

SENATE BILL NO. 1075

101ST GENERAL ASSEMBLY

INTRODUCED BY SENATOR SCHUPP.

4651S.071

ADRIANE D. CROUSE, Secretary

AN ACT

To amend chapter 701, RSMo, by adding thereto one new section relating to drinking water in schools, with an emergency clause.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Chapter 701, RSMo, is amended by adding thereto
2 one new section, to be known as section 701.250, to read as
3 follows:

701.250. 1. This section shall be known and may be
2 cited as the "Get the Lead Out Act".

3 2. As used in this section, the following terms mean:

4 (1) "Department", the department of elementary and
5 secondary education;

6 (2) "Drinking water source", a potable water outlet or
7 fixture used or that could potentially be used for drinking
8 or cooking purposes, such as a drinking water fountain,
9 faucet, ice machine, hot drinks machine, or pour-through
10 device;

11 (3) "School", any public school as defined in section
12 160.011.

13 3. (1) The department shall create a grant program to
14 provide funding to schools to mitigate lead in drinking
15 water. The grants shall be funded by moneys in the safe
16 drinking water in schools fund created in this section and
17 shall be subject to appropriation. The grants shall be in
18 an amount determined by the department, but shall be awarded

19 based on the total amount that a school invests in the
20 installation of filters pursuant to subsection 4 of this
21 section using funds received pursuant to the federal
22 American Rescue Plan Act of 2021 (Public Law 117-2), enacted
23 by the 117th United States Congress.

24 (2) The department shall prioritize awarding grants to
25 schools in which more than seventy percent of students in
26 the school qualify for free or reduced price lunch and
27 elementary schools.

28 (3) Each school that receives a grant under this
29 section shall provide at least one filtered drinking water
30 station per one hundred students in the school building, and
31 all non-filtered, non-tested drinking water sources where
32 the lead parts per billion are unknown or where the lead
33 level is above one part per billion shall be rendered
34 unusable for consumption. Cafeteria sinks and other
35 consumable drinking water sources are eligible to have
36 filters installed using grant funds under this section.

37 (4) The department shall structure the grant program
38 so that schools receive funding for filter installation by
39 May 31, 2023.

40 4. (1) Each school that receives a grant under this
41 section shall install a filter that reduces lead in drinking
42 water on each drinking water source that will be used for
43 consumption, maintain such filters to ensure that lead
44 concentration levels are below one part per billion, and
45 replace such filters at least as frequently as provided for
46 in the manufacturer's instructions.

47 (2) The filters installed initially and any
48 replacement filters shall be certified as compliant with NSF
49 International/American National Standards Institute (ANSI)
50 Standard 53-2017, "Drinking Water Treatment Units - Health

51 Effects", published by NSF International, and shall
52 incorporate an integral performance indication device as
53 specified in section 6.1 of NSF/ANSI standard 53-2017, or
54 any more stringent requirements adopted thereafter.

55 5. The department shall inform schools about the grant
56 program by creating an easily accessible link on the
57 department's website to a webpage with information about the
58 grant program and information on the hazards of lead
59 contamination to young children. The department of health
60 and senior services shall provide the department with
61 information on the hazards of lead contamination to young
62 children. The webpage shall include information that
63 installing filters is an eligible project under the federal
64 American Rescue Plan Act of 2021.

65 6. The department may work with the department of
66 natural resources to assist schools with the purchase,
67 installation, and maintenance of filters, including the use
68 of any funds the department of natural resources has from
69 the federal Infrastructure Investment and Jobs Act (Public
70 Law 117-58), as enacted by the 117th Congress.

71 7. (1) There is hereby created in the state treasury
72 the "Safe Drinking Water in Schools Fund", which shall
73 consist of moneys appropriated to it by the general assembly
74 and any gifts, contributions, grants, or bequests received
75 from federal, private, or other sources. The state
76 treasurer shall be custodian of the fund. In accordance
77 with sections 30.170 and 30.180, the state treasurer may
78 approve disbursements. The fund shall be a dedicated fund
79 and money in the fund shall be used solely by the department
80 for the purposes of this section.

81 (2) Notwithstanding the provisions of section 33.080
82 to the contrary, any moneys remaining in the fund at the end

83 of the biennium shall not revert to the credit of the
84 general revenue fund.

85 (3) The state treasurer shall invest moneys in the
86 fund in the same manner as other funds are invested. Any
87 interest and moneys earned on such investments shall be
88 credited to the fund.

89 8. Once funds from the federal American Rescue Plan
90 Act of 2021 are no longer available, the grant program shall
91 stop awarding matching grant funds.

92 9. The department shall promulgate rules and
93 regulations for the implementation of this section. Any
94 rule or portion of a rule, as that term is defined in
95 section 536.010, that is created under the authority
96 delegated in this section shall become effective only if it
97 complies with and is subject to all of the provisions of
98 chapter 536 and, if applicable, section 536.028. This
99 section and chapter 536 are nonseverable and if any of the
100 powers vested with the general assembly pursuant to chapter
101 536 to review, to delay the effective date, or to disapprove
102 and annul a rule are subsequently held unconstitutional,
103 then the grant of rulemaking authority and any rule proposed
104 or adopted after August 28, 2022, shall be invalid and void.

Section B. Because of the need to protect school
2 children from the hazards of lead contamination, section A
3 of this act is deemed necessary for the immediate
4 preservation of the public health, welfare, peace, and
5 safety, and is hereby declared to be an emergency act within
6 the meaning of the constitution, and section A of this act
7 shall be in full force and effect upon its passage and
8 approval.

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