

Department of Planning and Budget 2020 Fiscal Impact Statement

1. **Bill Number:** SB410

House of Origin Introduced Substitute Engrossed

Second House In Committee Substitute Enrolled

2. **Patron:** Hashmi

3. **Committee:** Appropriations

4. **Title:** Public school buildings; testing for Legionella bacteria; review; report.

5. **Summary:** Requires each school board to maintain a water management program for the prevention of Legionella at each public school building in the local school division and to validate each water management program on at least an annual basis to maintain the health and decency of such buildings. Requires each public school to maintain files related to its water management program, including the results of all validation and remediation activities, and make such files available for review. Additionally, requires the Department of Education to make recommendations for the establishment, maintenance, and validation of water management programs in public school buildings and to notify each local school board of its recommendations no later than September 1, 2020.

6. **Budget Amendment Necessary:** Yes. Item 134 of HB/SB 29.

7. **Fiscal Impact Estimates:** Preliminary. See Item 8.

8. **Fiscal Implications:** The Department of Education (DOE) anticipates the need to contract with a consultant to make recommendations for the establishment, maintenance, and validation of water management programs in public school buildings. Because of the September 1, 2020 deadline, DOE estimates a one-time cost of \$10,000 in FY 2020 to satisfy this requirement.

Pursuant to § 32.1-2, Code of Virginia, the Virginia Department of Health (VDH) is responsible to "...provide a comprehensive program of preventive, curative, restorative and environmental health services, educate the citizenry in health and environmental matters, ... assist in research, and abate hazards and nuisances to the health and to the environment, both emergency and otherwise, thereby improving the quality of life in the Commonwealth." This reasonably includes providing technical assistance to schools regarding water management programs and other activities related to Legionella in schools.

Pursuant to § 32.1-169, Code of Virginia, the Board of Health, through the Office of Drinking Water (ODW), "...shall have general supervision and control over all water supplies and waterworks in the Commonwealth insofar as the bacteriological, chemical, radiological, and physical quality of waters furnished for human consumption may affect the public health and welfare and may require that all water supplies be pure water." As such, ODW has expertise to

assist schools with water management programs and provide technical assistance related to Legionella.

This bill requires each school board to maintain a water management program for the prevention of Legionella at each public school building in Virginia. VDH expects to incur costs within the ODW when school boards or DOE reach out for information about water management programs, exposure to legionella, risk communication, public education, and recommendations for establishing, maintaining, or validating water management programs. ODW supported VDH's response to the Legionella cases in Chesterfield County in 2019 and spent dozens of hours helping and providing resources. While this bill does not have a notification requirement, the Code of Virginia contains authority and responsibility for response to questions, inquiries, and technical assistance. Any actual fiscal impact to VDH is indeterminate at this time.

Any fiscal impact to local school divisions is indeterminate.

9. Specific Agency or Political Subdivisions Affected: Virginia Department of Education, Virginia Department of Health, local school divisions

10. Technical Amendment Necessary: No

11. Other Comments: None