

NOTE: This is the presented and final version of House Bill 26-010 as presented to the Governor for approval. No gubernatorial action has been recorded at this time.



HOUSE BILL 26-010

BY SENATOR(S) Albert Petty
also REPRESENTATIVE(S) Irving Black, Adrienne Cole,
Emma Enriquez, Chelsea Mendoza

CONCERNING TESTING REQUIREMENTS FOR THE PURITY
OF WATER AND AIR.

*Be it Enacted by the General Assembly of the State of San
Andreas:*

In the San Andreas Revised Statutes, **ADD** section 25-83-216 as follows:

SECTION 1. SHORT TITLE. This bill shall be referred to as the “Water and Air Purity Testing Act.”

SECTION 2. LEGISLATIVE DECLARATION. The General Assembly hereby finds and declares that: (a) Clean air and safe drinking water are fundamental to the health, safety, and welfare of residents of the state. (b) Environmental contamination poses significant risks to public health, economic stability, and natural resources. (c) Regular monitoring, testing, and transparent reporting of air and water quality are necessary to ensure compliance with environmental standards and maintain public confidence. (d) Advances in environmental science and monitoring technology allow for more accurate and timely detection of pollutants. (e) It is the intent of the General Assembly to establish

consistent statewide standards for testing, reporting, and enforcement relating to air and water purity.

SECTION 3. DEFINITIONS. For purposes of this Act, unless the context otherwise requires: (a) “Department” means the Department of Public Health and Environment. (b) “Air pollutant” means any particulate matter, gas, vapor, or chemical substance that may harm human health or the environment. (c) “Water system” means any public or private entity that provides water for human consumption or public use. (d) “Testing entity” means a laboratory or agency certified by the Department to conduct environmental testing. (e) “Purity standards” means allowable concentration limits for contaminants established by rule consistent with state and federal environmental standards. (f) “Certified testing personnel” means individuals who meet training and certification standards established by the Department for conducting environmental sampling and analysis.

SECTION 4. WATER QUALITY TESTING REQUIREMENTS. (a) All public water systems shall conduct routine testing for contaminants identified by the Department, including but not limited to: (I) Lead and heavy metals; (II) Bacteria and microbial contaminants; (III) Industrial chemicals; (IV) Agricultural runoff contaminants; and (V) Any additional substances identified by rule; and (VI) Emerging contaminants, including but not limited to per- and polyfluoroalkyl substances (PFAS), pharmaceuticals, and microplastics, as identified by rule. (b) Testing shall occur at intervals established by the Department; however, testing of primary drinking water sources shall occur at the end of every every sixty days, and systems serving populations exceeding fifty thousand persons shall conduct monthly contaminant monitoring for substances identified as high-risk by the Department. (I) For purposes of this subsection, “end of every two calendar months” means testing shall occur no later than the last day of each second consecutive calendar month. (c) Upon detection of contamination exceeding established purity standards, a water system shall notify the Department immediately and shall provide public notice to affected communities within twenty-four

hours through electronic notification, public posting, local media outlets in the affected area, and, where feasible, multilingual communication, and direct customer communication where practicable. (d) A water system detecting contamination exceeding health-based limits shall implement interim mitigation measures, including alternative water supply notification or treatment actions, pending full remediation. (e) Any contamination result exceeding purity standards shall be confirmed through independent laboratory verification within seventy-two hours unless immediate public health action is required. (f) County and city governments may designate or establish a department or agency responsible for testing water sources within their jurisdiction. Any such designated or established entity shall comply with rules adopted by the Department to ensure uniform testing standards across the state. (g) Each public water system shall undergo an independent third-party audit of its testing procedures and results not less than once every two years. The results of such audits shall be submitted to the Department and made publicly available. (h) The Department may require immediate additional testing outside of established intervals upon receipt of credible evidence of contamination, environmental hazard, or public health risk. (i) All water samples collected pursuant to this Act shall follow documented chain-of-custody procedures established by the Department to ensure integrity, traceability, and reliability of test results. (j) Water systems serving schools, childcare facilities, hospitals, and long-term care facilities shall conduct additional targeted testing for contaminants identified as posing heightened risks to vulnerable populations, as determined by the Department.

SECTION 5. AIR QUALITY MONITORING REQUIREMENTS. (a) The Department shall establish and maintain air quality monitoring standards throughout the state. (b) Industrial facilities and major emission sources shall conduct periodic emissions testing and reporting as required by rule. (c) The Department may require additional monitoring in areas identified as having elevated pollution levels or increased public health risk. (d) The Department shall establish real-time automated air monitoring systems in areas designated as high-risk due to

industrial activity, wildfire exposure, population density, or documented pollution exceedances. (e) Monitoring Limitations. The Department shall not require continuous air monitoring systems unless the costs of such systems are fully subsidized by state or federal grants.

