

HB0088S01 compared with HB0088

~~text~~ shows text that was in HB0088 but was deleted in HB0088S01.

inserted text shows text that was not in HB0088 but was inserted into HB0088S01.

DISCLAIMER: This document is provided to assist you in your comparison of the two bills. Sometimes this automated comparison will NOT be completely accurate. Therefore, you need to read the actual bills. This automatically generated document could contain inaccuracies caused by: limitations of the compare program; bad input data; or other causes.

Representative Stephen G. Handy proposes the following substitute bill:

SCHOOL ~~AND CHILD CARE CENTER~~ WATER TESTING ~~REQUIREMENTS~~

2020 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Stephen G. Handy

Senate Sponsor: _____

LONG TITLE

General Description:

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

Highlighted Provisions:

This bill:

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

Money Appropriated in this Bill:

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~~{None}~~ This bill appropriates in fiscal year 2021:

▶ to the State Board of Education - State Administrative Office, as a one-time appropriation:

- from the Education Fund, One-time, \$2,000,000.

Other Special Clauses:

None

Utah Code Sections Affected:

ENACTS:

~~{~~ ~~26-39-405~~, Utah Code Annotated 1953

~~}~~ **53G-9-210**, Utah Code Annotated 1953

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

Section 1. Section ~~{26-39-405}~~ **53G-9-210** is enacted to read:

~~{~~ ~~26-39-405. Drinking water quality in child care centers.~~

~~—~~ ~~A child care center, as defined in Section 53G-9-210, shall comply with Section 53G-9-210.~~

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

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

(1) As used in this section:

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

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

~~{~~ ~~(c) "Child care center" means:~~

~~—~~ ~~(i) a center based child care, as defined in Section 26-39-102; or~~

~~—~~ ~~(ii) an exempt provider, as defined in Section 26-39-102.~~

~~}~~ ~~(d)~~ **(c)** "Consumable tap" means a sink or fountain used for consumption of water or food preparation.

~~{e}~~ ~~d)~~ **"Private school"** means a ~~{ public or }~~ private:

(i) elementary school or secondary school;

(ii) preschool; or

(iii) kindergarten.

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~~(2) A school or child care center~~e) "Public school" means a public:

(i) elementary school or secondary school;

(ii) preschool; or

(iii) kindergarten.

(2) (a) A public school shall test each consumable tap at the public school ~~or child care center~~ for lead:

~~(a)i~~ by no later than ~~June 1~~December 31, 2022~~2023~~; and

~~(b)ii~~ every five years after the initial test of the consumable tap under Subsection

(2)(a).

(b) A private school may test a consumable tap at the private school under this section.

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

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

~~(b)ii~~ submit the samples to a certified laboratory.

(b) If a private school tests a consumable tap under this section, the private school may be eligible for reimbursement of costs associated with the testing at a certified laboratory if the private school requests reimbursement from the Department of Environmental Quality.

(c) If the Department of Environmental Quality determines that a public school has tested the public school's consumable taps as required by Subsection (2)(a), a public school may request reimbursement from the state board of the costs associated with testing under this section. Subject to appropriations, the state board shall reimburse the costs of testing in the order that the requests for reimbursement are made with the state board. The state board may make rules, in accordance with Title 63G, Chapter 3, Utah Administrative Procedure Act, for applying for reimbursement of the costs associated with testing under this section.

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

(5) A public or private school ~~or child care center~~ shall:

(a) for at least five years from the day on which test results are received by the public or private school ~~or child care center~~, keep a record of:

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- (i) the test results for a test taken under Subsection (2); and
- (ii) the steps taken as required under Subsection (4); and
- (b) make a record described in Subsection (5)(a) available to the public ~~without~~ charge either at the premises of the school or child care center or online.
upon request.

Section 2. Appropriation.

The following sums of money are appropriated for the fiscal year beginning July 1, 2020 and ending June 30, 2021. These are additions to amounts previously appropriated for fiscal year 2021. Under the terms and conditions of Title 63J, Chapter 1, Budgetary Procedures Act, the Legislature appropriates the following sums of money from the funds or accounts indicated for the use and support of the government of the state of Utah.

ITEM 1

To State Board of Education – State Administrative Office

From Education Fund, One-time \$2,000,000

Schedule of Programs:

Financial Operations \$2,000,000

The Legislature intends that the appropriation under this item be used to reimburse public schools for testing for lead in consumable taps as described in Section 53G-9-210 enacted in this bill.