

Senate Bill 288

By: Senators Jordan of the 6th, Halpern of the 39th, Jackson of the 41st, Au of the 48th,
Butler of the 55th and others

A BILL TO BE ENTITLED
AN ACT

1 To amend Article 1 of Chapter 1 of Title 20 of the Official Code of Georgia Annotated,
2 relating to general provisions relative to education, so as to require testing of drinking water
3 in child care learning centers and schools for lead contamination; to provide for definitions;
4 to provide for notice and reporting of test results and remediation plans; to provide for rules
5 and regulations; to provide for an exemption; to provide for related matters; to repeal
6 conflicting laws; and for other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 Article 1 of Chapter 1 of Title 20 of the Official Code of Georgia Annotated, relating to
10 general provisions relative to education, is amended by adding a new Code section to read
11 as follows:

12 "20-1-11.

13 (a) As used in this Code section, the term:

14 (1) 'Child care learning center' has the same meaning as in Code Section 20-1A-2.

15 (2) 'School' means any public or private primary or secondary school.

16 (b) No later than June 30, 2023, every child care learning center and every school shall
17 conduct testing of drinking water outlets for lead contamination and remediate any lead
18 contamination identified. Such testing and remediation shall be conducted in accordance
19 with rules and regulations established pursuant to subsection (d) of this Code section.

20 (c) Where a finding of lead contamination is made, a child care learning center or school
21 shall:

22 (1) Provide written notice of test results and the remediation plan to parents or guardians
23 of children and students and to staff members;

24 (2) Post such test results and remediation plan in a prominent location at the child care
25 learning center or school or on the center's or school's website; and

26 (3) Submit such test results and remediation plan to the Department of Public Health.

27 (d) The Department of Public Health, in consultation with the Environmental Protection
28 Division of the Department of Natural Resources, the Department of Education, and the
29 Department of Early Care and Learning, shall establish rules and regulations no later than
30 January 1, 2022, regarding the testing of drinking water outlets and the remediation of lead
31 contamination as required pursuant to this Code section. Such rules and regulations shall
32 include, but not be limited to, minimum criteria for testing drinking water, entities that are
33 authorized to analyze drinking water samples, and any intermediate or alternate water
34 sources required during remediation.

35 (e) Child care learning centers and schools which are classified as public water systems
36 pursuant to Parts 141 and 142 of Title 40 of the Code of Federal Regulations as such
37 regulations existed on January 1, 2021, shall be exempt from this Code section."

38 **SECTION 2.**

39 All laws and parts of laws in conflict with this Act are repealed.