A BILL TO BE ENTITLED
AN ACT

relating to the testing of drinking water from and the replacement
and repair of drinking water outlets and water lines on publicly
owned and operated property.

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

SECTION 1. Subchapter C, Chapter 341, Health and Safety
Code, is amended by adding Section 341.0317 to read as follows:

Sec. 341.0317. DRINKING WATER ON PUBLICLY OWNED AND
OPERATED PROPERTY. (a) In this section:

(1) "Child care facility" has the meaning assigned by
Section 88.001.

(2) "Drinking water outlet" means any point-of-use
device, including a water fountain, faucet, or tap regularly used
for drinking water or food preparation.

(3) "Federal rule" means the United States
Environmental Protection Agency's Lead and Copper Rule (40 C.F.R.
Part 141, Subpart I).

(4) "Institution of higher education" has the meaning
assigned by Section 61.003, Education Code.

(5) "Public junior college" has the meaning assigned
by Section 61.003, Education Code.

(6) "Public water system" has the meaning assigned by
the federal Safe Drinking Water Act (42 U.S.C. Section 300f et
seq.).
(7) "State hospital" has the meaning assigned by Section 552.0011.

(8) "State supported living center" has the meaning assigned by Section 531.002.

(9) "Water line" means the pipe and its fittings that connect a drinking water main to a drinking water outlet.

(b) The commission shall create a program under which the commission routinely tests the levels of lead and copper in the water emitted from all drinking water outlets and water lines that serve property owned and operated by the state or a political subdivision of this state, including:

(1) public schools;

(2) publicly owned child care facilities;

(3) institutions of higher education and public junior colleges;

(4) state supported living centers;

(5) public hospitals;

(6) state agencies; and

(7) public parks.

(c) The commission shall create a plan that includes:

(1) a process for the commission to cooperate with state agencies, political subdivisions, and public water systems to create a schedule to repair or replace all drinking water outlets and water lines that contain water with levels of lead and copper that exceed the standards set by the federal rule; and

(2) a standardized routine maintenance plan to ensure that all drinking water outlets and water lines are safe for public
use.

   (d) An entity responsible for the maintenance of a drinking water outlet or water line that the commission determines contains water with levels of lead and copper that exceed the standards set by the federal rule shall:

   (1) repair or replace the drinking water outlet or water line according to the plan and schedule created under Subsection (c); and

   (2) bear the cost of the repair or replacement of the drinking water outlet or water line.

   (e) The commission shall post on the publicly accessible portion of the commission's Internet website, and each affected state agency or political subdivision shall post on its Internet website:

   (1) results of testing under Subsection (b); and

   (2) repair and replacement schedules described in the plan created under Subsection (c).

SECTION 2. (a) Not later than August 1, 2018, the Texas Commission on Environmental Quality shall create the program and the plan as required by Section 341.0317, Health and Safety Code, as added by this Act.

   (b) Not later than September 1, 2018, the Texas Commission on Environmental Quality shall begin testing as required by Section 341.0317, Health and Safety Code, as added by this Act.

SECTION 3. This Act takes effect September 1, 2017.