

Second Regular Session
Seventy-third General Assembly
STATE OF COLORADO

PREAMENDED

*This Unofficial Version Includes Committee
Amendments Not Yet Adopted on Second Reading*

LLS NO. 22-0371.01 Richard Sweetman x4333

HOUSE BILL 22-1358

HOUSE SPONSORSHIP

Sirota,

SENATE SPONSORSHIP

Winter and Fields,

House Committees

Public & Behavioral Health & Human Services
Appropriations

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING MEASURES TO ELIMINATE THE PRESENCE OF LEAD IN THE**
102 **DRINKING WATER OF CERTAIN FACILITIES WHERE CHILDREN**
103 **ARE PRESENT.**

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov>.)

The bill requires each public K-12 school (school), child care center, and family child care home to ensure that a filter is installed on every drinking water source and that each water filter complies with national standards and is replaced at least as frequently as required by the manufacturer's instructions. The bill also requires:

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters or bold & italic numbers indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.

- Each school and child care center to develop and implement a plan for the maintenance of its water filters and filtration systems, which plan includes the creation of an inventory of water sources, regular testing of drinking water, and remediation efforts;
- Family child care homes to regularly test drinking water and take certain remediation efforts; and
- The department of public health and environment (department) to provide training to each school, child care center, and family child care home regarding water filter maintenance, flushing protocols, testing for lead, reporting processes for sampling reports, and other activities relevant to compliance with the bill's new requirements.

The bill creates the school and child care clean drinking water fund in the department and requires the department to expend money from the fund only to help schools, child care centers, and family child care homes pay for the costs of complying with the bill's new requirements.

The water quality control commission (commission) may enforce the new provisions by issuing administrative orders and assessing penalties but is not required to do so. On or before each December 1, starting in 2023, the commission is required to submit a report to legislative committees of reference with jurisdiction over public health matters, which report summarizes the results of the tests performed by schools, child care centers, and family child care homes and identifies noncompliant schools, child care centers, and family child care homes.

1 *Be it enacted by the General Assembly of the State of Colorado:*

2 **SECTION 1.** In Colorado Revised Statutes, **add** part 9 to article
3 8 of title 25 as follows:

PART 9

LEAD-FREE WATER IN SCHOOLS,

6 CHILD CARE CENTERS, AND FAMILY CHILD CARE HOMES

7 **25-8-901. Definitions.** AS USED IN THIS PART 9, UNLESS THE
8 CONTEXT OTHERWISE REQUIRES:

9 (1) "CHILD CARE CENTER" HAS THE MEANING SET FORTH IN
10 SECTION 26-6-102 (5); EXCEPT THAT "CHILD CARE CENTER" DOES NOT
11 INCLUDE:

4 (2) "DEPARTMENT" MEANS THE STATE DEPARTMENT OF PUBLIC
5 HEALTH AND ENVIRONMENT.

6 (3) "DRINKING WATER SOURCE" MEANS ANY POTABLE WATER
7 OUTLET OR FIXTURE THAT IS USED OR THAT MAY BE USED BY AN
8 INDIVIDUAL TO ACQUIRE WATER FOR DRINKING OR COOKING.

9 (4) "FAMILY CHILD CARE HOME" HAS THE MEANING SET FORTH IN
10 SECTION 26-6-102 (13).

13 (a) IS CONNECTED TO BUILDING PLUMBING;

14 (b) FILTERS WATER;

15 (c) IS CERTIFIED TO MEET NSF/ANSI STANDARD 53 FOR LEAD
16 REDUCTION AND NSF/ANSI STANDARD 42 FOR PARTICULATE REMOVAL;

17 (d) HAS A LIGHT OR OTHER DEVICE TO INDICATE FILTER STATUS;

18 (e) IS DESIGNED TO FILL DRINKING BOTTLES OR OTHER CONTAINERS
19 USED FOR PERSONAL WATER CONSUMPTION; AND

20 (f) INCLUDES A FEATURE THAT ALLOWS A USER TO DRINK
21 DIRECTLY FROM A STREAM OF FLOWING WATER WITHOUT THE USE OF AN
22 ACCESSORY

