**5745-S AMS KUDE S2009.2 - NOT FOR FLOOR USE**

**SSB 5745** - S AMD **123**

By Senator Kuderer

**PULLED 03/08/2017**

Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec.**  A new section is added to chapter 70.119A RCW to read as follows:

(1)(a) By July 1, 2020, each public water system must fully replace all of its lead service lines with plastic pipes to a school or an early childhood program. The public water system must bear the cost associated with the replacement required under this section. The public water system must perform lead service line replacements of its lines in coordination with the relevant local government, school district, and school or early childhood program. To the extent possible, the public water system must work with the property owner to coordinate complete service line replacement of its lines as needed to minimize disruption and to ensure drinking water quality.

(b) No later than sixty days after completing the replacement of all lead service lines consistent with (a) of this subsection, a public water system must submit a report to the department certifying the public water system's compliance with (a) of this subsection and identifying the service lines and connections that were replaced.

(2)(a) By July 1, 2030, each public water system must fully replace all lead service lines with plastic pipes located within its service area. The public water system must bear the cost associated with the replacement required under this section. The public water system must perform lead service line replacements in coordination with the relevant local government. To the extent possible, the public water system must work with the property owner to coordinate complete service line replacement as needed to minimize disruption and to ensure drinking water quality.

(b) No later than sixty days after completing the replacement of all lead service lines consistent with (a) of this subsection, a public water system must submit a report to the department certifying the public water system's compliance with (a) of this subsection and identifying the service lines and connections that were replaced.

(3) The definitions in this subsection apply throughout this section unless the context clearly requires otherwise.

(a) "Early childhood program" means any child care facility or preschool including, but not limited to, a child day care center as defined in RCW 43.215.010, a family day care provider as defined in RCW 43.215.010, or any education program for children three to five years old who have not yet entered kindergarten.

(b) "Lead service line" means public water systems distribution system components made of lead, including a pigtail, gooseneck, or other fitting made primarily of lead, which extends from the water main through the water meter ending at the service connection to the property served.

(c) "School" means a public school as defined in RCW 28A.150.010 and private schools as identified in chapter 28A.195 RCW.

NEW SECTION. **Sec.**  A new section is added to chapter 28A.310 RCW to read as follows:

(1) Subject to the availability of amounts appropriated for this specific purpose, to ensure the health and safety of educational staff and students, and consistent with the guidance and protocols developed by the department of health, as required under section 3 of this act, educational service districts must:

(a) Ensure testing of drinking water and drinking water fixtures at public schools, as defined in RCW 28A.150.010 at least once every three years; and

(b) Filter drinking water at public schools for six months after a public water system has replaced its lead service lines to a school, as required under section 1(1)(a) of this act.

(2) Each educational service district must prioritize schools for testing drinking water and drinking water fixtures for lead in the following order:

(a) Elementary schools:

(i) Where the drinking water and drinking water fixtures have not been tested;

(ii) Where the drinking water and drinking water fixtures have not been tested for lead in the past three years; and

(b) All other schools.

(3) Educational service districts must provide all testing results to the department of health, community, and schools where testing has taken place. Public schools must make testing results available on their web sites.

NEW SECTION. **Sec.**  A new section is added to chapter 43.20 RCW to read as follows:

(1) Subject to the availability of amounts appropriated for this specific purpose, the department must:

(a) Develop guidance and protocols for testing for lead in drinking water and drinking water fixtures at public schools, as defined in RCW 28A.150.010; and

(b) Review and summarize drinking water and drinking water fixture testing results provided by educational service districts, as required under section 2 of this act.

(2)(a) The department may contract with qualified independent third parties to complete the testing when an educational service district is unable to complete the testing for lead in public schools, as required under section 2 of this act.

(b) The department must make test results available to the educational service districts, schools, and the community.

(3) The department must provide a report to the appropriate committees of the legislature that summarizes the test results and makes recommendations to address lead levels in drinking water at public schools."

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On page 1, line 3 of the title, after "fixtures;" strike the remainder of the title and insert "adding a new section to chapter 70.119A RCW; adding a new section chapter 28A.310 RCW; and adding a new section to chapter 43.20 RCW."

EFFECT: Requires educational service districts to test drinking water and drinking water fixtures and to provide test results to the department of health. Requires the department of health to develop guidance and protocols for testing for lead in drinking water and drinking water fixtures at public schools and review test results and provide a report to the legislature with recommendations to address lead in drinking water at schools.