



March 10, 2020

SUMMARY OF ORIGINAL BILL: Requires the Department of Education (DOE) instead of local boards of education to develop and implement a program for testing drinking water for lead contamination in public schools, public charter schools, and child care programs in facilities constructed prior to January 1, 1998 and authorizes such testing in facilities constructed on or after January 1, 1998. Adds public charter schools and child care programs to the list of entities governed by drinking water testing requirements. Sets certain standards for water quality. Authorizes a local department of health to inspect the site of a drinking source to confirm that the drinking source has been removed from service. Changes, from 90 days to 30 days, the timeframe within which a public school or child care program must retest the lead level of the drinking water source following a corrective action.

FISCAL IMPACT OF ORIGINAL BILL:

NOT SIGNIFICANT

SUMMARY OF AMENDMENT (015896): Deletes all language after the enacting clause and rewrites the bill such that the only substantive change is to require local boards of education, public charter schools that operate within the boundaries of a local education agency (LEA) in a facility constructed before January 1, 1998, and child care programs certified by DOE to adopt and implement the program developed by DOE, or a program developed by a local board, to reduce the potential sources of lead contamination in drinking water in the board's public schools.

FISCAL IMPACT OF BILL WITH PROPOSED AMENDMENT:

Unchanged from the original fiscal note.

Assumptions for the bill as amended:

- Current law pursuant to Tenn. Code Ann. § 49-2-133 requires that drinking water in public schools constructed before January 1, 1998, to be tested for lead contamination on at least a biennial basis and authorizes such testing for schools built after such date.
- It is assumed that the same rate of remediation and testing costs from past years will continue.

- Under current law, schools are already required to perform drinking water testing for lead contamination and the proposed legislation will not require additional resources; thus, the impact to local expenditures is estimated to be not significant.
- Public Chapter 977 was signed into law in 2018. The fiscal memorandum estimated the costs pursuant to testing for lead contamination in public school drinking water sources to result in a recurring increase in state expenditures of \$3,200 in FY19-20 and subsequent years and a mandatory recurring increase in local expenditures of \$214,200 in FY18-19 and subsequent years.
- The proposed legislation will not require any additional resources and the impact to state and local government is estimated to be not significant.

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.



Krista Lee Carsner, Executive Director

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