

# STATE LEAD REGULATIONS

## Lead testing in schools and/or child care facilities

\*scope of regulations varies

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### California

**Policy Title:** Assembly Bill 746

**Status:** Signed into law 10/13/2017

**Oversight:** Community Water Systems

**Mandatory/Voluntary:** Mandatory

**Notes:** Mandatory for local education agency school buildings constructed before January 1, 2010 (with some exceptions, and does not include those that operate as their own public water system)

**Summary:** A community water system serving a schoolsite of a local educational agency with a building constructed before January 1, 2010, on that schoolsite shall test for lead in the potable water system of the schoolsite on or before July 1, 2019. If lead levels exceed 15 parts per billion, the local educational agency must take immediate steps to make inoperable and shut down from use all fountains and faucets where the excess lead levels may exist. Additional testing may be required to determine if all or just some of the school’s fountains and faucets are required to be shut down.

**Full Text:** [https://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill\\_id=201720180AB746](https://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill_id=201720180AB746)

**Policy Title:** AB 2370

**Status:** Signed into law 9/22/2018

**Oversight:** Community water system

**Mandatory/Voluntary:** Mandatory

**Notes:** parent and guardian notification if lead levels exceed 15 ppb

**Summary:** Community water systems that serve licensed child day care facilities must test for lead in the potable water system of the facility. The state board, in collaboration with the State Department of Social Services, to develop informational materials and a notification template for a child day care facility to use when notifying parents and guardians about elevated lead levels.

**Full Text:** [https://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill\\_id=201720180AB2370](https://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill_id=201720180AB2370)



## Colorado

**Policy Title:** House Bill 1306

**Status:** Signed into law 6/8/2017

**Oversight:** Public Schools

**Mandatory/Voluntary:** Voluntary

**Notes:** Grantees can be public school district schools, charter schools, and board of cooperative services.

**Summary:** Directs the Department of Public Health and Environment to establish a grant program to test for lead in public schools' drinking water. The department will give the highest priority to the oldest public elementary schools, then the oldest public schools that are not elementary schools, and then all other public schools. The department may also consider ability to pay in administering the program. The department is directed to use its best efforts to complete all testing and analysis by June 30, 2020. The public school must provide at least 10% local matching funds and give the test results to its local public health agency, its supplier of water, its school board, and the department. The department may use up to \$300,000 per year for 3 years for grants beginning on or after July 1, 2017, from the water quality improvement fund if there is money available after fully funding existing programs.

**Full Text:** <https://leg.colorado.gov/bills/hb17-1306>

## District of Columbia

**Policy Title:** Legislative Bill 29

**Status:** Signed into law 7/31/2017

**Oversight:** Department of General Services (DGS)

**Mandatory/Voluntary:** Mandatory

**Notes:** Mandatory for drinking water sources (e.g., reasonably expected to be used for consumption or cooking). Requires the installation of filters at all sources of drinking water in school buildings (regardless of test results); at tested level of 5 ppb, water must be shut off and action taken.

**Summary:** Requires public schools and public charter schools, recreation centers, and child development facilities to locate all drinking water sources, install and maintain filters for reducing lead at all drinking water sources and test all drinking water sources for lead annually.

**Full Text:** <http://lms.dccouncil.us/Legislation/B22-0029?FromSearchResults=true>

## Illinois

**Policy Title:** Senate Bill 550

**Status:** Signed into law 1/11/2017

**Oversight:** School districts or administrators

**Mandatory/Voluntary:** Mandatory

**Notes:** Mandatory for school buildings constructed before January 1, 2000 that are occupied by more than ten students in pre-K through 5<sup>th</sup> grade, each source that may be ingested by children or used for food preparation.

**Summary:** Requiring the adoption of rules for assessing levels of lead in water in licensed day care centers, day care homes, and group day care homes constructed on or before January 1, 2000. require the school district or chief school administrator to test for lead in drinking water in school buildings and provide written notification of the test results.

**Full Text:**

<http://www.ilga.gov/legislation/fulltext.asp?DocName=&SessionId=88&GA=99&DocTypeId=SB&DocNum=550&GAID=13&LegID=84513&SpecSess=&Session>

## Louisiana

**Policy Title:** HB 633

**Status:** Signed into law 5/30/2018

**Oversight:** State Department of Health

**Mandatory/Voluntary:** Pilot Program

**Notes:** DOH will select participating public elementary schools built prior to 1986 or susceptible to contamination.

**Summary:** Requires an annual report of findings and outcomes to the relevant House and Senate Committees.

**Full Text:** <https://legiscan.com/LA/bill/HB633/2018>

**Policy Title:** House Resolution 221

**Status:** Resolution adopted 5/18/2018

**Oversight:** Department of Health

**Mandatory/Voluntary:** Pilot Program

**Summary:** Creates a pilot program for drinking water testing in schools.

**Full Text:** <http://www.legis.la.gov/legis/BillInfo.aspx?s=18RS&b=HR221&sbi=y>

## **Maryland**

**Policy Title:** HB 270

**Status:** Signed into law 4/4/2017

**Oversight:** Public school systems and private schools

**Mandatory/Voluntary:** Mandatory

**Notes:** Mandatory for occupied public and private schools that are not public water systems; waiver available based on prior testing. Elevated levels trigger follow-up actions focused on the specific drinking water outlet (e/g/ faucet or fountain), including shut-off, remediation measures, and retesting.