23 (6) "FILTERED FAUCET" MEANS A FAUCET THAT, AT THE POINT OF
24 USE, INCLUDES A FILTER THAT IS CERTIFIED TO MEET NSF/ANSI
25 STANDARD 53 FOR LEAD REDUCTION AND NSF/ANSI STANDARD 42 FOR
26 PARTICULATE REMOVAL;

27 (7) "FILTRATION SYSTEM" MEANS A FILTERED BOTTLE-FILLING

1 STATION OR FILTERED FAUCET.

2 (8) "FUND" MEANS THE SCHOOL AND CHILD CARE CLEAN DRINKING
3 WATER FUND CREATED IN SECTION 25-8-902.

4 (9) (a) "LEAD SERVICE LINE" MEANS:

5 (I) A WATER SERVICE LINE MADE OF LEAD; OR
6 (II) A LEAD PIGTAIL, LEAD GOOSENECK, OR OTHER LEAD FITTING
7 THAT IS CONNECTED TO A WATER SERVICE LINE.

8 (b) "LEAD SERVICE LINE" INCLUDES ANY GALVANIZED SERVICE
9 LINE THAT IS OR EVER WAS DOWNSTREAM OF ANY LEAD SERVICE LINE OR
10 ANY SERVICE LINE OF UNKNOWN MATERIAL.

11 (c) A LEAD SERVICE LINE MAY BE OWNED BY A WATER SYSTEM, A
12 PROPERTY OWNER, OR BOTH.

13 (10) "NSF/ANSI STANDARD 42" MEANS THE NSF
14 INTERNATIONAL/AMERICAN NATIONAL STANDARDS INSTITUTE STANDARD
15 42-2020 FOR "DRINKING WATER TREATMENT UNITS, AESTHETIC EFFECTS",
16 AS AMENDED.

17 (11) "NSF/ANSI STANDARD 53" MEANS THE NSF
18 INTERNATIONAL/AMERICAN NATIONAL STANDARDS INSTITUTE STANDARD
19 53-2020 FOR "DRINKING WATER TREATMENT UNITS, HEALTH EFFECTS", AS
20 AMENDED.

21 (12) "RELEVANT LANGUAGES" HAS THE MEANING SET FORTH IN
22 SECTION 25-7-141 (2)(o).

23 (13) "SCHOOL" MEANS:

24 (a) A SCHOOL OF A SCHOOL DISTRICT;
25 (b) A DISTRICT CHARTER SCHOOL, AS DEFINED IN SECTION
26 22-11-103 (12);

27 (c) AN INSTITUTE CHARTER SCHOOL, AS DEFINED IN SECTION

1 22-30.5-502 (6);

2 (d) AN APPROVED FACILITY SCHOOL, AS DEFINED IN SECTION
3 22-2-402 (1); OR

4 (e) A BOARD OF COOPERATIVE SERVICES, AS DEFINED IN SECTION
5 22-5-103 (2).

6 (14) "STATE-CERTIFIED LABORATORY" MEANS A LABORATORY
7 THAT IS CERTIFIED BY THE DEPARTMENT PURSUANT TO SECTION
8 25-1.5-203 (1)(d) FOR THE PURPOSE OF ENSURING COMPETENT TESTING OF
9 DRINKING WATER.

10 (15) "WATER QUALITY CONTROL COMMISSION" OR "COMMISSION"
11 MEANS THE WATER QUALITY CONTROL COMMISSION CREATED IN SECTION
12 25-8-201.

13 **25-8-902. School and child care clean drinking water fund -**
14 **creation.** (1) THE SCHOOL AND CHILD CARE CLEAN DRINKING WATER
15 FUND IS CREATED IN THE DEPARTMENT.

16 (2) THE DEPARTMENT MAY RECEIVE MONEY FROM ANY SOURCE
17 FOR DEPOSIT INTO THE FUND. THE STATE TREASURER SHALL CREDIT TO
18 THE FUND INTEREST AND EARNINGS FROM FUND INVESTMENTS.

