

HOUSE COMMITTEE OF REFERENCE AMENDMENT

Committee on Appropriations.

HB22-1358 be amended as follows:

1 Strike the Public and Behavioral Health and Human Services Committee
2 Report, dated April 12, 2022, and substitute:

3 "Amend printed bill, strike everything below the enacting clause and
4 substitute:

5 "SECTION 1. In Colorado Revised Statutes, **add** part 9 to article
6 8 of title 25 as follows:

7 PART 9

8 TESTING OF DRINKING WATER IN SCHOOLS, CHILD CARE
9 CENTERS, AND FAMILY CHILD CARE HOMES

10 **25-8-901. Definitions.** AS USED IN THIS PART 9, UNLESS THE
11 CONTEXT OTHERWISE REQUIRES:

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

15 (a) A SUMMER CAMP; OR

16 (b) A CHILDREN'S RESIDENT CAMP, AS DEFINED IN SECTION
17 26-6-102 (8).

18 (2) "DEPARTMENT" MEANS THE STATE DEPARTMENT OF PUBLIC
19 HEALTH AND ENVIRONMENT.

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

23 (4) "ELIGIBLE SCHOOL" MEANS A SCHOOL THAT SERVES ANY OF
24 GRADES PRESCHOOL THROUGH FIFTH GRADE.

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

27 (6) "FILTERED BOTTLE-FILLING STATION" MEANS AN APPARATUS
28 THAT:

29 (a) IS CONNECTED TO BUILDING PLUMBING;

30 (b) FILTERS WATER;

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

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

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

36 (f) INCLUDES A FEATURE THAT ALLOWS A USER TO DRINK
37 DIRECTLY FROM A STREAM OF FLOWING WATER WITHOUT THE USE OF AN
38 ACCESSORY.

39 (7) "FILTERED FAUCET" MEANS A FAUCET THAT, AT THE POINT OF
40 USE, INCLUDES A FILTER THAT IS CERTIFIED TO MEET NSF/ANSI

1 STANDARD 53 FOR LEAD REDUCTION AND NSF/ANSI STANDARD 42 FOR
2 PARTICULATE REMOVAL;

3 (8) "FILTRATION SYSTEM" MEANS A FILTERED BOTTLE-FILLING
4 STATION OR FILTERED FAUCET.

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

7 (10) (a) "LEAD SERVICE LINE" MEANS:
8 (I) A WATER SERVICE LINE MADE OF LEAD; OR
9 (II) A LEAD PIGTAIL, LEAD GOOSENECK, OR OTHER LEAD FITTING
10 THAT IS CONNECTED TO A WATER SERVICE LINE.

11 (b) "LEAD SERVICE LINE" INCLUDES ANY GALVANIZED SERVICE
12 LINE THAT IS OR EVER WAS DOWNSTREAM OF ANY LEAD SERVICE LINE OR
13 ANY SERVICE LINE OF UNKNOWN MATERIAL.

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

16 (11) "NSF/ANSI STANDARD 42" MEANS THE NSF
17 INTERNATIONAL/AMERICAN NATIONAL STANDARDS INSTITUTE STANDARD
18 42-2020 FOR "DRINKING WATER TREATMENT UNITS, AESTHETIC EFFECTS",
19 AS AMENDED.

20 (12) "NSF/ANSI STANDARD 53" MEANS THE NSF
21 INTERNATIONAL/AMERICAN NATIONAL STANDARDS INSTITUTE STANDARD
22 53-2020 FOR "DRINKING WATER TREATMENT UNITS, HEALTH EFFECTS", AS
23 AMENDED.

24 (13) "RELEVANT LANGUAGES" HAS THE MEANING SET FORTH IN
25 SECTION 25-7-141 (2)(o).

26 (14) "SCHOOL" MEANS:
27 (a) A SCHOOL OF A SCHOOL DISTRICT;
28 (b) A DISTRICT CHARTER SCHOOL, AS DEFINED IN SECTION
29 22-11-103 (12);
30 (c) AN INSTITUTE CHARTER SCHOOL, AS DEFINED IN SECTION
31 22-30.5-502 (6);
32 (d) AN APPROVED FACILITY SCHOOL, AS DEFINED IN SECTION
33 22-2-402 (1); OR
34 (e) A BOARD OF COOPERATIVE SERVICES, AS DEFINED IN SECTION
35 22-5-103 (2).

