

**No. 133. An act relating to extending the deadline to test for lead in the drinking water of school buildings and child care facilities.**

(H.957)

It is hereby enacted by the General Assembly of the State of Vermont:

Sec. 1. FINDINGS

The General Assembly finds that:

- (1) 2019 Acts and Resolves No. 66 (Act No. 66) requires the Department of Health to administer a program to test the drinking water in school buildings and child care facilities for lead contamination.
- (2) Act No. 66 requires testing of drinking water in all child care facilities and school buildings for lead to be completed on or before December 31, 2020.
- (3) As of March of 2020, sampling for lead in the drinking water of 86 percent of all stand-alone child care facilities is complete, and 68 percent of all schools have completed sampling.
- (4) Act No. 66 requires drinking water samples for school buildings to occur during the school year in order to test the composition of drinking water when students are present in school buildings.
- (5) On March 15, 2020, Governor Scott issued Gubernatorial Directive 1 related to COVID-19 dismissing all public and independent schools in the State.

(6) On March 17, 2020, Governor Scott issued Gubernatorial Directive-2 closing all State-regulated child care facilities except for provision of child care services to essential persons.

(7) On March 26, 2020, Governor Scott issued Gubernatorial Directive 5 related to COVID-19 directing all public and independent schools to remain dismissed for in-person instruction for the remainder of the 2019–2020 school year.

(8) Because of the dismissal of in-person schooling, because of the closure of child care facilities, and because of the uncertainty of when students will return to instruction within school buildings and when child care facilities will be able to test, it is likely that testing of drinking water in all school buildings and child care facilities will not be completed on or before December 31, 2020 as required by Act No. 66.

(9) Department of Health staff assigned to administer the requirements for testing of drinking water for lead in school buildings have been assigned to COVID-19 response, testing, and health surveillance.

(10) In order to allow schools sufficient time to test drinking water for lead when students are present in the remaining school buildings that require testing, to allow child facilities to complete testing of drinking water for lead, and to allow Department of Health staff to return to administration of the school drinking water testing program, the General Assembly should delay

until December 31, 2021 the deadline for the testing of drinking water for lead in school buildings and child care facilities.

Sec. 2. 18 V.S.A. § 1243(b)(1) is amended to read:

(1) On or before December 31, ~~2020~~ 2021, each school district, supervisory union, independent school, or child care provider in the State shall collect a first-draw sample and a second flush sample from each outlet in each building or facility it owns, controls, or operates. Sampling shall occur during the school year of a school district, supervisory union, or independent school.

Sec. 3. EFFECTIVE DATE

This act shall take effect on passage.

Date Governor signed bill: July 1, 2020