19 (3) MONEY IN THE FUND AT THE END OF EACH STATE FISCAL YEAR
20 REMAINS IN THE FUND AND DOES NOT REVERT TO THE GENERAL FUND.

21 (4) THE DEPARTMENT IS THE ADMINISTRATOR OF THE FUND FOR
22 AUDITING PURPOSES.

23 (5) THE DEPARTMENT SHALL EXPEND MONEY FROM THE FUND
24 ONLY:

25 (a) TO HELP SCHOOLS, CHILD CARE CENTERS, AND FAMILY CHILD
26 CARE HOMES COMPLY WITH THIS PART 9; AND

27 (b) TO REIMBURSE SCHOOLS, CHILD CARE CENTERS, AND FAMILY

1 CHILD CARE HOMES AS NEEDED FOR COSTS ASSOCIATED WITH COMPLYING
2 WITH THIS PART 9.

3 **25-8-903. Clean water in schools, child care centers, and**
4 **family child care homes - filtration systems required.** (1) EXCEPT AS
5 DESCRIBED IN SUBSECTION (3) OF THIS SECTION, WITHIN ONE HUNDRED
6 EIGHTY DAYS AFTER THE EFFECTIVE DATE OF THIS PART 9, EACH SCHOOL,
7 CHILD CARE CENTER, AND FAMILY CHILD CARE HOME SHALL:

8 (a) ENSURE THAT:

9 (I) A FILTRATION SYSTEM IS INSTALLED ON EVERY DRINKING
10 WATER SOURCE IN THE SCHOOL, CHILD CARE CENTER, AND FAMILY CHILD
11 CARE HOME; AND

12 (II) EACH OF ITS WATER FILTERS:

13 (A) COMPLIES WITH NSF/ANSI STANDARD 53 FOR LEAD
14 REDUCTION AND NSF/ANSI STANDARD 42 FOR PARTICULATE REMOVAL;
15 AND

16 (B) IS REPLACED AT LEAST AS FREQUENTLY AS REQUIRED BY THE
17 MANUFACTURER'S INSTRUCTIONS; AND

18 (b) HAVE AT LEAST ONE FILTERED BOTTLE-FILLING STATION FOR
19 EVERY ONE HUNDRED STUDENTS OR CHILDREN.

20 (2) FOR THE PURPOSE OF FACILITATING COMPLIANCE WITH THIS
21 SECTION, THE DEPARTMENT SHALL DEVELOP AND MAINTAIN A LIST OF
22 APPROVED FILTRATION SYSTEMS AND FILTERS THAT SATISFY THE
23 REQUIREMENTS DESCRIBED IN THIS SECTION. THE DEPARTMENT SHALL
24 MAKE THE LIST AVAILABLE ON ITS PUBLIC WEBSITE.

25 (3) IF THE FAUCETS OF A FAMILY CHILD CARE HOME ARE
26 INCOMPATIBLE WITH A FAUCET-MOUNTED FILTRATION SYSTEM, THE
27 FAMILY CHILD CARE HOME MAY PROVIDE DRINKING WATER USING A

1 PITCHER THAT COMPLIES WITH NSF/ANSI STANDARD 53 FOR LEAD
2 REDUCTION AND NSF/ANSI STANDARD 42 FOR PARTICULATE REMOVAL IN
3 LIEU OF SATISFYING THE REQUIREMENT DESCRIBED IN SUBSECTION (1)(a)
4 OF THIS SECTION.

5 **25-8-904. Clean water in schools, child care centers, and**
6 **family child care homes - maintenance plans required - inventories**
7 **- testing - remediation - training - enforcement - reports.**

8 **(1) Maintenance plan required.** EACH SCHOOL AND EACH CHILD CARE
9 CENTER SHALL DEVELOP AND IMPLEMENT A PLAN FOR THE MAINTENANCE
10 OF ITS WATER FILTERS AND FILTRATION SYSTEMS, WHICH PLAN MUST
11 SATISFY THE REQUIREMENTS DESCRIBED IN THIS SECTION.

