AN ACT

Amending the act of March 10, 1949 (P.L.30, No.14), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," in grounds and buildings, providing for lead testing.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1. The act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, is amended by adding a section to read:

Section 742. Lead Testing.--(a) No later than June 30, 2019, a school shall conduct testing of all water outlets used for drinking and cooking for lead contamination and remediate any lead contamination identified. The testing and remediation shall be conducted every two years in accordance with the rules and regulations established by the Department of Environmental...
Protection under subsection (c).

(b) Upon attaining the results of the testing of all water outlets used for drinking and cooking for lead contamination under subsection (a), the school shall have all of the following duties:

(1) Taking any water outlets used for cooking or drinking with lead contamination out of service within twenty-four (24) hours of receiving the testing results.

(2) Providing written notice of the testing results and remediation plan to the parents or guardians of the students and staff members of the school if lead contamination is present.

(3) Displaying the testing results and remediation plan in a prominent location at the school and posting the testing results and remediation plan on the school's publicly accessible Internet website within ten (10) days of receiving the testing results if lead contamination is present.

(4) Submitting the testing results and remediation plan to the Department of Environmental Protection and the Department of Education if lead contamination is present.

(c) No later than sixty (60) days after the effective date of this section, the Department of Environmental Protection, in consultation with the Department of Education, shall establish rules and regulations regarding the testing of water outlets used for drinking and cooking for lead contamination and the remediation of lead contamination as required under this section. The rules and regulations shall include, but not be limited to, the following:

(1) The minimum criteria for testing water outlets used for drinking and cooking for lead contamination.

(2) The exclusive administration of the testing of water
outlets used for drinking and cooking for lead contamination by an agency certified by the Department of Environmental Protection.

(3) Procedures to ensure that students have access to water free of lead contamination, including before and during remediation.

(4) Procedures for the remediation of water outlets used for drinking or cooking if lead contamination is present.

(d) As used in this section, the following words and phrases shall have the meanings given to them in this subsection unless the context clearly indicates otherwise:

"Lead contamination." The presence of lead equal to five parts per billion.

"Remediation." The reduction of a water outlet's lead level below five parts per billion.

"School." A public or private primary or secondary school.

Section 2. This act shall take effect in 60 days.