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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETIETH SESSION

H. F. No. 1698

02/23/2017 Authored by Fenton, Fischer, Thissen and Slocum
The bill was read for the first time and referred to the Committee on Health and Human Services Reform

1.1 A bill for an act
1.2 relating to health; requiring lead testing of water in public school buildings;
1.3 proposing coding for new law in Minnesota Statutes, chapter 145.

1.4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.5 Section 1. [145.943] LEAD TESTING.

1.6 Subdivision 1. Required plan. (a) The commissioners of health and education shall
1.7 jointly develop a model plan to require school districts to accurately and efficiently test for
1.8 the presence of lead in water in public school buildings serving students in kindergarten
1.9 through grade 12. To the extent possible, the commissioners shall base the plan on the
1.10 standards established by the United States Environmental Protection Agency.

1.11 (b) School districts must adopt the commissioners' model plan or develop an alternative
1.12 plan to accurately and efficiently test for the presence of lead in water in public school
1.13 buildings serving students in kindergarten through grade 12. The plan must include a testing
1.14 schedule that requires testing for all occupied buildings where there is a source of water
1.15 that may be consumed for the presence of lead in water every year for the first three years
1.16 and every five years thereafter.

1.17 Subd. 2. Lead testing and remediation. A school district may include lead testing as
1.18 a part of its ten-year facility plan under section 123B.595, subdivision 4. If a school district
1.19 receives authority to use long-term facilities maintenance revenue to conduct lead testing,
1.20 the district shall conduct the testing according to the lead testing plan developed by the
1.21 commissioners of health and education.

2.1 A school district that finds the presence of lead in any water source that can provide
2.2 water for consumption must either remediate that water source or shut the water source off.

2.3 Subd. 3. **Reporting.** A school district that has tested its buildings for the presence of
2.4 lead shall make the results of the testing available to the public for review and must notify
2.5 parents of the availability of the information.

2.6 **EFFECTIVE DATE.** This section is effective for revenue in fiscal year 2018 and later.