

**House File 395 - Introduced**

HOUSE FILE 395

BY ISENHART

**A BILL FOR**

1 An Act relating to lead and copper testing in water supply  
2 systems serving child care facilities and schools, and  
3 making penalties applicable.

4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. NEW SECTION. 135.105E Lead and copper testing in  
2 child care facilities and schools.

3 1. For purposes of this section, "water supply system" means  
4 the infrastructure used to transmit water from a water utility,  
5 well source, or other source of water, whether publicly or  
6 privately owned, to an end user.

7 2. a. Consistent with the requirements of 40 C.F.R. pt.  
8 141, subpt. I, the owner or operator of a water supply system  
9 shall collect samples at least annually at no fewer than twenty  
10 percent of the child care facilities, as defined in section  
11 237A.1, and no fewer than twenty percent of the school district  
12 attendance centers, as defined in section 279.71, that the  
13 water supply system serves and such samples shall be tested  
14 for the presence of lead and copper. The owner or operator of  
15 a water supply system shall ensure that samples are collected  
16 from every child care facility and every school district  
17 attendance center that the water supply system serves during  
18 each five-year period.

19 b. The owner or operator of a water supply system shall  
20 report respective results of test samples to the child care  
21 facility or school district attendance center that was tested.  
22 Upon reporting results, the owner or operator of the water  
23 supply system shall provide information on actions that the  
24 child care facility or school district attendance center can  
25 take to reduce the presence of lead and copper in the drinking  
26 water. The owner or operator of the water supply system shall  
27 also provide information on methods to communicate results to  
28 users of the child care facility or school district attendance  
29 center and to parents or guardians of children who attend the  
30 child care facility or school district attendance center.

31 c. (1) On or before August 1, 2024, and annually  
32 thereafter, each owner or operator of a water supply system  
33 shall submit a report to the department of health and human  
34 services and the department of natural resources. The report  
35 shall include the results of all tests conducted on child care

1 facilities and school district attendance centers by the water  
2 supply system between July 1 of the prior year and June 30 of  
3 the reporting year.

4 (2) On or before August 1, 2024, and annually thereafter,  
5 each owner or operator of a water supply system shall submit a  
6 report to the local board that has jurisdiction over a child  
7 care facility or school district attendance center that the  
8 owner or operator of a water supply system had tested during  
9 the reporting period. The report shall include the results of  
10 all tests conducted by the owner or operator of a water supply  
11 system at child care facilities and school district attendance  
12 centers in the local board's jurisdiction between July 1 of the  
13 prior year and June 30 of the reporting year.

14 d. (1) An owner or operator of a water supply system shall  
15 compile a list of all child care facilities and school district  
16 attendance centers in the water supply system's service area.  
17 The owner or operator of a water supply system shall make the  
18 list available on the system's internet site.

19 (2) The owner or operator of a water supply system shall  
20 annually contact each child care facility and school district  
21 attendance center in the water supply system's service area to  
22 provide information about the health risks of lead and copper  
23 in drinking water, schedule sample collection if required  
24 under paragraph "a", and provide the most recent guidance from  
25 the United States environmental protection agency on lead and  
26 copper reduction strategies. This subparagraph is repealed  
27 July 1, 2028.

28 EXPLANATION

29 The inclusion of this explanation does not constitute agreement with  
30 the explanation's substance by the members of the general assembly.

31 This bill relates to testing for lead and copper in water  
32 supply systems serving child care facilities and schools.

33 Federal regulations currently require owners and operators  
34 of water supply systems to compile a pool of targeted sampling  
35 sites in the water supply system's distribution system that

1 "is sufficiently large to ensure that the water system can  
2 collect the number of lead and copper tap samples" as required  
3 depending on the size of the water supply system. Federal  
4 regulations provide procedures for additional monitoring and  
5 mitigation measures.

6 The bill requires each owner or operator of a water supply  
7 system, as defined in the bill, to collect samples annually  
8 from no fewer than 20 percent of the child care facilities and  
9 no fewer than 20 percent of the school district attendance  
10 centers that the water supply system serves. Such samples  
11 shall be tested for the presence of lead and copper. The  
12 bill requires the owner or operator of a water supply system  
13 to ensure that samples are collected from every child care  
14 facility and every school district attendance center that the  
15 water supply system serves during each five-year period.

16 The bill requires an owner or operator of a water supply  
17 system to provide the respective results to the child care  
18 facility or school district attendance center that was tested  
19 and include information on actions to reduce the presence  
20 of lead and copper in the drinking water and methods to  
21 communicate results to users. The bill requires each owner  
22 or operator of a water supply system to submit an annual  
23 report to the department of health and human services, the  
24 department of natural resources, and the local boards of health  
25 having jurisdiction over a location that was tested during the  
26 reporting period. The report shall include test results from  
27 July 1 of the preceding year through June 30 of the reporting  
28 year.

29 The bill requires each owner or operator of a water supply  
30 system to compile a list of all child care facilities and  
31 school district attendance centers in the water supply system's  
32 service area and make the list available on the system's  
33 internet site. Until July 1, 2028, the owner or operator of  
34 a water supply system shall annually contact each child care  
35 facility and school district attendance center in the water

1 supply system's service area to provide information about the  
2 health risks of lead and copper in drinking water, schedule  
3 sample collection when required by the bill, and provide the  
4 most recent guidance from the U.S. environmental protection  
5 agency on lead and copper reduction strategies.

6 By operation of law, a person who knowingly violates the  
7 provisions of the bill is guilty of a simple misdemeanor. A  
8 simple misdemeanor is punishable by confinement for no more  
9 than 30 days and a fine of at least \$105 but not more than \$855.