



**Fiscal Note**  
**H.B. 21 1st Sub. (Buff)**  
2022 General Session  
School and Child Care Center Water  
Testing Requirements - As Amended  
by Handy, S. (Handy, Stephen.)



**General, Education, and Uniform School Funds**

JR4-4-101

	Ongoing	One-time	Total
Net GF/EF/USF (rev.-exp.)	\$0	\$0	\$0

**State Government**

UCA 36-12-13(2)(c)

Revenues	FY 2022	FY 2023	FY 2024
Total Revenues	\$0	\$0	\$0

Enactment of this legislation likely will not materially impact state revenue.

Expenditures	FY 2022	FY 2023	FY 2024
Federal Funds	\$0	\$411,500	\$411,500
Federal Funds - American Rescue Plan	\$0	\$3,500,000	\$0
Beginning Nonlapsing	\$0	\$0	\$1,358,900
Closing Nonlapsing	\$0	\$(1,358,900)	\$0
Total Expenditures	\$0	\$2,552,600	\$1,770,400

Enactment of this legislation could cost the Department of Environmental Quality (DEQ) \$3,500,000 one-time from previously authorized Federal Funds of the American Rescue Plan Act (ARPA) to issue reimbursements to schools and childcare centers to cover the expenses of testing consumable taps for lead and to provide staff to coordinate sampling and remediation efforts. The Department may also provide reimbursements for the costs of remediating for taps found above the action level for lead. This bill could also cost DEQ up to \$411,500 from previously authorized Federal Funds (non-ARPA) for lead testing in schools and childcare centers.

	FY 2022	FY 2023	FY 2024
Net All Funds	\$0	\$(2,552,600)	\$(1,770,400)

## **Local Government**

UCA 36-12-13(2)(c)

Enactment of this legislation could have a fiscal impact for Local Education Agencies (LEAs) to collect and submit a sample from consumable taps in their facilities to a Certified Laboratory for lead testing. The expense of testing would be paid by the Department of Environmental Quality (DEQ). It is estimated that there are 45,262 consumable taps subject to testing, and 11% of those taps may require action. The average cost for lead remediation is \$281. To the extent that consumable taps are found to be above the action level of 5 parts-per-billion, LEAs could incur expenses of up to \$1,399,000 for remediation actions. Subject to availability of funding from previously authorized Federal grants, these expenses may be reimbursable through DEQ. This figure could be reduced if taps have been tested for lead since January 1st, 2016.

## **Individuals & Businesses**

UCA 36-12-13(2)(c)

Enactment of this legislation could result in a fiscal impact for private schools (who would be required) and childcare centers (who would have the option) to collect and submit a sample from consumable taps in their facilities to a Certified Laboratory. Under this bill, Private Schools and Childcare Centers would not be required to pay for lead testing, however Private Schools would be financially responsible for remediation of taps that test above the action level of 5 parts-per-billion and are required to report remedial actions to the Department of Environmental Quality (DEQ). It is estimated that there are 8,100 in Private Schools and Childcare Centers subject to testing, and that 11% of those taps may require remedial actions. The average cost for lead remediation is \$281, resulting in a total possible cost to all private schools and childcare centers in the state of \$250,400 (which may be reimbursable through DEQ, subject to the availability of previously authorized Federal grants). This figure could be reduced if consumable taps have been tested for lead since January 1st, 2016.

## **Regulatory Impact**

UCA 36-12-13(2)(d)

Enactment of this legislation could result in a small increase in the regulatory burden for Utah residents or businesses.

## **Performance Evaluation**

JR1-4-601

This bill creates a new program or significantly expands an existing program. For a list of questions lawmakers might ask to improve accountability for the proposed program, please see: <https://budget.utah.gov/newprogram>

## **Notes on Notes**

Fiscal notes estimate the direct costs or revenues of enacting a bill. The Legislature uses them to balance the budget. They do not measure a bill's benefits or non-fiscal impacts like opportunity costs, wait times, or inconvenience. A fiscal note is not an appropriation. The Legislature decides appropriations separately.