12 **(2) Inventories.** (a) WITHIN SIXTY DAYS AFTER THE EFFECTIVE
13 DATE OF THIS PART 9, EACH SCHOOL AND EACH CHILD CARE CENTER SHALL
14 CREATE AN INVENTORY OF ALL OF ITS WATER SOURCES, WHICH INVENTORY
15 DISTINGUISHES DRINKING WATER SOURCES FROM OTHER WATER SOURCES
16 AND INCLUDES A FLOOR PLAN THAT INDICATES THE LOCATION OF EACH
17 WATER SOURCE.

18 (b) WHEN A SCHOOL OR CHILD CARE CENTER DISTINGUISHES A
19 DRINKING WATER SOURCE PURSUANT TO SUBSECTION (2)(a) OF THIS
20 SECTION, THE SCHOOL OR CHILD CARE CENTER SHALL INDICATE IN THE
21 INVENTORY WHETHER THE DRINKING WATER SOURCE IS A FILTERED
22 BOTTLE-FILLING STATION OR A FILTERED FAUCET.

23 (c) WHEN A SCHOOL OR CHILD CARE CENTER DISTINGUISHES A
24 NONDRINKING WATER SOURCE PURSUANT TO SUBSECTION (2)(a) OF THIS
25 SECTION, THE SCHOOL OR CHILD CARE CENTER SHALL POST A VISIBLE SIGN
26 ON OR NEAR THE WATER SOURCE, WHICH SIGN WARNS READERS THAT
27 WATER FROM THE WATER SOURCE IS NOT DRINKABLE AND SHOULD NOT BE

1 CONSUMED OR USED FOR COOKING. ALL SIGNS POSTED PURSUANT TO THIS
2 SUBSECTION (2)(c) MUST BE POSTED IN RELEVANT LANGUAGES.

3 (d) FOR THE PURPOSES OF THIS SUBSECTION (2), A SCHOOL OR
4 CHILD CARE CENTER SHALL IDENTIFY AS A NONDRINKING WATER SOURCE
5 ANY WATER SOURCE THAT THE SCHOOL OR CHILD CARE CENTER USED AS
6 A DRINKING WATER SOURCE BEFORE THE DATE OCCURRING ONE HUNDRED
7 EIGHTY DAYS AFTER THE EFFECTIVE DATE OF THIS PART 9 BUT WHICH DOES
8 NOT SATISFY THE REQUIREMENTS OF THIS PART 9.

9 (3) **Testing.** (a) WITHIN SIXTY DAYS AFTER A SCHOOL SATISFIES
10 THE REQUIREMENTS DESCRIBED IN SECTION 25-8-903 (1), THE SCHOOL
11 SHALL TEST ITS DRINKING WATER SOURCES BY HAVING A STATE-CERTIFIED
12 LABORATORY MEASURE THE LEAD CONTENT OF WATER DRAWN FROM EACH
13 DRINKING WATER SOURCE AT LEAST ONCE ANNUALLY, THE TIMING OF
14 WHICH TESTING THE DEPARTMENT SHALL DETERMINE IN ACCORDANCE
15 WITH THE "3 Ts FOR REDUCING LEAD IN DRINKING WATER" MANUAL OF
16 THE FEDERAL ENVIRONMENTAL PROTECTION AGENCY.

17 (b) ON AND AFTER THE EFFECTIVE DATE OF THIS PART 9, EACH
18 CHILD CARE CENTER AND FAMILY CHILD CARE HOME SHALL TEST ITS
19 DRINKING WATER SOURCES BY HAVING A STATE-CERTIFIED LABORATORY
20 MEASURE THE LEAD CONTENT OF WATER DRAWN FROM EACH DRINKING
21 WATER SOURCE AT LEAST ONCE ANNUALLY, THE TIMING OF WHICH
22 TESTING THE DEPARTMENT SHALL DETERMINE IN ACCORDANCE WITH THE
23 "3 Ts FOR REDUCING LEAD IN DRINKING WATER" MANUAL OF THE
24 FEDERAL ENVIRONMENTAL PROTECTION AGENCY.