**Summary:** Requires the Department of Environment and the Department of Education to adopt regulations requiring periodic testing for lead in each drinking water outlet located in an occupied public or nonpublic school building.

**Full Text:** [https://mde.maryland.gov/programs/Water/water\\_supply/Pages/Testing-For-Lead-In-Drinking-Water-Public-and-Nonpublic-Schools.aspx](https://mde.maryland.gov/programs/Water/water_supply/Pages/Testing-For-Lead-In-Drinking-Water-Public-and-Nonpublic-Schools.aspx)

## **Minnesota**

**Policy Title:** HF 2

**Status:** Signed into law 5/30/2018

**Oversight:** Public school districts and charter schools

**Mandatory/Voluntary:** Mandatory

**Notes:** Mandatory for all public K-12 schools. All schools need to include lead remediation in 10-year facilities plan.

**Full Text:** <https://www.revisor.mn.gov/bills/bill.php?b=House&f=HF0002&ssn=0&y=2017>

## **New Hampshire**

**Policy Title:** SB 247

**Status:** Signed into law 2/8/2018

**Oversight:** schools

**Mandatory/Voluntary:** Mandatory

**Notes:** Mandatory for public and private schools (all locations at the facility that are available for consumption by children). If lead level exceeds EPA action level, schools are to provide drinking water that meets the standard and implement a remediation plan. If the EPA changes the action level, schools are responsible for comparing the most recent results with the new level and taking action if exceeded.

**Summary:** Requires testing for lead in drinking water in child care facilities and schools.

**Full Text:** <https://legiscan.com/NH/bill/SB247/2018>

## New York

**Policy Title:** AB 10740

**Status:** Signed into law 9/6/2016

**Oversight:** School districts and board of cooperative educational services

**Mandatory/Voluntary:** Mandatory

**Notes:** Mandatory for every occupied school building in the jurisdiction of school districts and boards of cooperative educational services. If a water outlet exceeds 15 ppb, the school must prohibit the use of the outlet, provide a safe water supply, and notify the health department.

**Full Text:** <https://www.nysenate.gov/legislation/bills/2015/A10740>

## Ohio

**Policy Title:** HB 390

**Status:** Signed into law 5/25/2016

**Oversight:** Schools

**Mandatory/Voluntary:** Voluntary

**Notes:** Voluntary for traditional public school, community school, or charter nonpublic school that is housed in a building constructed before 1990. Guidelines issued by the Ohio facilities construction commission require all test records to be made available upon request, as a public record.

**Full Text:** <https://www.legislature.ohio.gov/legislation/legislation-status?id=GA131-HB-390>

**Policy Title:** HB 512

**Status:** Signed into law 5/25/2016

**Oversight:** School that run their own water systems

**Mandatory/Voluntary:** Mandatory

**Notes:** Mandatory for schools that run their own water systems. The Department of Environmental Protection can require schools to test additional locations based on presence of lead fixtures and materials.

**Full Text:** <https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA131-HB-512>

## Oregon

**Policy Title:** SB 1062

**Status:** Signed into law 8/8/2017

**Oversight:** School districts, education service districts, and public charter schools

**Mandatory/Voluntary:** Mandatory

**Notes:** All results must be made available to the public, with e-mails sent to parents and staff

**Full Text:** <https://olis.leg.state.or.us/liz/2017R1/Measures/Overview/SB1062>

## Pennsylvania

**Policy Title:** HB 1448

**Status:** Signed into law 6/22/2018

**Oversight:** Schools

**Mandatory/Voluntary:** Voluntary

**Notes:** Grantees can be public schools, charter schools, and board of cooperative services

**Summary:** Testing reports must be posted on the Department of Education's website. If lead levels exceed EPA maximum contaminant level goals, schools are to implement a plan to prevent exposure to lead contaminated drinking water and make alternative sources available.

**Full Text:**

<https://www.legis.state.pa.us/cfdocs/billInfo/billInfo.cfm?sYear=2017&sInd=0&body=H&type=B&bn=1448>

## Rhode Island

**Policy Title:** HB 8127/SB 3098

**Status:** Signed into law 7/12/2016

**Oversight:** Department of Health

**Mandatory/Voluntary:** Mandatory

**Notes:** Mandatory for all public schools

**Summary:** Directs the department of health to use funds from federal capitalization grants to conduct baseline copper and lead testing the water supply systems of each local government as well as in public schools and licensed daycare facilities.