36 (15) "STATE-CERTIFIED LABORATORY" MEANS A LABORATORY
37 THAT IS CERTIFIED BY THE DEPARTMENT PURSUANT TO SECTION
38 25-1.5-203 (1)(d) FOR THE PURPOSE OF ENSURING COMPETENT TESTING OF
39 DRINKING WATER.

40 (16) "WATER QUALITY CONTROL COMMISSION" OR "COMMISSION"
41 MEANS THE WATER QUALITY CONTROL COMMISSION CREATED IN SECTION
42 25-8-201.

43 **25-8-902. School and child care clean drinking water fund -**

1 **creation.** (1) THE SCHOOL AND CHILD CARE CLEAN DRINKING WATER
2 FUND IS CREATED IN THE DEPARTMENT.

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

6 (3) MONEY IN THE FUND AT THE END OF EACH STATE FISCAL YEAR
7 REMAINS IN THE FUND AND DOES NOT REVERT TO THE GENERAL FUND;
8 EXCEPT THAT ANY MONEY REMAINING IN THE FUND ON JUNE 29, 2026,
9 REVERTS TO THE GENERAL FUND.

10 (4) THE DEPARTMENT IS THE ADMINISTRATOR OF THE FUND FOR
11 AUDITING PURPOSES.

12 (5) THE DEPARTMENT SHALL EXPEND MONEY FROM THE FUND
13 ONLY:

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

16 (b) TO REIMBURSE ELIGIBLE SCHOOLS, CHILD CARE CENTERS, AND
17 FAMILY CHILD CARE HOMES AS NEEDED FOR COSTS ASSOCIATED WITH
18 COMPLYING WITH THIS PART 9, IN THE FOLLOWING ORDER OF PRIORITY:

19 (I) CHILD CARE CENTERS AND FAMILY CHILD CARE HOMES;

20 (II) ELIGIBLE SCHOOLS FOR WHICH TESTING RESULTS SHOW
21 RELATIVELY HIGH LEVELS OF LEAD; AND

22 (III) ELIGIBLE SCHOOLS THAT ARE RECEIVING MONEY PURSUANT
23 TO TITLE I OF THE FEDERAL "ELEMENTARY AND SECONDARY EDUCATION
24 ACT OF 1965", 20 U.S.C. SEC. 6301 ET SEQ., AS AMENDED.

25 (6) NOTWITHSTANDING ANY PROVISION OF THIS SECTION TO THE
26 CONTRARY, THE DEPARTMENT SHALL NOT EXPEND MONEY FROM THE
27 FUND:

28 (a) TO REPLACE OR REPAIR ANY LEAD SERVICE LINE; OR

29 (b) TO REIMBURSE A CHILD CARE CENTER, FAMILY CHILD CARE
30 HOME, OR ELIGIBLE SCHOOL FOR COSTS ASSOCIATED WITH COMPLYING
31 WITH THIS PART 9 IF THE CHILD CARE CENTER, FAMILY CHILD CARE HOME,
32 OR ELIGIBLE SCHOOL HAS ALREADY RECEIVED MONEY FROM THE FUND TO
33 REIMBURSE THE CHILD CARE CENTER, FAMILY CHILD CARE HOME, OR
34 ELIGIBLE SCHOOL FOR A TEST OF EACH DRINKING WATER SOURCE, AS
35 DESCRIBED IN SECTION 25-8-903 (1), AND:

36 (I) NONE OF THE RESULTS OF SUCH TESTING SHOWED THE
37 PRESENCE OF LEAD IN AN AMOUNT OF AT LEAST FIVE PARTS PER BILLION;
38 OR

39 (II) IF THE RESULTS OF SUCH TESTING SHOWED THE PRESENCE OF
40 LEAD IN AN AMOUNT OF AT LEAST FIVE PARTS PER BILLION, THE CHILD
41 CARE CENTER, FAMILY CHILD CARE HOME, OR ELIGIBLE SCHOOL HAS ALSO
42 RECEIVED REIMBURSEMENT FOR:

