

## S.F. No. 579 – Lead Testing and Remediation Requirements in Schools

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### Section 1. **Lead in School Drinking Water.**

Subdivision 1. **Model plan.** Adds a requirement to the model plan developed by the commissioners of education and health for testing for the presence of lead in water in school buildings. Requires the model plan to include recommendations for remediation efforts when testing reveals the presence of lead is above five parts per billion.

Subd. 2. **School plans.** No proposed changes.

Subd. 3. **Frequency of testing.** Modifies the lead level where guidance recommends remediation. Sets the presence of lead level at five parts per billion. Requires a school district or charter school to test for lead after remediation is complete to ensure the lead level is below five parts per billion.

Subd. 4. **Ten-year facilities plan.** Requires a school district to include lead testing and remediation in its ten-year long-term facilities maintenance (LTFM) plan.

Subd. 5. **Reporting.** (a) Requires a school district or charter school to send parents an annual notice that includes the district or charter school's annual testing and remediation plan, where to find results, and the remediation efforts used. Requires the district or charter school to annually update lead testing and remediation information on its website. Requires the district or charter school to include information on their website on how parents may find the test results and remediation efforts.

(b) Updates the presence of lead level to five parts per billion. Requires the school district or charter school not make the water source available until remediation activities have been completed according to subdivision 3.

(c) Requires a school district or charter school to report to the commissioner of health its lead testing results and remediation efforts if the presence of lead is above five parts per

billion. Requires the commissioner of health to annually post test results and remediation efforts by school site to the department's website.

Subd. 6. **Public water system.** States that a district or charter school is not financially responsible for remediating elevated lead levels in school drinking water if testing reveals that a significant contributor is the infrastructure operated by a public water. Requires the district or charter school to communicate with the public water system its documented significant contribution to lead contamination in school drinking water and request a plan for reducing the lead contamination from the public water system. States the district or charter school may defer its remediation activities until after the infrastructure is remediated and post-remediation testing does not detect an elevated lead in the drinking water.

Subd 7. **Commissioner recommendations.** Requires the commissioner of health to report recommended changes to this statute or the level of lead that requires remediation to the legislative committees with jurisdiction over health and K-12 education by January 1, 2026, and every five years after. States that recommendations must be based on currently available scientific evidence.

**Effective Date.** Makes this section effective July 1, 2023.

Sec. 2. **Long-term facilities maintenance revenue.** Removes obsolete language. Modifies the calculation of LTFM revenue for a school district by adding approved costs for lead remediation.

**Effective Date.** Makes this section effective July 1, 2023.

Sec. 3. **Long-term facilities maintenance revenue for a charter school.** Removes obsolete language. Modifies the calculation of LTFM revenue for a charter school by adding approved costs for lead remediation.

**Effective Date.** Makes this section effective July 1, 2023.

Sec. 4. **Long-term facilities maintenance equalization revenue.** Removes obsolete language. Makes technical corrections.

**Effective Date.** Makes this section effective July 1, 2023.

Sec. 5. **Long-term facilities maintenance equalized levy.** Removes obsolete language.

**Effective Date.** Makes this section effective July 1, 2023.

Sec. 6. **Long-term facilities maintenance unequalized levy.** Removes obsolete language.

**Effective Date.** Makes this section effective July 1, 2023.

Sec. 7. **Long-term facilities maintenance equalized aid.** Removes obsolete language.

**Effective Date.** Makes this section effective July 1, 2023.

**Sec. 8. Appropriation.**

Subdivision 1. **Department of Education.** Appropriates a blank amount from the general fund to the Department of Education for the fiscal years designated.

Subd. 2. **Lead remediation.** (a) Transfers the appropriation to the commissioner of health for grants to American Indian Tribal contract schools for lead remediation activities.

(b) Clarifies that a Tribal contract or grant school that receives revenue under Minnesota Statutes, section 124D.83, is eligible for a grant under this subdivision. Requires grants be used to test drinking water for the presence of lead or to reduce or eliminate lead in the drinking water. Requires an applicant to submit to the commissioner a plan to test for lead or the results of a test performed in the previous five years and a description of how the grant funds will be used.

(c) Appropriates a blank amount for fiscal year 2026 and later.

**Effective Date.** Makes this section effective July 1, 2023.