25 (c) WITHIN TWO WEEKS AFTER RECEIVING THE RESULTS OF A TEST
26 OF A DRINKING WATER SOURCE, AS DESCRIBED IN SUBSECTIONS (3)(a) OR
27 (3)(b) OF THIS SECTION, A SCHOOL, CHILD CARE CENTER, OR FAMILY CHILD

1 CARE HOME SHALL:

2 (I) MAKE THE RESULTS, AS WELL AS ANY ASSOCIATED LEAD
3 REMEDIATION PLANS, PUBLICLY AVAILABLE ON THE SCHOOL'S, CHILD CARE
4 CENTER'S, OR FAMILY CHILD CARE HOME'S WEBSITE, IF APPLICABLE; AND

5 (II) REPORT THE RESULTS TO THE WATER QUALITY CONTROL
6 COMMISSION USING A STANDARD FORM THAT THE COMMISSION
7 ESTABLISHES. THE COMMISSION SHALL POST THE RESULTS ON ITS PUBLIC
8 WEBSITE WITHIN THIRTY DAYS AFTER RECEIVING THEM.

9 (d) EACH SCHOOL, CHILD CARE CENTER, AND FAMILY CHILD CARE
10 HOME SHALL ESTABLISH A TESTING SCHEDULE FOR ITS DRINKING WATER
11 SOURCES, PROVIDE THE SCHEDULE TO EMPLOYEES AND TO PARENTS AND
12 GUARDIANS OF CHILDREN ANNUALLY, AND MAKE THE SCHEDULE PUBLICLY
13 AVAILABLE. ALL COMMUNICATIONS TO EMPLOYEES, PARENTS, AND
14 GUARDIANS MUST BE PROVIDED IN RELEVANT LANGUAGES.

15 (4) **Remediation.** (a) IF THE RESULTS OF A TEST OF A DRINKING
16 WATER SOURCE SHOW THAT WATER FROM THE DRINKING WATER SOURCE
17 CONTAINS LEAD IN AN AMOUNT OF ONE PART PER BILLION OR MORE:

18 (I) A SCHOOL OR CHILD CARE CENTER SHALL:

19 (A) SHUT OFF THE DRINKING WATER SOURCE AS SOON AS POSSIBLE;
20 (B) AFFIX A VISIBLE LABEL ON THE DRINKING WATER SOURCE,
21 WHICH LABEL INDICATES THAT WATER FROM THE DRINKING WATER
22 SOURCE CONTAINS LEAD AND IS NOT SAFE FOR CONSUMPTION;

23 (C) DETERMINE REMEDIATION STEPS WITHIN THIRTY DAYS AFTER
24 RECEIVING THE TEST RESULTS AND COMPLETE SAID REMEDIATION STEPS
25 AS SOON AS POSSIBLE BUT NO LATER THAN NINETY DAYS AFTER RECEIVING
26 THE TEST RESULTS;

27 (D) PROVIDE NOTICE OF THE TEST RESULTS TO ALL EMPLOYEES,

1 PARENTS, AND GUARDIANS WITHIN TWO BUSINESS DAYS AFTER RECEIVING
2 THE RESULTS, WHICH NOTICE MUST BE PROVIDED IN RELEVANT
3 LANGUAGES AND INCLUDE A SUMMARY OF THE TEST RESULTS AND
4 INFORMATION CONCERNING THE AVAILABILITY OF THE COMPLETE TEST
5 RESULTS, A DESCRIPTION OF ANY REMEDIATION STEPS THAT WILL BE
6 TAKEN, GENERAL INFORMATION CONCERNING THE HEALTH EFFECTS AND
7 RISKS POSED BY LEAD IN DRINKING WATER AND OTHER SOURCES, AND
8 INFORMATION REGARDING THE AVAILABILITY OF ADDITIONAL RESOURCES
9 CONCERNING LEAD IN DRINKING WATER, INCLUDING HOW AND WHERE
10 INDIVIDUALS MAY SEEK BLOOD-LEVEL TESTING IF THEY ARE CONCERNED;
11 AND

12 (E) IMPLEMENT A REMEDIATION PLAN, AS DESCRIBED IN
13 SUBSECTION (4)(b) OF THIS SECTION; AND

14 (II) A FAMILY CHILD CARE HOME SHALL:

15 (A) EITHER SHUT OFF THE DRINKING WATER SOURCE AS SOON AS
16 POSSIBLE OR STOP USING THE DRINKING WATER SOURCE FOR CHILD CARE
17 PURPOSES; AND

18 (B) SATISFY THE REMEDIATION REQUIREMENTS DESCRIBED IN
19 SUBSECTIONS (4)(a)(I)(C) TO (4)(a)(I)(E) OF THIS SECTION.