43 (A) ANY REMEDIATION EFFORTS PERFORMED IN RESPONSE TO SUCH

1 TESTING; AND

2 (B) A CONFIRMATION TEST OF EACH DRINKING WATER SOURCE AT

3 THE CHILD CARE CENTER, FAMILY CHILD CARE HOME, OR ELIGIBLE SCHOOL,

4 AS DESCRIBED IN SECTION 25-8-903 (2)(c).

5 **25-8-903. Testing for the presence of lead in drinking water in**

6 **child care centers, family child care homes, and eligible schools -**

7 **remediation - maintenance of records - training - inspections -**

8 **enforcement - reimbursement - technical assistance - exemptions - opt**

9 **out by family child care home - reports. (1) Testing. (a) ON OR**

10 **BEFORE MAY 31, 2023, EACH CHILD CARE CENTER, FAMILY CHILD CARE**

11 **HOME, AND ELIGIBLE SCHOOL SHALL TEST ITS DRINKING WATER SOURCES**

12 **BY HAVING A STATE-CERTIFIED LABORATORY MEASURE THE LEAD**

13 **CONTENT OF WATER DRAWN FROM EACH DRINKING WATER SOURCE. THE**

14 **TESTING MUST BE DONE IN ACCORDANCE WITH THE LATEST FEDERAL**

15 **GUIDANCE ON PROPER SAMPLING FOR TESTING FOR THE PRESENCE OF LEAD**

16 **IN DRINKING WATER, INCLUDING THE "LEAD AND COPPER RULE" OF THE**

17 **FEDERAL ENVIRONMENTAL PROTECTION AGENCY, 40 CFR 141 ET SEQ., AS**

18 **AMENDED.**

19 (b) EXCEPT AS DESCRIBED IN SUBSECTION (2)(a)(V) OF THIS

20 SECTION, WITHIN THIRTY DAYS AFTER RECEIVING THE RESULTS OF A TEST

21 OF A DRINKING WATER SOURCE, A CHILD CARE CENTER, FAMILY CHILD

22 CARE HOME, OR ELIGIBLE SCHOOL SHALL:

23 (I) MAKE THE RESULTS, AS WELL AS ANY ASSOCIATED LEAD

24 REMEDIATION PLANS, PUBLICLY AVAILABLE ON THE CHILD CARE CENTER'S,

25 FAMILY CHILD CARE HOME'S, OR ELIGIBLE SCHOOL'S WEBSITE, IF

26 APPLICABLE; AND

27 (II) REPORT THE RESULTS TO THE WATER QUALITY CONTROL

28 COMMISSION USING A STANDARD FORM THAT THE COMMISSION

29 ESTABLISHES. THE COMMISSION SHALL POST THE RESULTS ON ITS PUBLIC

30 WEBSITE WITHIN THIRTY DAYS AFTER RECEIVING THEM.

31 (c) EACH CHILD CARE CENTER, FAMILY CHILD CARE HOME, AND

32 ELIGIBLE SCHOOL SHALL ESTABLISH A TESTING SCHEDULE FOR ITS

33 DRINKING WATER SOURCES, ANNUALLY PROVIDE THE SCHEDULE TO ITS

34 EMPLOYEES AND TO PARENTS AND GUARDIANS OF CHILDREN THAT ATTEND

35 THE CHILD CARE CENTER, FAMILY CHILD CARE HOME, OR ELIGIBLE SCHOOL,

36 AND MAKE THE SCHEDULE PUBLICLY AVAILABLE. ALL COMMUNICATIONS

37 TO EMPLOYEES, PARENTS, AND GUARDIANS MUST BE PROVIDED IN

38 RELEVANT LANGUAGES.

39 (d) THE DEPARTMENT SHALL DEVELOP AND MAKE AVAILABLE A

40 TEMPLATE FOR CHILD CARE CENTERS, FAMILY CHILD CARE HOMES, AND

41 ELIGIBLE SCHOOLS TO USE TO PROVIDE NOTIFICATIONS AND POST

42 INFORMATION ONLINE AS DESCRIBED IN THIS SECTION.

43 (2) **Remediation. (a) IF THE RESULTS OF A TEST OF A DRINKING**

1 WATER SOURCE SHOW THAT WATER FROM THE DRINKING WATER SOURCE
2 CONTAINS LEAD IN AN AMOUNT OF FIVE PARTS PER BILLION OR MORE, A
3 CHILD CARE CENTER, FAMILY CHILD CARE HOME, OR ELIGIBLE SCHOOL
4 SHALL:

