

Amendment to HB 1421-FN

1 Amend RSA 485:17-a, I as inserted by section 1 of the bill by replacing it with the following:

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3 I. ~~[Upon the effective date of this section, and within every 5-year period thereafter, public~~
4 ~~and private schools and licensed child care facilities that have not sampled in the prior 2 years]~~
5 ***Between January 1, 2016 and June 30, 2024, public and private schools and licensed child***
6 ***care facilities*** shall test ***a minimum of 3 rounds*** for the presence of lead in drinking water at all
7 locations at the facility that [is] ***are*** available for consumption by children. Such testing shall be in
8 accordance with guidance from the department of environmental services. ***To allow for more***
9 ***efficient and accurate tracking of samples, all test results shall be submitted to the***
10 ***department database established under the authority of RSA 21-O:12, I(e).*** If test results
11 demonstrate the presence of lead in a concentration that exceeds the applicable standard established
12 by the Environmental Protection Agency, the school or licensed child care facility shall, within 5
13 business days, notify parents and guardians ***with notification in at least 2 places including,***
14 ***but not limited to, the school or school administrative unit website and at least one method***
15 ***of direct communication via email or printed flyer,*** and shall, as an interim measure, ensure
16 that the children are provided only drinking water that meets the standard. The school or licensed
17 child care facility shall also implement a remediation plan, as approved by the department, within
18 30 days of notification of parents or, in consultation with the department, as soon as practicable.
19 ***The remediation plan shall include required collection of post-mediation samples with***
20 ***post-remediation sampling results submitted to the departmental database established***
21 ***under the authority of RSA 21-O:12, I(e).*** The department shall review the plan and any
22 associated submittals within 30 days of receiving them. If 3 consecutive rounds of sampling
23 performed ~~[every 5 years]~~ are below the standard, further testing shall not be required. ***Schools or***
24 ***childcare facilities that fail to comply with requirements for testing, remediation, or***
25 ***parental notification requirements shall be subject to enforcement and penalties pursuant***
26 ***to RSA 485:58.***

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AMENDED ANALYSIS

This bill requires schools and licensed child care facilities to submit lead test results to the department of environmental services data base and to notify parents of tests with high lead levels.