20 (b) A SCHOOL'S, CHILD CARE CENTER'S, OR FAMILY CHILD CARE
21 HOME'S REMEDIATION PLAN TO ADDRESS LEAD CONTENT IN WATER FROM
22 A DRINKING WATER SOURCE MUST INCLUDE MEASURES TO:

23 (I) IMMEDIATELY CHECK THE STATUS OF THE FILTER OR FILTERS AT
24 THE DRINKING WATER SOURCE AND REPLACE THE FILTER OR FILTERS IF THE
25 STATUS LIGHT OR OTHER STATUS INDICATOR INDICATES THAT
26 REPLACEMENT IS, OR WILL SOON BE, REQUIRED;

27 (II) ENSURE THAT EACH FILTERED BOTTLE-FILLING STATION AND

1 FILTERED FAUCET IN THE SCHOOL, CHILD CARE CENTER, OR FAMILY CHILD
2 CARE HOME IS INSTALLED PROPERLY;

3 (III) RESAMPLE AND RETEST FILTERED WATER USING A
4 STATE-CERTIFIED LABORATORY, AS DESCRIBED IN SUBSECTION (3) OF THIS
5 SECTION;

6 (IV) DECREASE THE LEAD CONCENTRATION IN THE WATER TO LESS
7 THAN ONE PART PER BILLION WITHOUT RELYING SOLELY ON FLUSHING
8 PRACTICES;

9 (V) ENSURE THAT ONLY LEAD-FREE FITTINGS ARE USED AS
10 REPLACEMENT FITTINGS;

11 (VI) PREVENT PEOPLE FROM CONSUMING OR COOKING WITH
12 WATER FROM THE DRINKING WATER SOURCE; AND

13 (VII) ENSURE THAT AN ADEQUATE SUPPLY OF FREE, SAFE
14 DRINKING WATER REMAINS AVAILABLE TO THE EMPLOYEES, CHILDREN,
15 ADULTS, AND VISITORS OF THE SCHOOL, CHILD CARE CENTER, OR FAMILY
16 CHILD CARE HOME.

17 (c) IF A SCHOOL, CHILD CARE CENTER, OR FAMILY CHILD CARE
18 HOME BECOMES AWARE THAT A SERVICE LINE TO THE SCHOOL, CHILD CARE
19 CENTER, OR FAMILY CHILD CARE HOME IS A LEAD SERVICE LINE, THE
20 SCHOOL, CHILD CARE CENTER, OR FAMILY CHILD CARE HOME SHALL
21 PROMPTLY NOTIFY THE LOCAL WATER UTILITY AND REQUEST THAT THE
22 UTILITY PROPERLY REMOVE THE LEAD SERVICE LINE. A UTILITY THAT
23 RECEIVES SUCH A REQUEST SHALL PROPERLY REMOVE THE LEAD SERVICE
24 LINE AS SOON AS POSSIBLE.

25 (5) **Maintenance of records.** EACH SCHOOL, CHILD CARE CENTER,
26 AND FAMILY CHILD CARE HOME SHALL CREATE AND MAINTAIN RECORDS
27 OF ITS FILTER REPLACEMENT ACTIVITIES, INCLUDING WHEN A FILTER IS

1 REMOVED AND WHEN A NEW FILTER IS INSTALLED, AND MAINTAIN SUCH
2 RECORDS FOR AT LEAST FIVE YEARS. EACH SCHOOL, CHILD CARE CENTER,
3 AND FAMILY CHILD CARE HOME SHALL PROVIDE COPIES OF SUCH RECORDS
4 TO THE DEPARTMENT AND ANY MEMBER OF THE PUBLIC UPON REQUEST.