5 (I) SHUT OFF THE DRINKING WATER SOURCE AS SOON AS
6 PRACTICABLY POSSIBLE;

7 (II) AFFIX A VISIBLE LABEL ON THE DRINKING WATER SOURCE,
8 WHICH LABEL INDICATES THAT THE DRINKING WATER SOURCE IS
9 UNDERGOING REMEDIATION FOR THE PRESENCE OF LEAD AND THAT WATER
10 FROM THE DRINKING WATER SOURCE SHOULD NOT BE CONSUMED;

11 (III) DETERMINE REMEDIATION STEPS WITHIN THIRTY DAYS AFTER
12 RECEIVING THE TEST RESULTS, WHICH REMEDIATION STEPS MUST BE
13 DEMONSTRATED TO REDUCE LEAD TO BELOW FIVE PARTS PER BILLION AND
14 MAY INCLUDE INSTALLATION OR REPLACEMENT OF A FILTRATION SYSTEM;

15 (IV) COMPLETE ALL NECESSARY REMEDIATION STEPS AS SOON AS
16 POSSIBLE BUT NO LATER THAN NINETY DAYS AFTER RECEIVING THE TEST
17 RESULTS; AND

18 (V) PROVIDE NOTICE OF THE TEST RESULTS TO ALL EMPLOYEES,
19 PARENTS, AND GUARDIANS WITHIN TWO BUSINESS DAYS AFTER RECEIVING
20 THE RESULTS, WHICH NOTICE MUST BE PROVIDED IN RELEVANT
21 LANGUAGES AND INCLUDE A SUMMARY OF THE TEST RESULTS AND
22 INFORMATION CONCERNING THE AVAILABILITY OF THE COMPLETE TEST
23 RESULTS, A DESCRIPTION OF ANY REMEDIATION STEPS THAT WILL BE
24 TAKEN, GENERAL INFORMATION CONCERNING THE HEALTH EFFECTS AND
25 RISKS POSED BY LEAD IN DRINKING WATER AND OTHER SOURCES, AND
26 INFORMATION REGARDING THE AVAILABILITY OF ADDITIONAL RESOURCES
27 CONCERNING LEAD IN DRINKING WATER, INCLUDING HOW AND WHERE
28 INDIVIDUALS MAY SEEK BLOOD-LEVEL TESTING IF THEY ARE CONCERNED.

29 (b) WHILE A CHILD CARE CENTER, FAMILY CHILD CARE HOME, OR
30 ELIGIBLE SCHOOL IS IN THE PROCESS OF REMEDIATING A DRINKING WATER
31 SOURCE, THE CHILD CARE CENTER, FAMILY CHILD CARE HOME, OR ELIGIBLE
32 SCHOOL SHALL ENSURE THAT:

33 (I) NO ONE USES THE DRINKING WATER SOURCE TO ACQUIRE
34 WATER FOR DRINKING OR COOKING; AND

35 (II) ADEQUATE DRINKING WATER REMAINS AVAILABLE TO
36 CHILDREN, EMPLOYEES, AND OTHER INDIVIDUALS WHO ARE PRESENT IN
37 THE CHILD CARE CENTER, FAMILY CHILD CARE HOME, OR ELIGIBLE SCHOOL.

38 (c) WITHIN NINETY DAYS AFTER A CHILD CARE CENTER, FAMILY
39 CHILD CARE HOME, OR ELIGIBLE SCHOOL SUCCESSFULLY REMEDIATES A
40 DRINKING WATER SOURCE, THE CHILD CARE CENTER, FAMILY CHILD CARE
41 HOME, OR ELIGIBLE SCHOOL SHALL PERFORM A CONFIRMATION TEST OF
42 THE DRINKING WATER SOURCE FOR THE PRESENCE OF LEAD.

