

REFERENCE TITLE: **rainwater harvesting program**

State of Arizona
House of Representatives
Fifty-fifth Legislature
Second Regular Session
2022

HB 2812

Introduced by
Representatives Liguori: Abraham, Andrade, Cano, Dalessandro, Fernandez B,
Hernandez D, Longdon, Mathis, Quiñonez, Schwiebert, Solorio

AN ACT

AMENDING TITLE 45, CHAPTER 1, ARIZONA REVISED STATUTES, BY ADDING ARTICLE 2; APPROPRIATING MONIES; RELATING TO THE DEPARTMENT OF WATER RESOURCES.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Title 45, chapter 1, Arizona Revised Statutes, is
3 amended by adding article 2, to read:

4 ARTICLE 2. RAINWATER HARVESTING

5 45-121. Rainwater harvesting grant program; eligibility

6 A. THE RAINWATER HARVESTING GRANT PROGRAM IS ESTABLISHED IN THE
7 DEPARTMENT TO ASSIST PERSONS IN INSTALLING PASSIVE OR ACTIVE SYSTEMS TO
8 COLLECT AND RETAIN RAINWATER ON SITE. APPLICANTS SHALL SUBMIT PROJECT
9 PLANS FOR APPROVAL BY THE DEPARTMENT BEFORE RECEIVING ANY GRANT MONIES FOR
10 REIMBURSEMENT. THE DEPARTMENT SHALL MAKE AVAILABLE GRANT MONIES AS
11 REIMBURSEMENTS FOR PROJECTS BASED ON THE SUBMITTAL DATE AND THE
12 SUITABILITY OF A PROJECT PLAN.

13 B. THE DEPARTMENT SHALL ESTABLISH AN APPLICATION FORM AND PROJECT
14 PLAN REQUIREMENTS. TO RECEIVE APPROVAL AND GRANT MONIES FOR A PROJECT,
15 THE PROJECT MUST COMPLY WITH ALL APPLICABLE ZONING, PERMITTING, BACKFLOW
16 PREVENTION AND USE REQUIREMENTS FOR THE PROJECT AT THAT LOCATION.

17 C. THE RAINWATER HARVESTING GRANT PROGRAM SHALL PROVIDE FOR TWO
18 LEVELS OF GRANTS AS FOLLOWS BASED ON THE TYPE OF PROJECT:

19 1. FOR LEVEL 1 GRANTS, THE FOLLOWING APPLY:

20 (a) THE PROJECT IS A SIMPLE AND PASSIVE RAINWATER HARVESTING
21 SYSTEM.

22 (b) GRANT MONIES MAY BE USED TO REIMBURSE UP TO FIFTY PERCENT OR A
23 MAXIMUM OF \$500 OF THE COST OF ELIGIBLE MATERIALS AND LABOR.

24 (c) COSTS ELIGIBLE FOR REIMBURSEMENT INCLUDE:

25 (i) SURFACE, SUBSURFACE AND CONVEYANCE FEATURES.

26 (ii) MULCH, SOIL AMENDMENTS AND ROCKS AND BOULDERS FOR
27 REINFORCEMENT.

28 (iii) EQUIPMENT RENTAL SUCH AS TILLERS, JACKHAMMERS AND TRENCHERS.

29 (iv) PERMIT COSTS AND COSTS FOR CURB CUTS AND CORING.

30 (v) LABOR FROM PERSONS WHO ARE LICENSED BY THE REGISTRAR OF
31 CONTRACTORS IN THE SPECIFIC TRADE OR FIELD APPROPRIATE TO THE WORK
32 PERFORMED.

33 2. FOR LEVEL 2 GRANTS, THE FOLLOWING APPLY:

34 (a) THE PROJECT IS AN ACTIVE AND MORE COMPLEX RAINWATER HARVESTING
35 SYSTEM THAN A LEVEL 1 SYSTEM.

36 (b) GRANT MONIES MAY BE USED FOR THE FULL COST OF THE RAINWATER
37 HARVESTING SYSTEM BASED ON THE CAPACITY OF THE RAIN STORAGE TANK, UP TO A
38 MAXIMUM OF \$2,000 AS FOLLOWS:

39 (i) FOR A TANK WITH A CAPACITY OF FIFTY TO SEVEN HUNDRED
40 NINETY-NINE GALLONS, \$.25 FOR EACH GALLON OF TANK CAPACITY.

41 (ii) FOR A TANK WITH A CAPACITY OF EIGHT HUNDRED GALLONS OR MORE,
42 \$1 FOR EACH GALLON OF TANK CAPACITY.

43 (iii) THE \$.25 AND \$1 PER GALLON CAPACITY REBATE AMOUNTS INCLUDE
44 THE COST OF THE TANK, GUTTER, TANK FOUNDATION, OVERFLOW AND MISCELLANEOUS
45 MATERIALS THAT MAKE UP THE SYSTEM.

- 1 D. GRANT MONIES DO NOT COVER AND THE FOLLOWING ARE NOT REIMBURSABLE
2 COSTS:
- 3 1. CONVEYANCE FEATURES THAT DIRECT RAINWATER OFF-SITE WITHOUT
4 ENTERING AN APPROPRIATELY-SIZED LANDSCAPE RETENTION FEATURE OR STORAGE
5 TANK.
 - 6 2. OVERFLOW FEATURES SUCH AS A ROCK OR MULCH BASIN.
 - 7 3. REMOVING AND REPLACING OLD GUTTERS.
 - 8 4. IMPORTING SOIL TO CREATE PASSIVE RAIN GARDEN PRACTICES.
 - 9 5. PURCHASING OR DELIVERING GRAVEL OR DECOMPOSED GRANITE AS A
10 SURFACE COVER.
 - 11 6. PURCHASING OR INSTALLING PRESSURIZING PUMPS OR ASSOCIATED
12 CONTROLS.
 - 13 7. PURCHASING OR INSTALLING IRRIGATION SYSTEMS OR BACKFLOW
14 PREVENTION DEVICES THAT ARE OTHERWISE REQUIRED FOR A SITE WITH A PUMP
15 SYSTEM FOR DISTRIBUTING NONMUNICIPAL POTABLE WATER.
 - 16 8. PURCHASING OR INSTALLING LANDSCAPING MATERIALS SUCH AS PLANTS,
17 EDGING OR DECORATIVE GRAVEL.
 - 18 9. LABOR THAT IS PROVIDED BY THE OWNER, A HANDYMAN OR ANY OTHER
19 PERSON WHO IS NOT A REGISTERED CONTRACTOR IN THIS STATE.
 - 20 10. PURCHASING TOOLS SUCH AS SHOVELS, RAKES, DRILL BITS AND GARDEN
21 HOSES.
 - 22 11. USED OR RECONDITIONED TANKS AND CISTERNS, UNLESS APPROVED BY
23 THE DEPARTMENT.
- 24 E. THE DEPARTMENT MAY INSPECT AND AUDIT A PROJECT THAT RECEIVES
25 GRANT MONIES PURSUANT TO THIS SECTION.
- 26 Sec. 2. Appropriation; department of water resources; rainwater
27 harvesting grant program; exemption
- 28 A. The sum of \$1,000,000 is appropriated from the state general
29 fund in fiscal year 2022-2023 to the department of water resources for
30 funding and administering the rainwater harvesting grant program
31 established by section 45-121, Arizona Revised Statutes, as added by this
32 act.
- 33 B. The appropriation made in subsection A of this section is exempt
34 from the provisions of section 35-190, Arizona Revised Statutes, relating
35 to lapsing of appropriations.