

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 87TH LEGISLATIVE REGULAR SESSION

May 3, 2021

TO: Honorable Harold V. Dutton, Jr., Chair, House Committee on Public Education

FROM: Jerry McGinty, Director, Legislative Budget Board

IN RE: HB605 by Gervin-Hawkins (relating to the adoption of a healthy and safe school water plan by public schools.), **Committee Report 1st House, Substituted**

Estimated Two-year Net Impact to General Revenue Related Funds for HB605, Committee Report 1st House, Substituted : an impact of \$0 through the biennium ending August 31, 2023.

The bill would make no appropriation but could provide the legal basis for an appropriation of funds to implement the provisions of the bill.

General Revenue-Related Funds, Five- Year Impact:

<i>Fiscal Year</i>	<i>Probable Net Positive/(Negative) Impact to General Revenue Related Funds</i>
2022	\$0
2023	\$0
2024	\$0
2025	\$0
2026	\$0

All Funds, Five-Year Impact:

<i>Fiscal Year</i>	<i>Probable Savings/(Cost) from Water Resource Management</i>
	153
2022	(\$1,500,000)
2023	\$0
2024	\$0
2025	\$0
2026	\$0

Fiscal Analysis

The bill would amend the Education Code to require each school district to adopt a health and safety water plan to provide for lead testing and contamination mitigation based on rules established by the Texas Commission on Environmental Quality (TCEQ).

The bill would require school districts that have a school water source test show elevated levels of lead to restrict access to the water source within 48 hours of obtaining the test result and would require the school district to determine and mitigate the source of the lead contamination.

The bill would require school districts to maintain records of water sources in the district and the date and results of all testing. The bill would require the school district to provide a copy of these records to the TCEQ at least once every four years. The bill would require each school district to designate an employee to act as a point of contact for communication with TCEQ and the public concerning water source testing.

The bill would require the Texas Education Agency, TCEQ, the Department of State Health Services, regional education service centers, and other stake holders to develop a model health and safety water plan for use as a guide by school districts in development of their own plan by December 31, 2021. The bill would require all school districts and open-enrollment charter schools to adopt a health and safe school water plan no later than September 1, 2022.

The bill would require school districts to report on water source test results to TCEQ at least every four years, require reporting to school district stakeholders.

The bill would take effect September 1, 2021, unless it receives a two-thirds majority vote in each chamber in which case it would take effect immediately.

Methodology

Based on information provided by TEA and TCEQ, this estimate assumes that TCEQ would require \$1,500,000 in General Revenue-Dedicated Water Resource Management Account No. 153 funding for the development of an online submission portal and database to house school district-submitted records.

This estimate assumes rulemaking required under the provisions of the bill and development of the model health and safety water plan could be accomplished with available resources.

Local Government Impact

According to the Texas Association of School Boards, using an estimate on a school district conducting their own sampling, averaging 30 locations per campus for all potable outlets. This number could potentially exceed: 100 water outlets in elementary schools, 250 water outlets in middle schools, and 500 water outlets in high schools. Sampling costs for each location is estimated to be \$250. The estimated fiscal impact per campus, sampling only, of \$3,000 for a elementary campus, \$7,500 for a middle school and \$15,000 for a high school. This estimate does not include the cost of staff training, public outreach and communication, software costs and remediation costs. Austin Independent School District received a vendor proposal resulting in \$385 to sample and test over 1,099 water outlets at 115 campuses for a total of \$423,115.

Source Agencies: 537 State Health Services, 582 Commission on Environmental Quality, 701 Texas Education Agency

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