



# OHIO LEGISLATIVE SERVICE COMMISSION

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## Bill Analysis

Helena Volzer

### **H.B. 671**

132nd General Assembly  
(As Introduced)

**Rep.** Barnes

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### **BILL SUMMARY**

- Requires the Director of Environmental Protection to adopt rules requiring each school in Ohio that is not otherwise subject to water testing requirements to annually undergo lead testing of the school's drinking water.
  - Requires the rules to establish certain requirements such as testing standards and procedures and remediation requirements.
  - Names the act the "State Water Quality Act for Kids."
  - Declares an emergency.
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### **CONTENT AND OPERATION**

#### **Background**

Under current law, all public water systems, including water systems operated by a school, must conduct testing for lead and other contaminants. A public water system operated by a school generally is referred to as a nontransient noncommunity water system. This type of system is a public water system that regularly serves at least 25 of the same persons over six months per year. Not all schools operate a public water system. Instead, they receive their water from a community public water system, which generally is a system that supplies water to the same population year-round (for example, the Columbus municipal water system). There is no requirement in current law that a school that is not a public water system test the water in the school for lead.<sup>1</sup>

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<sup>1</sup> R.C. 6109.01, 6109.12, and 6109.121, not in the bill.

## Lead in school drinking water

The bill requires the Director of Environmental Protection to adopt rules requiring each school<sup>2</sup> in Ohio that does not operate its own public water system to undergo annual testing for lead in school drinking water. The Director must adopt the rules not later than 30 days after the bill's effective date.<sup>3</sup> The rules must establish all of the following:

- (1) Testing standards and procedures;
- (2) A requirement that local boards of health conduct the annual testing;
- (3) A requirement that the Director publish the results of the annual test as soon as they are available;
- (4) Remediation requirements applicable to a school when an annual test indicates that the school's drinking water exceeds applicable standards for lead in drinking water. The remediation requirements must include at least the following:
  - A requirement that the school immediately provide bottled drinking water to its students, faculty, and visitors;
  - A requirement that the school develop a plan, in consultation with the Director, to bring the school's drinking water into compliance with applicable standards;
  - A requirement that the school implement the plan; and
  - A requirement that the school close drinking water fountains in the school until the remediation plan is implemented.
- (5) Any other procedures or requirements that the Director determines are necessary to implement the bill's provisions.<sup>4</sup>

The bill is named the "State Water Quality Act for Kids."<sup>5</sup>

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<sup>2</sup> Under the bill, a school is a school operated by the board of education of a city, local, exempted village, or joint vocational school district, the governing board of an educational service center, the governing authority of a community school, the governing body of a science, technology, engineering, and mathematics school, the board of trustees of a college-preparatory boarding school, or the governing authority of a chartered or nonchartered nonpublic school. R.C. 6109.122(A).

<sup>3</sup> R.C. 6109.122(A) and (B).

<sup>4</sup> R.C. 6109.122(C).



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## HISTORY

ACTION

DATE

Introduced

05-22-18

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<sup>5</sup> Section 2.

