

By: Gervin-Hawkins

H.B. No. 605

A BILL TO BE ENTITLED

AN ACT

relating to the adoption of a healthy and safe school water plan by public schools.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Subchapter A, Chapter 38, Education Code, is amended by adding Section 38.038 to read as follows:

Sec. 38.038. HEALTHY AND SAFE SCHOOL WATER PLAN. (a) In this section, "water source" means any running water tap that is used for drinking or food preparation.

(b) Each school district shall adopt a healthy and safe school water plan. The plan must include provisions for:

(1) periodic testing for lead in school water sources;  
and

(2) reducing exposure to elevated levels of lead in school water sources.

(c) If the results of a school water source test for lead show a level of lead that exceeds 15 parts per billion, the school district must restrict access to the water source within 48 hours of learning of the test results. The district must determine and mitigate the source of the lead contamination, and a subsequent test for lead must show a level of lead below 15 parts per billion before access to the water source is returned to normal.

(d) The agency, in collaboration with the Texas Commission on Environmental Quality, the Department of State Health Services,

1 regional education service centers, and other stakeholders, shall  
2 develop a model healthy and safe school water plan that may be used  
3 by a school district to comply with this section.

4 (e) To the extent that funds are available to the agency for  
5 the purpose, the agency shall develop a program under which the  
6 agency reimburses a school district for testing lead concentrations  
7 in water sources at the district.

8 SECTION 2. (a) Not later than December 31, 2021, the Texas  
9 Education Agency shall develop the model healthy and safe school  
10 water plan required by Section 38.038, Education Code, as added by  
11 this Act.

12 (b) Not later than September 1, 2022, each school district  
13 and open-enrollment charter school shall adopt a healthy and safe  
14 school water plan as required by Section 38.038, Education Code, as  
15 added by this Act, and Section 12.104(b)(3)(K), Education Code, as  
16 applicable.

17 SECTION 3. This Act takes effect immediately if it receives  
18 a vote of two-thirds of all the members elected to each house, as  
19 provided by Section 39, Article III, Texas Constitution. If this  
20 Act does not receive the vote necessary for immediate effect, this  
21 Act takes effect September 1, 2021.