

1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to amend the Code of Virginia by adding a section numbered 63.2-1705.1, relating to child day*
3 *programs; potable water; lead testing.*

4
5 Approved

[S 393]

6 **Be it enacted by the General Assembly of Virginia:**

7 **1. That the Code of Virginia is amended by adding a section numbered 63.2-1705.1 as follows:**

8 **§ 63.2-1705.1. *Child day and certain other programs; potable water; lead testing.***

9 *A. Each child day program that is licensed pursuant to this chapter and any program described in*
10 *subdivision A 4, B 1, or B 5 of § 63.2-1715 that serves preschool-age children shall develop and*
11 *implement a plan to test potable water from sources identified by the U.S. Environmental Protection*
12 *Agency as high priority, including bubbler-style and cooler-style drinking fountains, kitchen taps,*
13 *classroom combination sinks and drinking fountains, home economics room sinks, teacher's lounge sinks,*
14 *nurse's office sinks, classroom sinks in special education classrooms, and sinks known to be or visibly*
15 *used for consumption.*

16 *B. The plan established pursuant to subsection A and the results of each test conducted pursuant to*
17 *such plan shall be submitted to and reviewed by the Commissioner and the Department of Health's*
18 *Office of Drinking Water.*

19 *C. If the results of any test conducted in accordance with the plan established pursuant to subsection*
20 *A indicate a level of lead in the potable water that is at or above 15 parts per billion, the program*
21 *shall remediate the level of lead in the potable water to below 15 parts per billion and confirm such*
22 *remediation by retesting the water. The results of the retests shall be submitted to and reviewed by the*
23 *Commissioner and the Department of Health's Office of Drinking Water.*

24 *D. Notwithstanding the provisions of subsection A or C, a child day program that is licensed*
25 *pursuant to this chapter and any program described in subdivision A 4, B 1, or B 5 of § 63.2-1715 may,*
26 *in lieu of developing and implementing a plan to test potable water or of remediation, use for human*
27 *consumption, as defined by § 32.1-167, bottled water, water coolers, or other similar water source that*
28 *meets the U.S. Food and Drug Administration standards for bottled water. Any program that chooses*
29 *this option shall notify the Commissioner and the Department of Health's Office of Drinking Water and*
30 *the parent of each child in the program of such choice.*

ENROLLED

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