43 (d) THE DEPARTMENT MAY CONDUCT FURTHER REMEDIATION AS

1 NECESSARY TO ADDRESS A DRINKING WATER SOURCE AT A CHILD CARE
2 CENTER, FAMILY CHILD CARE HOME, OR ELIGIBLE SCHOOL.

3 (3) **Maintenance of records.** EACH CHILD CARE CENTER, FAMILY
4 CHILD CARE HOME, AND ELIGIBLE SCHOOL SHALL CREATE AND MAINTAIN,
5 FOR AT LEAST FIVE YEARS, RECORDS OF ITS FILTER REPLACEMENT
6 ACTIVITIES, INCLUDING WHEN A FILTER IS REMOVED AND WHEN A NEW
7 FILTER IS INSTALLED, AND ANY REMEDIATION EFFORTS, INCLUDING FAUCET
8 REPLACEMENTS. EACH CHILD CARE CENTER, FAMILY CHILD CARE HOME,
9 AND ELIGIBLE SCHOOL SHALL PROVIDE COPIES OF SUCH RECORDS TO THE
10 DEPARTMENT AND ANY MEMBER OF THE PUBLIC UPON REQUEST.

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

22 (5) **Inspections.** THE DEPARTMENT IS NOT REQUIRED TO PERFORM
23 INSPECTIONS PURSUANT TO THIS PART 9.

24 (6) **Enforcement.** THE WATER QUALITY CONTROL COMMISSION
25 MAY ENFORCE THIS PART 9 BY ISSUING ADMINISTRATIVE ORDERS AND
26 ASSESSING PENALTIES BUT IS NOT REQUIRED TO DO SO.

27 (7) **Reimbursement.** THE DEPARTMENT SHALL DEVELOP AND
28 IMPLEMENT PROCEDURES:

29 (a) WHEREBY CHILD CARE CENTERS, FAMILY CHILD CARE HOMES,
30 AND ELIGIBLE SCHOOLS CAN SATISFACTORILY DEMONSTRATE COSTS
31 INCURRED FOR THE PURPOSE OF COMPLYING WITH THIS SECTION AND
32 APPLY TO THE DEPARTMENT FOR REIMBURSEMENT OF SUCH COSTS; AND

33 (b) WHEREBY THE DEPARTMENT, EXCEPT AS DESCRIBED IN
34 SECTION 25-8-902 (6), REIMBURSES CHILD CARE CENTERS, FAMILY CHILD
35 CARE HOMES, AND ELIGIBLE SCHOOLS FOR COSTS INCURRED FOR THE
36 PURPOSE OF COMPLYING WITH THIS SECTION.

37 (8) **Technical assistance.** THE DEPARTMENT SHALL PROVIDE
38 TECHNICAL ASSISTANCE AS NEEDED TO CHILD CARE CENTERS, FAMILY
39 CHILD CARE HOMES, AND ELIGIBLE SCHOOLS IN RURAL AREAS TO HELP
40 SUCH FACILITIES COMPLY WITH THE REQUIREMENTS OF THIS SECTION.

41 (9) **Exemptions.** NOT WITHSTANDING ANY PROVISION OF THIS
42 SECTION TO THE CONTRARY:

43 (a) A FAMILY CHILD CARE HOME ESTABLISHED BEFORE MARCH 31,

1 2023, MAY OPT OUT OF THE DUTY TO COMPLY WITH THIS SECTION SO LONG
2 AS THE AUTHORIZED REPRESENTATIVE OF THE FAMILY CHILD CARE HOME
3 PROVIDES WRITTEN NOTICE OF SUCH DECISION TO THE DEPARTMENT ON OR
4 BEFORE MARCH 31, 2023. A FAMILY CHILD CARE HOME ESTABLISHED ON
5 OR AFTER MARCH 31, 2023, MAY OPT OUT OF THE DUTY TO COMPLY WITH
6 THIS SECTION SO LONG AS THE AUTHORIZED REPRESENTATIVE OF THE
7 FAMILY CHILD CARE HOME PROVIDES WRITTEN NOTICE OF SUCH DECISION
8 TO THE DEPARTMENT WITHIN SIX MONTHS AFTER THE DATE UPON WHICH
9 THE FAMILY CHILD CARE HOME IS ESTABLISHED.