5 **(6) Training.** NOT LATER THAN ONE HUNDRED EIGHTY DAYS
6 AFTER THE EFFECTIVE DATE OF THIS PART 9, THE DEPARTMENT SHALL
7 PROVIDE TRAINING TO EACH SCHOOL, CHILD CARE CENTER, AND FAMILY
8 CHILD CARE HOME REGARDING WATER FILTER MAINTENANCE, FLUSHING
9 PROTOCOLS, TESTING FOR LEAD, REPORTING PROCESSES FOR SAMPLING
10 REPORTS, AND OTHER ACTIVITIES RELEVANT TO COMPLIANCE WITH THIS
11 PART 9. TRAINING MAY TAKE PLACE IN PERSON OR VIRTUALLY AND MUST
12 INCLUDE THE INDIVIDUALS WHO WILL TAKE WATER SAMPLES AT THE
13 SCHOOL, CHILD CARE CENTER, OR FAMILY CHILD CARE HOME FOR THE
14 PURPOSES OF THIS PART 9. THE DEPARTMENT SHALL PROVIDE THE
15 TRAINING IN RELEVANT LANGUAGES.

16 **(7) Inspections.** THE DEPARTMENT IS NOT REQUIRED TO PERFORM
17 INSPECTIONS PURSUANT TO THIS PART 9.

18 **(8) Enforcement.** THE WATER QUALITY CONTROL COMMISSION
19 MAY ENFORCE THIS PART 9 BY ISSUING ADMINISTRATIVE ORDERS AND
20 ASSESSING PENALTIES BUT IS NOT REQUIRED TO DO SO.

21 **(9) Reports.** (a) ON OR BEFORE DECEMBER 1, 2023, AND ON OR
22 BEFORE EACH DECEMBER 1 THEREAFTER, THE WATER QUALITY CONTROL
23 COMMISSION SHALL SUBMIT A REPORT TO THE PUBLIC AND BEHAVIORAL
24 HEALTH AND HUMAN SERVICES COMMITTEE OF THE HOUSE OF
25 REPRESENTATIVES AND THE HEALTH AND HUMAN SERVICES COMMITTEE OF
26 THE SENATE, OR TO ANY SUCCESSOR COMMITTEES, WHICH REPORT:

27 (I) SUMMARIZES THE RESULTS OF THE TESTS PERFORMED BY

1 SCHOOLS, CHILD CARE CENTERS, AND FAMILY CHILD CARE HOMES
2 PURSUANT TO SUBSECTION (3) OF THIS SECTION; AND

3 (II) IDENTIFIES ANY NONCOMPLIANT SCHOOLS, CHILD CARE
4 CENTERS, AND FAMILY CHILD CARE HOMES.

5 (b) NOTWITHSTANDING THE REQUIREMENT IN SECTION 24-1-136
6 (11)(a)(I), THE REQUIREMENT TO SUBMIT THE REPORT DESCRIBED IN
7 SUBSECTION (9)(a) OF THIS SECTION CONTINUES INDEFINITELY.

8 (c) ON OR BEFORE DECEMBER 1, 2023, AND ON OR BEFORE
9 DECEMBER 1 EACH YEAR THEREAFTER, EACH CHILDREN'S RESIDENT CAMP,
10 AS DEFINED IN SECTION 26-6-102 (8), SHALL REPORT TO THE DEPARTMENT
11 THE RESULTS OF THE CHILDREN'S RESIDENT CAMP'S TESTING OF ITS
12 DRINKING WATER. THE DEPARTMENT SHALL MAKE EACH SUCH REPORT
13 AVAILABLE ON THE DEPARTMENT'S PUBLIC WEBSITE.

