

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2023

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SENATE BILL 166
Agriculture, Energy, and Environment Committee Substitute Adopted 5/2/23

Short Title: Backflow Preventers/Local Auth.

(Public)

Sponsors:

Referred to:

February 28, 2023

1 A BILL TO BE ENTITLED
2 AN ACT TO PROHIBIT PUBLIC WATER SYSTEMS FROM REQUIRING INSTALLATION
3 OF BACKFLOW PREVENTERS NOT OTHERWISE REQUIRED BY STATE OR
4 FEDERAL LAW, EXCEPT IN CERTAIN CIRCUMSTANCES.

5 The General Assembly of North Carolina enacts:

6 SECTION 1. Article 10 of Chapter 130A of the General Statutes is amended by
7 adding a new section to read:

8 "**§ 130A-330. Local authority to require backflow preventers.**

9 (a) No public water system owned or operated by a local government unit, as that term is
10 defined in G.S. 159G-20(13), shall require a customer to install a backflow preventer not
11 otherwise required by State or federal law, except where the degree of hazard from the customer's
12 connection is determined to be severe by the system or the Department.

13 (b) The limitation established in subsection (a) of this section shall not be construed to
14 prohibit requirements for installation of backflow preventers pursuant to the State Plumbing
15 Code due to retrofit or upfit/fit-up to the customer's plumbing, or facility addition on the
16 customer's property.

17 (c) For purposes of this section, the following definitions apply:

18 (1) "Backflow preventer" means an assembly, device, or method that prohibits the
19 backflow of water into potable water supply systems.

20 (2) "Severe hazard" means an actual or potential threat of contamination that
21 presents an imminent danger to the public health with consequence of serious
22 illness or death."

23 SECTION 2. This act is effective when it becomes law and applies to requirements
24 for installation of backflow preventers made by a water public supply on or after that date.



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