10 (b) A CHILD CARE CENTER OR ELIGIBLE SCHOOL IS NOT REQUIRED
11 TO SATISFY THE REQUIREMENTS OF THIS SECTION IF THE CHILD CARE
12 CENTER OR ELIGIBLE SCHOOL IS CLASSIFIED AS A PUBLIC WATER SYSTEM
13 UNDER THE "LEAD AND COPPER RULE" OF THE FEDERAL ENVIRONMENTAL
14 PROTECTION AGENCY, 40 CFR 141 ET SEQ., AS AMENDED, AND THE CHILD
15 CARE CENTER OR ELIGIBLE SCHOOL IS IN COMPLIANCE WITH THE
16 REQUIREMENTS OF THE FEDERAL RULE. HOWEVER, A CHILD CARE CENTER
17 OR ELIGIBLE SCHOOL THAT UTILIZES THE EXEMPTION DESCRIBED IN THIS
18 SUBSECTION (9)(b) SHALL, IN LIEU OF SATISFYING THE REPORTING
19 REQUIREMENT DESCRIBED IN SUBSECTION (1)(b)(II) OF THIS SECTION,
20 REPORT ANNUALLY TO THE WATER QUALITY CONTROL COMMISSION THE
21 RESULTS OF THE CHILD CARE CENTER'S OR ELIGIBLE SCHOOL'S TESTING OF
22 ITS DRINKING WATER SOURCES PURSUANT TO THE FEDERAL RULE.

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

29 (I) SUMMARIZES THE RESULTS OF THE TESTS PERFORMED BY CHILD
30 CARE CENTERS, FAMILY CHILD CARE HOMES, AND ELIGIBLE SCHOOLS
31 PURSUANT TO THIS SECTION; AND

32 (II) IDENTIFIES ANY NONCOMPLIANT CHILD CARE CENTERS, FAMILY
33 CHILD CARE HOMES, AND ELIGIBLE SCHOOLS.

34 (b) THE WATER QUALITY CONTROL COMMISSION SHALL PRESENT
35 TESTIMONY CONCERNING THE REPORT DESCRIBED IN SUBSECTION (10)(a)
36 OF THIS SECTION TO THE PUBLIC AND BEHAVIORAL HEALTH AND HUMAN
37 SERVICES COMMITTEE OF THE HOUSE OF REPRESENTATIVES, OR ANY
38 SUCCESSOR COMMITTEE, AT THE COMMITTEE'S REQUEST.

39 (c) NOTWITHSTANDING THE REQUIREMENT IN SECTION 24-1-136
40 (11)(a)(I), THE REQUIREMENT TO SUBMIT THE REPORT DESCRIBED IN
41 SUBSECTION (10)(a) OF THIS SECTION CONTINUES INDEFINITELY.

42 **25-8-904. Report and recommendation regarding expansion**
43 **required - legislative declaration.** (1) IT IS THE GENERAL ASSEMBLY'S

1 INTENT THAT, SUBJECT TO THE AVAILABILITY OF FUTURE APPROPRIATIONS,
2 THE REQUIREMENTS DESCRIBED IN THIS PART 9 CONCERNING THE TESTING
3 AND REMEDIATION OF DRINKING WATER SOURCES IN ELIGIBLE SCHOOLS
4 SHOULD BE EXPANDED TO APPLY TO SCHOOLS OTHER THAN THOSE
5 SCHOOLS THAT ARE ELIGIBLE SCHOOLS, AND SUCH SCHOOLS SHOULD ALSO
6 BE MADE ELIGIBLE TO RECEIVE REIMBURSEMENT FOR COSTS INCURRED IN
7 COMPLYING WITH SUCH REQUIREMENTS. TO THIS END, THE DEPARTMENT
8 IS REQUIRED TO ADVISE THE GENERAL ASSEMBLY IN THE FORM OF THE
9 REPORT DESCRIBED IN SUBSECTION (2) OF THIS SECTION.