14 **25-8-905. Clean water in schools, child care centers, and**
15 **family child care homes - labor requirements.** (1) WITH REGARD TO
16 MECHANICAL, ELECTRICAL, OR PLUMBING WORK THAT IS NECESSARY FOR
17 A SCHOOL, CHILD CARE CENTER, OR FAMILY CHILD CARE HOME TO
18 COMPLETE IN ORDER TO SATISFY THE REQUIREMENTS DESCRIBED IN
19 SECTION 25-8-903 OR 25-8-904, A SCHOOL, CHILD CARE CENTER, OR
20 FAMILY CHILD CARE HOME SHALL CONTRACT ONLY WITH QUALIFIED
21 CONTRACTORS THAT:

22 (a) PARTICIPATE IN APPRENTICESHIP PROGRAMS THAT ARE
23 REGISTERED WITH THE UNITED STATES DEPARTMENT OF LABOR'S
24 EMPLOYMENT AND TRAINING ADMINISTRATION OR WITH A STATE
25 APPRENTICESHIP COUNCIL RECOGNIZED BY THE UNITED STATES
26 DEPARTMENT OF LABOR; AND

27 (b) SATISFY THE GRADUATION STANDARDS SPECIFIED IN SECTION

1 24-92-115 (1)(a)(II).

2 (2) TO PROMOTE COST SAVINGS THROUGH THE BULK PURCHASE OF
3 SERVICES, LOCAL SCHOOL DISTRICT BOARDS OF EDUCATION, TO THE
4 EXTENT PRACTICABLE, SHALL CONTRACT MECHANICAL, ELECTRICAL, AND
5 PLUMBING SERVICES THAT ARE REQUIRED PURSUANT TO THIS PART 9
6 DISTRICT-WIDE FOR ALL SCHOOL DISTRICT FACILITIES.

7 (3) A SCHOOL, CHILD CARE CENTER, OR FAMILY CHILD CARE HOME
8 MAY ALLOW AN EMPLOYEE TO PERFORM WORK REQUIRED PURSUANT TO
9 THIS PART 9 SO LONG AS THE WORK BEING PERFORMED DOES NOT REQUIRE
10 A LICENSED ELECTRICIAN OR PLUMBER BY LAW.

11 **SECTION 2.** In Colorado Revised Statutes, **add 22-32-150** as
12 follows:

13 **22-32-150. Lead-free water in schools - compliance with public**
14 **health requirements.** EACH SCHOOL AND EACH CHARTER SCHOOL OF A
15 SCHOOL DISTRICT SHALL COMPLY WITH THE REQUIREMENTS OF PART 9 OF
16 ARTICLE 8 OF TITLE 25 CONCERNING LEAD-FREE WATER IN SCHOOLS, CHILD
17 CARE CENTERS, AND FAMILY CHILD CARE HOMES.

18 **SECTION 3.** In Colorado Revised Statutes, **add 22-30.5-529** as
19 follows:

20 **22-30.5-529. Lead-free water in schools - compliance with**
21 **public health requirements.** EACH INSTITUTE CHARTER SCHOOL SHALL
22 COMPLY WITH THE REQUIREMENTS OF PART 9 OF ARTICLE 8 OF TITLE 25
23 CONCERNING LEAD-FREE WATER IN SCHOOLS, CHILD CARE CENTERS, AND
24 FAMILY CHILD CARE HOMES.

25 **SECTION 4.** In Colorado Revised Statutes, **add 26-6-123** as
26 follows:

27 **26-6-123. Lead-free water in child care centers and family**

1 **child care homes - compliance with public health requirements. EACH**
2 CHILD CARE CENTER AND FAMILY CHILD CARE HOME SHALL COMPLY WITH
3 THE REQUIREMENTS OF PART 9 OF ARTICLE 8 OF TITLE 25 CONCERNING
4 LEAD-FREE WATER IN SCHOOLS, CHILD CARE CENTERS, AND FAMILY CHILD
5 CARE HOMES.

6 **SECTION 5. Act subject to petition - effective date.** This act
7 takes effect at 12:01 a.m. on the day following the expiration of the
8 ninety-day period after final adjournment of the general assembly; except
9 that, if a referendum petition is filed pursuant to section 1 (3) of article V
10 of the state constitution against this act or an item, section, or part of this
11 act within such period, then the act, item, section, or part will not take
12 effect unless approved by the people at the general election to be held in
13 November 2022 and, in such case, will take effect on the date of the
14 official declaration of the vote thereon by the governor.