



January 24, 2020

HOUSE BILL No. 1265

DIGEST OF HB 1265 (Updated January 22, 2020 4:41 pm - DI 129)

Citations Affected: IC 16-41; noncode.

Synopsis: Drinking water testing in Lake County. Requires that the drinking water in every school building be tested before January 1, 2023, for compliance with the national primary drinking water regulations for lead and copper. Provides, however, that the testing requirement is satisfied if the drinking water of the school building has already been tested for compliance with the national primary drinking water regulations at least once since 2016. Provides that if a test of the drinking water of a school building indicates the presence of lead in the water equal to or greater than the federal lead action level of 15 parts per billion, the person or entity having authority over the child care school building is required to take action to reduce the lead levels in the drinking water to less than 15 parts per billion.

Effective: July 1, 2020.

**Jackson, Wolkins, Harris,
Aylesworth**

January 13, 2020, read first time and referred to Committee on Environmental Affairs.
January 23, 2020, amended, reported — Do Pass.

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January 24, 2020

Second Regular Session of the 121st General Assembly (2020)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2019 Regular Session of the General Assembly.

HOUSE BILL No. 1265

A BILL FOR AN ACT to amend the Indiana Code concerning health.

Be it enacted by the General Assembly of the State of Indiana:

- 1 SECTION 1. IC 16-41-21.1-3 IS ADDED TO THE INDIANA
2 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
3 [EFFECTIVE JULY 1, 2020]: **Sec. 3. (a) Except as provided in**
4 **subsection (b), the drinking water in every school building located**
5 **in Lake County shall be tested before January 1, 2023, to**
6 **determine whether the drinking water meets the standards of 40**
7 **CFR 141, Subpart I, the national primary drinking water**
8 **regulations for lead and copper.**
9 (b) The requirement of subsection (a) is satisfied with respect to
10 a school building if the drinking water in the school building:
11 (1) was tested during the lead sampling program for school
12 buildings conducted by the Indiana finance authority in 2017
13 and 2018;
14 (2) is tested in the lead sampling program for school buildings
15 and child care facilities conducted by the Indiana finance
16 authority in 2019 and 2020; or
17 (3) has otherwise been tested for compliance with the

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1 standards of 40 CFR 141, Subpart I, at least once since 2016.
2 (c) If any testing of drinking water conducted under this section
3 indicates that the presence of lead in the drinking water is equal to
4 or greater than the lead action level of fifteen (15) parts per billion
5 established by 40 CFR 141, Subpart I, the person or entity having
6 authority over the school building from which the water was taken
7 for testing shall take action to reduce the lead levels in the drinking
8 water to less than fifteen (15) parts per billion.
9 SECTION 2. [EFFECTIVE JULY 1, 2020] (a) The general
10 assembly finds:
11 (1) that:
12 (A) the historic prevalence in Lake County of heavy
13 industry and of the environmental problems associated
14 with heavy industry, including lead contamination; and
15 (B) concerns arising from the fact that lead accumulates in
16 the human body, so that the risk of lead poisoning
17 increases with repeated exposures to lead;
18 create a special need to protect the children of Lake County
19 against exposure to lead through the drinking water in school
20 buildings; and
21 (2) that, for purposes of Article 4, Section 23 of the
22 Constitution of the State of Indiana, the case of IC 16-41-21.1,
23 as amended by this act, is one in which a general law cannot
24 be made applicable.
25 (b) This SECTION expires July 1, 2021.



COMMITTEE REPORT

Mr. Speaker: Your Committee on Environmental Affairs, to which was referred House Bill 1265, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 1, delete lines 1 through 17.

Page 2, delete lines 1 through 3.

Page 2, line 7, delete "or (c)".

Page 2, line 7, delete "every:" and insert "**every school building**".

Page 2, delete lines 8 through 13.

Page 2, run in lines 7 through 14.

Page 2, delete lines 28 through 40.

Page 2, line 41, delete "(d)" and insert "(c)".

Page 3, line 3, delete "the:" and insert "**the school building**".

Page 3, delete lines 4 through 9.

Page 3, run in lines 3 through 10.

Page 3, line 24, delete "and child care facilities".

Renumber all SECTIONS consecutively.

and when so amended that said bill do pass.

(Reference is to HB 1265 as introduced.)

WOLKINS

Committee Vote: yeas 10, nays 0.

