



Senate Fiscal Agency  
P.O. Box 30036  
Lansing, Michigan 48909-7536



Telephone: (517) 373-5383  
Fax: (517) 373-1986

Senate Bills 184 and 185 (as reported without amendment)  
Sponsor: Senator Curtis S. Vanderwall (S.B. 184)  
Senator Jim Ananich (S.B. 185)  
Committee: Environmental Quality

### **CONTENT**

Senate Bill 184 would enact the "Clean Drinking Water Access Act", which would do the following:

- Require each school, by August 1, 2022, to develop a drinking water safety plan and to make that plan available to the Department of Environment, Great Lakes, and Energy (EGLE), school staff, parents, and the general public upon request.
- Require a drinking water safety plan to specify the location of water outlets and to establish a schedule for annual water sampling and testing and regular replacement of water filters.
- Require a school to review and update its plan every five years and to make changes as directed by EGLE or as needed to comply with the proposed Act.
- Prescribe procedures for a school to follow if water sampling indicated the presence of lead at a concentration of one to five parts per billion, or higher.
- Require each school, by the end of the 2024-2025 school year, to install all filtered bottle-filling stations and filtered faucets in the school's plan, shut off any water outlet that provided drinking water that was not filtered, and post specified signage.
- Require the Legislature to appropriate annually to EGLE an amount sufficient to administer and comply with the Act and specify that schools would not have to comply with the Act until the Legislature did so.
- Require EGLE to assist schools in maintaining compliance with the Act and to provide a template for drinking water safety plans.
- Require EGLE to provide annual training for school staff and school official regarding water sampling protocol, reporting sampling results, and other relevant activities, and to provide guidance related to selecting equipment, shutting off water outlets, and sampling and testing water.
- Prohibit a school from installing a drinking fountain that was not a filtered bottle-filling stations after August 1, 2022.
- Create the "School and Child Care Center Clean Drinking Water Fund" and provide for the disposition of money from the Fund.

Senate Bill 185 would amend the child care licensing Act to do the following:

- Define pertinent terms as those terms would be defined under Senate Bill 184.
- Require a child care center to develop a drinking water safety plan within one year of the bill's effective date and to make that plan available to EGLE, center staff, and parents upon request.
- Require a drinking water safety plan to specify the location of water outlets and to establish a schedule for annual water sampling and testing and regular replacement of water filters.

- Require a child care center to review and update its plan every five years and to make changes as directed by EGLE or as needed to comply with the bill.
- Prescribe procedures for a child care center to follow if water sampling indicated the presence of lead at a concentration of one to five parts per billion, or higher, that are substantially similar to those proposed in Senate Bill 184.
- Require a child care center to retain certain records pertaining water sampling and testing for at least two years and to make those documents available to EGLE upon request.
- Require each child care center, by August 1, 2022, to convert all faucets for drinking water to filtered faucets, place certain signage, and ensure that any water given to children at a child care center was from a filtered source that met the bill's requirements.
- Require EGLE to assist each child care center in maintaining compliance with the bill's requirements and to provide to child care centers information, guidance, and training that was substantially similar to that prescribed in Senate Bill 184.
- Require all child care center staff responsible for the provision or oversight of children's access to drinking water, by August 1, 2021, and every five years thereafter, to participate in training provided by EGLE.

MCL 722.111 (S.B. 185)

Legislative Analyst: Dana Adams

### **FISCAL IMPACT**

The bills would have an indeterminate fiscal impact on State and local government. Senate Bill 184 would require the Legislature to appropriate sufficient dollars to administer the program. This means that the Legislature would need to appropriate enough funding to install filtered bottle-filling and water faucets in all schools by the end of the 2024-2025 school year and to fund the annual water sampling and testing. The cost to install filtered bottle-fillers and water faucets in every school is based on maintaining the one bottler-filler/faucet-to-every-100-student ratio and the cost for purchase and installation. The total cost is estimated to be around \$58.0 million; however, many schools already have replaced bottle-fillers and faucets in school buildings, so the final costs could be lower. The cost to install filtered water-fillers and faucets at every child care center under Senate Bill 185 could be between \$20.0 million and \$30.0 million. This means the total costs to install filtered bottle-fillers and faucets in every school building and child care center could be between \$78.0 and \$88.0 million. However, the final costs could be lower if a significant number of schools and child care centers already have replaced bottle-fillers and faucets, if a child care center was located in a school building, or if the State were able to lower the purchasing cost by purchasing this equipment in bulk. The annual cost to conduct and water sampling and testing could be between \$3.0 million and \$5.0 million.

Local schools would see a negative fiscal impact to create and update their drinking water safety plans, install filtered bottler-fillers and water faucets, and conduct annual sampling and testing. These costs would be covered by the School and Child Care Center Clean Drinking Water Fund, otherwise schools would not have to meet Senate Bill 184's requirements.

Senate Bills 184 and 185 would require schools and child care centers, respectively, to make their drinking water safety plans available to EGLE upon request. They would have to send EGLE a copy of any test results showing the presence of lead in drinking water in a concentration of between one and five parts per billion. If tests showed the presence of lead in drinking water of greater than five parts per billion, the report would have to be provided to EGLE and it would have to be consulted on a remediation plan. The Department also would have to provide training and guidance to schools and child care centers as specified in the bills. All of these components would result in minor administrative costs for EGLE.

Senate Bill 184 would have a minor fiscal impact on the Department of Treasury, which would result from the requirement to administer the Fund. The amount needed would be within current appropriations.

Date Completed: 12-2-21

Fiscal Analyst: Ben Dawson  
Cory Savino