

2021 SPECIAL SESSION I

ENROLLED

HOUSE JOINT RESOLUTION NO. 538

Recognizing that access to clean, potable, and affordable water is a necessary human right.

Agreed to by the House of Delegates, January 26, 2021

Agreed to by the Senate, February 23, 2021

WHEREAS, water is a public good that is held by the Commonwealth as a public trust, not as a commodity, but many Virginians have been and continue to be locked out of equitable water sources due to affordability challenges; and

WHEREAS, United Nations standards suggest that total expenditures on water and sanitation services, together with any needed alternative source of clean water, should not exceed three to five percent of household income; and

WHEREAS, the lack of access to drinking water and water-related illnesses disproportionately impact low-income communities and communities of color, and all efforts must be made to ensure public access to and affordability of water for private use by all residents of the Commonwealth; and

WHEREAS, the realities of the COVID-19 pandemic have exacerbated and amplified the critical importance of water as a quality of life issue; in some cases, access to safe water may be the difference between sickness and health or life and death; and

WHEREAS, in addition, climate change has resulted in challenges to accessibility and affordability of water, with freshwater and groundwater increasingly threatened by storm surges, sea level rise, and drought; and

WHEREAS, the Commonwealth has a responsibility to promote and protect all human rights, which are universal, indivisible, interdependent, and interrelated, and must be treated in a fair and equal manner, on the same footing and with the same emphasis; and

WHEREAS, equitable access to safe drinking water and sanitation is an integral component of the realization of all human rights; the Commonwealth must protect its water resources and ensure the ability of its residents to access and afford water for growing food, cooking, bathing, and drinking; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the General Assembly recognize that:

1. Access to clean, potable water in amounts that will ensure an acceptable standard of living is a necessary human right;

2. The use of water for personal and domestic uses, such as drinking, sanitation, and food preparation, should be prioritized over the use of water by commercial or industrial entities;

3. Effective strategies should be used by state agencies to limit contamination of water by residents, but most importantly to ensure the reduction of pollution by commercial or industrial entities, and mitigate the impact of climate change on the Commonwealth's freshwater resources;

4. Direct or indirect costs to connect, deliver, and provide water should not be a hindrance to the access of water, and the costs of access to water should not compromise the ability to pay for other essential items, such as food, housing, and health care, so that no one is deprived of water because of inability to pay;

5. Access to water for schools currently without adequate safe drinking water should be addressed as a matter of urgency;

6. Relevant state agencies are strongly encouraged to consider that water is a human right when revising, adopting, or establishing policies and regulations, especially when those policies are pertinent to personal and domestic uses;

7. A statewide water affordability program would ensure that every household can afford to pay its water, wastewater, and stormwater bills based on the household's income through percentage of income payment plans with arrears management;

8. Water service disconnections for nonpayment are contrary to promoting public welfare and public health, and the Commonwealth must protect vulnerable populations, including seniors, youths, and medically compromised individuals, from water service disconnections; and

9. The act of unauthorized reconnections of water services that were disconnected for an inability to pay should be decriminalized; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates transmit copies of this resolution to Virginia Interfaith Power & Light and Food & Water Watch, requesting that the organizations further disseminate copies of this resolution to their respective constituents so that they may be apprised of the sense of the General Assembly of Virginia that further consideration of this matter is warranted.

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