

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."".

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