Such research is currently precluded by rules adopted by CDPHE. Any academic research involving human subjects is evaluated by a school's IRB, and research conducted pursuant to this bill must adhere to this preestablished process. For these reasons, the bill is assessed as having no fiscal impact.

Effective Date

The bill takes effect August 9, 2017, if the General Assembly adjourns on May 10, 2017, as scheduled, and no referendum petition is filed.

State and Local Government Contacts

Higher Education
Information Technology

Natural Resources
Public Health and Environment