

Subject Lead in Schools  
Authors Howard and Others  
Analyst Cristina Parra  
Date February 28, 2023

## Overview

This bill modifies current requirements for testing school drinking water by requiring remediation when testing reveals that the presence of lead exceeds five parts per billion. It also requires centralized reporting to the Department of Health.

## Summary

Section	Description
---------	-------------

- |   |   |
|---|---|
| 1 | <p><b>Lead in school drinking water.</b></p> <p><b>Subd. 1. Model plan.</b> Requires the state model plan to include recommendations for lead remediation efforts when water lead exceeds five parts per billion (ppb). The model plan is issued by the commissioners of health and education.</p> <p><b>Subd. 2. School plans.</b> Requires a school district or charter school to revise its lead testing plan to include policies and procedures to ensure consistent water quality. Requires the plan to be based on documents from the United States Environmental Protection Agency.</p> <p><b>Subd. 3. Frequency of testing.</b> Requires a school district or charter school to shut off or make a water source unavailable when testing shows the presence of lead exceeds five ppb. Requires a district or charter school to test again for the presence of lead after completing remediation activities.</p> <p><b>Subd. 5. Reporting.</b> Requires school districts and charter schools to send parents an annual notice of the district's or charter school's annual testing or remediation plan and information about how to find test results. Requires districts and charter schools to update online lead testing and remediation information annually. Requires districts and charter schools to remediate the presence of lead when testing is above five ppb. Requires districts and charter schools to report test results and remediation efforts to the commissioner of health. Requires the commissioner of health to post test results and remediation efforts on the department website, by school site. Requires districts and charter</p> |
|---|---|

Section	Description
---------	-------------

schools to maintain a record of lead testing results and remediation activities for at least 15 years.

**Subd. 6. Public water system.** States that a district or charter school is not financially responsible for remediating elevated lead levels if the public water system is a significant contributor to lead contamination. Requires a district or charter school to try to coordinate needed replacements of lead service lines with the public water supply utility. Allows a district or charter school to defer remediation activities until after the elevated lead level in the public water's infrastructure is remediated and postremediation testing does not detect an elevated lead level.

**Subd. 7. Commissioner recommendations.** Requires the commissioner of health to report to the legislature by January 1, 2026, and every five years thereafter on recommended changes to this section, including suggested changes on the level of lead that requires remediation.

**Effective date:** This section is effective July 1, 2023.

2 **Long-term facilities maintenance revenue.**

Adds the cost of lead remediation to a district's long-term facilities maintenance revenue.

3 **Long-term facilities maintenance revenue for a charter school.**

Adds the cost of lead remediation to a charter school's long-term facilities maintenance revenue.

4 **Long-term facilities maintenance equalization revenue.**

Strikes obsolete language.

5 **Long-term facilities maintenance equalized levy.**

Strikes obsolete language.

6 **Long-term facilities maintenance unequalized levy.**

Strikes obsolete language.

7 **Long-term facilities maintenance equalized aid.**

Strikes obsolete language.

8 **Appropriation.**

Appropriates money for grants to American Indian Tribal contract schools for lead remediation activities.



**MN HOUSE  
RESEARCH**

*Minnesota House Research Department provides nonpartisan legislative, legal, and information services to the Minnesota House of Representatives. This document can be made available in alternative formats.*

[www.house.mn/hrd](http://www.house.mn/hrd) | 651-296-6753 | 155 State Office Building | St. Paul, MN 55155