**Full Text:** <http://webserver.rilin.state.ri.us/BillText/BillText16/HouseText16/H8127A.pdf>

## Tennessee

**Policy Title:** SB 619

**Status:** Signed into law 5/21/2018

**Oversight:** Local boards of education

**Mandatory/Voluntary:** Mandatory

**Notes:** Mandatory for public schools constructed prior to January 1, 1998

**Summary:** Requires each local board of education to develop a policy to implement a program to reduce the potential sources of lead contamination in drinking water in public schools that incorporates periodic, not to exceed biennial, testing of lead levels in drinking water sources at school facilities that were constructed prior to January 1, 1998. Parental, state, and local agency notifications required only for results exceeding 20 ppb.

**Full Text:** <http://wapp.capitol.tn.gov/apps/BillInfo/Default.aspx?BillNumber=SB0619&GA=110>

## Virginia

**Policy Title:** AB 1359

**Status:** Signed into law 3/20/2017

**Oversight:** Local school boards

**Mandatory/Voluntary:** Mandatory

**Notes:** Mandatory for public schools, with priority to school buildings constructed before 1986; no deadline for compliance

**Summary:** Each local school board shall develop and implement a plan to test and, if necessary, remediate potable water from sources identified by the U.S. Environmental Protection Agency as high priority for testing, including bubbler-style and cooler-style drinking fountains, cafeteria or kitchen taps, classroom combination sinks and drinking fountains, and sinks known to be or visibly used for consumption. The local school board shall give priority in the testing plan to schools whose school building was constructed, in whole or in part, before 1986.

**Full Text:** <http://lis.virginia.gov/cgi-bin/legp604.exe?171+ful+CHAP0628>

## Washington

**Policy Title:** SB 6032

**Status:** Signed into law 3/27/2018

**Oversight:** Department of Health

**Mandatory/Voluntary:** Voluntary

**Notes:** Voluntary for elementary schools, with priority given to those with the youngest children and oldest buildings.

**Full Text:** <https://app.leg.wa.gov/billsummary?BillNumber=6032&Year=2017>



## PROPOSED STATE LEAD REGULATIONS

Lead testing in schools and/or child care facilities

\*scope of regulations varies (updated 3/25/2019)

Arizona HB 2593 (Introduced 2/7/2019)	New Jersey AB 1875 (Introduced 1/9/2018)
Connecticut SB 49 (Introduced 1/16/2019)	New Jersey SB 1355 (Introduced 2/1/2018)
Connecticut HB 6533 (Introduced 1/28/2019)	New Jersey AB 1879 (Introduced 1/9/2018)
Florida SB 66 (Introduced 11/20/2018)	New Jersey SB 1356 (Introduced 2/1/2018)
Florida HB 545 (Introduced 1/23/2019)	New Jersey AB 2422 (Introduced 2/1/2018)
Georgia SB 199 (Introduced 02/27/2019)	New Jersey SB 1320 (Introduced 2/1/2018)
Illinois HB 3327 (Introduced 2/15/2019)	New Jersey AB 3070 (Introduced 2/8/2018)
Illinois SB 1270 (Introduced 2/6/2019)	New Jersey SB 772 (Introduced 1/9/2018)
Indiana SB 297 (Introduced 1/7/2019)	New York AB 6046 (Introduced 2/26/2019)
Indiana SB 467 (Introduced 1/14/2019)	New York SB 842 (Introduced 1/9/2019)
Indiana HB 1433 (Introduced 1/15/2019)	New York SB 3698 (Introduced 2/12/2019)
Kentucky HB 209 (Introduced 2/5/2019)	Pennsylvania SB 39 (Introduced 1/11/2019)
Maine LD 153 SB 40 (Introduced 1/17/2019)	Pennsylvania HB 215 (Introduced 1/28/2019)
Maryland HB 496 (Introduced 1/17/2019)	Pennsylvania SB 1051 (Introduced 2/14/2018)
Maryland HB 1253 (Introduced 1/17/2019)	Texas HB 997 (Introduced 1/23/2019)
Maryland SB 481 (Introduced 2/4/2019)	Texas HB 2998 (Introduced 3/4/2019)
Massachusetts HB 774 (Introduced 1/22/2019)	Vermont HB 302 (Introduced 2/21/2019)
Michigan HB 4064 (Introduced 1/17/2019)	Vermont SB 40 (Introduced 1/18/2019)
New Hampshire SB 171 (Introduced 1/3/2019)	Virginia SB 1622 (Introduced 1/9/2019)
New Jersey AB 4772 (Introduced 12/06/2018)	Utah HB 360 (Introduced 1/31/2019)
New Jersey SB 3391 (Introduced 12/06/2018)	Washington HB 1860 (Introduced 3/1/2019)