10 (2) ON OR BEFORE JANUARY 1, 2026, THE DEPARTMENT SHALL
11 REPORT TO THE PUBLIC AND BEHAVIORAL HEALTH AND HUMAN SERVICES
12 COMMITTEE OF THE HOUSE OF REPRESENTATIVES AND THE HEALTH AND
13 HUMAN SERVICES COMMITTEE OF THE SENATE, OR TO ANY SUCCESSOR
14 COMMITTEES, CONCERNING THE DEPARTMENT'S ACTIVITIES UNDER THIS
15 PART 9. SPECIFICALLY, THE DEPARTMENT SHALL INCLUDE IN THE REPORT:

16 (a) THE REMAINING BALANCE IN THE FUND AS OF THE DATE OF THE
17 REPORT;

18 (b) AN ESTIMATE OF THE COST OF APPLYING THE REQUIREMENTS
19 OF THIS PART 9 TO, AND MAKING ELIGIBLE FOR REIMBURSEMENT FROM THE
20 FUND FOR COSTS INCURRED IN COMPLYING WITH SUCH REQUIREMENTS,
21 SCHOOLS THAT SERVE ANY OF GRADES SIX THROUGH EIGHT AND THAT ARE
22 NOT ELIGIBLE SCHOOLS; AND

23 (c) AN ESTIMATE OF THE COST OF APPLYING THE REQUIREMENTS
24 OF THIS PART 9 TO, AND MAKING ELIGIBLE FOR REIMBURSEMENT FROM THE
25 FUND FOR COSTS INCURRED IN COMPLYING WITH SUCH REQUIREMENTS,
26 SCHOOLS THAT SERVE ANY OF GRADES NINE THROUGH TWELVE AND THAT
27 ARE NOT ELIGIBLE SCHOOLS.

28 **25-8-905. Repeal of part.** THIS PART 9 IS REPEALED, EFFECTIVE
29 JUNE 30, 2026.

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

32 **22-32-150. Testing for the presence of lead in drinking water**
33 **in eligible schools - compliance with public health requirements -**
34 **repeal.** (1) EACH ELIGIBLE SCHOOL, AS DEFINED IN SECTION 25-8-901 (4),
35 AND EACH CHARTER SCHOOL OF A SCHOOL DISTRICT THAT IS AN ELIGIBLE
36 SCHOOL SHALL COMPLY WITH THE REQUIREMENTS OF PART 9 OF ARTICLE
37 8 OF TITLE 25 CONCERNING TESTING OF WATER IN CHILD CARE CENTERS,
38 FAMILY CHILD CARE HOMES, AND ELIGIBLE SCHOOLS.

39 (2) THIS SECTION IS REPEALED, EFFECTIVE JUNE 30, 2026.

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

42 **22-30.5-529. Testing for the presence of lead in drinking water**
43 **in eligible schools - compliance with public health requirements -**

1 **repeal.** (1) EACH INSTITUTE CHARTER SCHOOL THAT IS AN ELIGIBLE
2 SCHOOL, AS DEFINED IN SECTION 25-8-901 (4), SHALL COMPLY WITH THE
3 REQUIREMENTS OF PART 9 OF ARTICLE 8 OF TITLE 25 CONCERNING TESTING
4 OF WATER IN CHILD CARE CENTERS, FAMILY CHILD CARE HOMES, AND
5 ELIGIBLE SCHOOLS.

6 (2) THIS SECTION IS REPEALED, EFFECTIVE JUNE 30, 2026.

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

9 **26-6-123. Testing for the presence of lead in drinking water in**
10 **child care centers and family child care homes - compliance with**
11 **public health requirements - repeal.** (1) EACH CHILD CARE CENTER
12 AND, UNLESS IT HAS OPTED OUT PURSUANT TO SECTION 25-8-903 (1)(a),
13 EACH FAMILY CHILD CARE HOME SHALL COMPLY WITH THE REQUIREMENTS
14 OF PART 9 OF ARTICLE 8 OF TITLE 25 CONCERNING TESTING OF WATER IN
15 CHILD CARE CENTERS, FAMILY CHILD CARE HOMES, AND ELIGIBLE
16 SCHOOLS.

17 (2) THIS SECTION IS REPEALED, EFFECTIVE JUNE 30, 2026.

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

** ** ** *