

1 **SCHOOL AND CHILD CARE CENTER WATER TESTING**

2 **REQUIREMENTS**

3 2020 GENERAL SESSION

4 STATE OF UTAH

5 **Chief Sponsor: Stephen G. Handy**

6 Senate Sponsor: _____

7

LONG TITLE

8 **General Description:**

9 This bill addresses water quality for schools and child care centers.

10 **Highlighted Provisions:**

11 This bill:

- 12 ▶ defines terms;
- 13 ▶ requires testing drinking water for lead at schools and child care centers;
- 14 ▶ requires action if lead test results are above a certain level; and
- 15 ▶ requires records to be kept and made public.

16 **Money Appropriated in this Bill:**

17 None

18 **Other Special Clauses:**

19 None

20 **Utah Code Sections Affected:**

21 ENACTS:

22 **26-39-405**, Utah Code Annotated 1953

23 **53G-9-210**, Utah Code Annotated 1953

24

Be it enacted by the Legislature of the state of Utah:

25 Section 1. Section **26-39-405** is enacted to read:



28 **26-39-405. Drinking water quality in child care centers.**

29 A child care center, as defined in Section [53G-9-210](#), shall comply with Section
30 [53G-9-210](#).

31 Section 2. Section **53G-9-210** is enacted to read:

32 **53G-9-210. Drinking water quality in schools and child care centers.**

33 (1) As used in this section:

34 (a) "Action level" means a lead concentration equal to 10 parts per billion.

35 (b) "Certified laboratory" means the State of Utah primacy laboratory or a laboratory
36 certified by the Utah State Health Laboratory.

37 (c) "Child care center" means:

38 (i) a center based child care, as defined in Section [26-39-102](#); or

39 (ii) an exempt provider, as defined in Section [26-39-102](#).

40 (d) "Consumable tap" means a sink or fountain used for consumption of water or food
41 preparation.

42 (e) "School" means a public or private:

43 (i) elementary school or secondary school;

44 (ii) preschool; or

45 (iii) kindergarten.

46 (2) A school or child care center shall test each consumable tap at the school or child
47 care center for lead:

48 (a) by no later than June 1, 2022; and

49 (b) every five years after the initial test of the consumable tap under Subsection (2)(a).

50 (3) In conducting a test under Subsection (2), the school or child care center shall:

51 (a) comply with the current testing guidelines of the Environmental Protection Agency
52 for reducing lead in drinking water in schools and child care centers; and

53 (b) submit the samples to a certified laboratory.

54 (4) If a test result of a consumable tap under Subsection (2) results in a lead level
55 above the action level, the school or child care center shall take steps to stop the use of the
56 consumable tap or reduce the lead level below the action level.

57 (5) A school or child care center shall:

58 (a) for at least five years from the day on which test results are received by the school

59 or child care center, keep a record of:

60 (i) the test results for a test taken under Subsection (2); and

61 (ii) the steps taken as required under Subsection (4); and

62 (b) make a record described in Subsection (5)(a) available to the public without charge

63 either at the premises of the school or child care center or online.