SECTION 6. PUBLIC REPORTING AND TRANSPARENCY. (a) The Department shall maintain a publicly accessible online database containing: (I) Water quality testing results; (II) Air quality monitoring data; (III) Notices of violations or exceedances; (IV) Corrective actions taken; (V) Historical testing data for not less than five years; (VI) Geographic mapping of contamination or pollution exceedances; and (VII) Health advisory notices issued by state or local authorities. (b) Reports shall be updated regularly and presented in a format accessible to the public, including compliance with accessibility standards for individuals with disabilities and availability in commonly spoken languages within affected communities. (c) Public reporting required under this section shall include plain-language summaries explaining health risks associated with detected contaminants. (d) All testing results required under this Act shall be submitted to the Department within seventy-two hours of laboratory confirmation, unless a shorter timeframe is required for contaminants posing immediate public health risks. (e) All testing data, reports, and related documentation shall be retained by water systems and testing entities for a minimum of ten years and shall be made available to the Department upon request. (f) The Department shall develop and maintain an integrated emergency notification system capable of issuing real-time alerts to affected residents in the event of significant contamination or public health risk. (g) County and municipal entities conducting testing pursuant to this Act shall submit an annual summary report to the Department detailing testing activities, findings, and compliance status.

SECTION 7. ENFORCEMENT AND COMPLIANCE. (a) The Department may issue notices of violation, corrective compliance orders, and administrative penalties not to exceed amounts established by rule based on severity, duration, and degree

of negligence, and mandatory remediation requirements. (b) Continued or willful violations may result in suspension of operating permits or referral for civil enforcement. (c) Nothing in this Act limits existing enforcement authority under environmental laws. (d) County and municipal governments that establish or designate testing entities pursuant to this Act may enforce compliance within their jurisdiction, including the issuance of local notices of violation and coordination with the Department for enforcement actions. (e) Any entity found in violation of this Act more than twice within a three-year period shall be subject to enhanced enforcement actions, including increased penalties, mandatory corrective action plans, and potential suspension of operating authority. (f) Prior to the issuance of major enforcement actions, including permit suspension or significant penalties, the Department shall provide notice and an opportunity for a public hearing in the affected community. (g) The Department may assess reasonable fees to cover the costs of certification, oversight, and compliance monitoring under this Act; however, such fees shall be structured to avoid undue burden on small or rural water systems.

SECTION 7.5. TECHNICAL ASSISTANCE. (a) The Department shall establish technical assistance and grant support programs for rural or small water systems to achieve compliance with testing and reporting requirements. (b) The Department may prioritize funding for communities with demonstrated financial hardship or documented contamination risks.

SECTION 7.6. WHISTLEBLOWER PROTECTIONS. (a) An employee or contractor of a water system, testing entity, or regulated facility shall not be subject to retaliation for reporting violations, contamination risks, or noncompliance with this Act. (b) The Department shall establish procedures for confidential reporting and investigation of complaints under this section.

SECTION 8. RULEMAKING AUTHORITY. The Department of Public Health and Environment may promulgate rules necessary to implement and enforce this Act, including purity standards, testing procedures, and reporting requirements, which

shall apply uniformly to all state, county, and municipal testing entities. The Department shall coordinate with state environmental, agricultural, and emergency management agencies to ensure consistent enforcement and response to contamination events.

SECTION 8.5. REPORTING. (a) Beginning January 15, 2028, the Department shall submit an annual report to the General Assembly and the Governor summarizing: (I) Statewide contamination trends; (II) Enforcement actions taken; (III) Communities disproportionately affected by pollution; and (IV) Recommendations for statutory improvements. (b) Beginning on or before July 1, 2027, the Department shall provide an interim report to the General Assembly and the Governor summarizing implementation progress, compliance rates, and any challenges encountered.

SECTION 9. IMPLEMENTATION PERIOD. (a) The Department shall provide a grace period of one hundred eighty days for entities to register their testing protocols.

SECTION 10. SUNSET REVIEW. (a) This Act shall be subject to review by the General Assembly five years after its effective date to evaluate effectiveness, costs, and public health outcomes. (b) The Department shall provide recommendations regarding continuation, modification, or repeal.

SECTION 11. SEVERABILITY. If any provision of this Act or its application to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the Act that can be given effect without the invalid provision or application.

SECTION 12. SAFETY CLAUSE. The General Assembly hereby finds, determines, and declares that this Act is necessary for the immediate preservation of the public peace, health, or safety.

Brooklynn Suarez
SPEAKER OF THE HOUSE OF
REPRESENTATIVES

Benjamin Harrison
PRESIDENT OF THE
SENATE

Gabriella Spears
CLERK OF THE HOUSE OF
REPRESENTATIVES

Estella Newman
SECRETARY OF THE
SENATE

APPROVED:

(Date and Time)

Isabel R. Payne
GOVERNOR OF THE STATE OF SAN
ANDREAS