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HOUSE BILL 1805

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State of Washington

65th Legislature

2017 Regular Session

By Representatives Farrell, McBride, Peterson, Stanford, Goodman, Fitzgibbon, Bergquist, and Macri

1 AN ACT Relating to beginning to address the issue of contaminated  
2 drinking water stemming from the lead content in drinking water  
3 infrastructure, including pipes, connections, and fixtures;  
4 reenacting and amending RCW 43.155.050; and adding a new section to  
5 chapter 70.119A RCW.

6 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

7 NEW SECTION. **Sec. 1.** A new section is added to chapter 70.119A  
8 RCW to read as follows:

9 (1)(a) By July 1, 2020, each public water system must fully  
10 replace all lead service lines located at or connecting to a school  
11 or an early childhood program. The public water system must bear the  
12 cost associated with the replacement required under this section,  
13 regardless of ownership of any portion of the service line. The  
14 public water system must perform lead service line replacements in  
15 coordination with the relevant local government, school district, and  
16 school or early childhood program.

17 (b) No later than sixty days after completing the replacement of  
18 all lead service lines consistent with (a) of this subsection, a  
19 public water system must submit a report to the department certifying  
20 the public water system's compliance with (a) of this subsection and  
21 identifying the service lines and connections that were replaced.

1 (2)(a) By July 1, 2030, each public water system must fully  
2 replace all lead service lines located within its service area. The  
3 public water system must bear the cost associated with the  
4 replacement required under this section, regardless of ownership of  
5 any portion of the service line. The public water system must perform  
6 lead service line replacements in coordination with the relevant  
7 local government.

8 (b) No later than sixty days after completing the replacement of  
9 all lead service lines consistent with (a) of this subsection, a  
10 public water system must submit a report to the department certifying  
11 the public water system's compliance with (a) of this subsection and  
12 identifying the service lines and connections that were replaced.

13 (3) The definitions in this subsection apply throughout this  
14 section unless the context clearly requires otherwise.

15 (a) "Early childhood program" means any child care facility or  
16 preschool including, but not limited to, a child day care center as  
17 defined in RCW 43.215.010, a family day care provider as defined in  
18 RCW 43.215.010, or any education program for children three to five  
19 years old who have not yet entered kindergarten.

20 (b) "Lead service line" means a pipe and its fittings, or both,  
21 that:

22 (i) Connect a drinking water main to a building inlet; and

23 (ii) Are not lead free as determined using a calculation  
24 consistent with the requirements of 42 U.S.C. Sec. 300g-6(d)(2), as  
25 of the effective date of this section.

26 (c) "School" means a public school as defined in RCW 28A.150.010.

27 **Sec. 2.** RCW 43.155.050 and 2015 3rd sp.s. c 4 s 959 and 2015 3rd  
28 sp.s. c 3 s 7032 are each reenacted and amended to read as follows:

29 The public works assistance account is hereby established in the  
30 state treasury. Money may be placed in the public works assistance  
31 account from the proceeds of bonds when authorized by the legislature  
32 or from any other lawful source. Money in the public works assistance  
33 account shall be used to make loans and to give financial guarantees  
34 to local governments for public works projects. Moneys in the account  
35 may also be appropriated to provide for state match requirements  
36 under federal law for projects and activities conducted and financed  
37 by the board under the drinking water assistance account. Not more  
38 than fifteen percent of the biennial capital budget appropriation to  
39 the public works board from this account may be expended or obligated

1 for preconstruction loans, emergency loans, or loans for capital  
2 facility planning under this chapter; of this amount, not more than  
3 ten percent of the biennial capital budget appropriation may be  
4 expended for emergency loans and not more than one percent of the  
5 biennial capital budget appropriation may be expended for capital  
6 facility planning loans. During the 2015-2017 fiscal biennium, the  
7 legislature may transfer from the public works assistance account to  
8 the general fund, the water pollution control revolving account, and  
9 the drinking water assistance account such amounts as reflect the  
10 excess fund balance of the account. (~~During the 2013-2015 fiscal~~  
11 ~~biennium, the legislature may transfer from the public works~~  
12 ~~assistance account to the education legacy trust account such amounts~~  
13 ~~as specified by the legislature.)) During the 2015-2017 fiscal  
14 biennium, the legislature may appropriate moneys from the account for  
15 activities related to the growth management act and the voluntary  
16 stewardship program. During the 2015-2017 fiscal biennium, the  
17 legislature may transfer from the public works assistance account to  
18 the state general fund such amounts as specified by the legislature.  
19 In the 2017-2019 fiscal biennium the legislature intends to allocate  
20 seventy-three million dollars of future loan repayments paid into the  
21 public works assistance account to support basic education. Beginning  
22 August 1, 2017, money in the public works assistance account may be  
23 used to support the activities required in section 1 of this act.~~

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