



State of Tennessee

PUBLIC CHAPTER NO. 977

SENATE BILL NO. 619

By Harris

Substituted for: House Bill No. 631

By Staples, Kumar, Powell, Fitzhugh, Camper, Akbari, Stewart

AN ACT to amend Tennessee Code Annotated, Title 49; Title 68 and Title 69, relative to water quality in schools.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 49, Chapter 2, Part 1, is amended by adding the following as a new section:

(a)(1) Each local board of education shall develop a policy to implement a program to reduce the potential sources of lead contamination in drinking water in public schools that incorporates, at a minimum, periodic, not to exceed biennial, testing of lead levels in drinking water sources at school facilities that were constructed prior to January 1, 1998, utilizing samples consisting of the first two hundred fifty milliliters (250 mL) drawn of water that has been standing in plumbing overnight to identify lead levels. School facilities that were constructed on or after January 1, 1998, may conduct periodic testing under this section.

(2) If the result of a lead level test conducted under subdivision (a)(1) exceeds fifteen parts per billion (15 ppb) but is less than twenty parts per billion (20 ppb), the school shall conduct lead level tests on an annual basis until retesting confirms that the level is less than fifteen parts per billion (15 ppb).

(3) If the result of a lead level test conducted under subdivision (a)(1) is equal to or exceeds twenty parts per billion (20 ppb), the school shall:

(A) Immediately remove the drinking water source from service. The drinking water source shall remain unavailable for use until subsequent retesting under subdivision (a)(3)(C) confirms the lead level of water from the source does not exceed twenty parts per billion (20 ppb);

(B) Notify:

(i) The commissioner of environment and conservation, the commissioner of health, the local department of health, the local governing body, and the department of education within twenty-four (24) hours of the test result; and

(ii) The parents and guardians of students enrolled at the school, in accordance with a notification policy developed by the local board of education, within five (5) business days of the test result; and

(C) Retest the lead level of the drinking water source within ninety (90) days of any corrective action.

(b) Each LEA shall comply with the policy created by its local board of education under subsection (a).

SECTION 2. This act shall take effect January 1, 2019, the public welfare requiring it.

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PASSED: April 24, 2018




RANDY McNALLY
SPEAKER OF THE SENATE



BETH HARWELL, SPEAKER
HOUSE OF REPRESENTATIVES

APPROVED this 21st day of May 2018



BILL HASLAM, GOVERNOR