

**First Regular Session
Seventy-Seventh General Assembly
STATE OF SAN ANDREAS**

REVISED

LLS NO. 26-0715.04 Amirah Vasquez x2851

HOUSE BILL 26-010

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Black, Cole, Enriquez, Mendoza

House Committees

Environment, Climate, & Wildfire Management

Senate Committees

Energy, Environment & Natural Resources

A BILL FOR AN ACT

CONCERNING TESTING REQUIREMENTS FOR THE PURITY OF WATER AND AIR.

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <https://saleg.uscgov.com>)

This bill establishes statewide standards for testing and monitoring air and water quality to protect public health. It requires public water systems to regularly test for contaminants—including heavy metals, bacteria, industrial chemicals, and emerging pollutants like PFAS—and to report results to the Department of Public Health and Environment. If contamination exceeds safety limits, systems must notify the state immediately, alert the public within 24 hours, and take interim safety measures. The bill

Shading denotes HOUSE amendment. Underlining denotes SENATE amendment.

Capital letters or bold & italic numbers indicate new material to be added to existing law.

Dashes through the words or numbers indicate deletions from existing law.

also mandates independent audits, strict testing procedures, and additional monitoring for large systems and vulnerable facilities such as schools and hospitals.

This bill also strengthens air quality oversight by requiring emissions testing for major pollution sources and expanding monitoring in high-risk areas. It creates a public online database with testing data, violations, and health advisories to ensure transparency. The Department is authorized to enforce compliance through penalties and corrective actions while offering technical assistance to smaller systems. The measure includes whistleblower protections, annual reporting requirements, and a one-year implementation period, with a sunset review after five years to evaluate effectiveness.

1 *Be it enacted by the General Assembly of the State of San*
2 *Andreas:*
3 **SECTION 1. SHORT TITLE.** This bill shall be known and cited
4 as the “Water and Air Purity Testing Act.” **SECTION 2.**
5 **LEGISLATIVE DECLARATION.** The General Assembly hereby
6 finds and declares that: (a) Clean air and safe drinking water are
7 fundamental to the health, safety, and welfare of residents of the
8 state. (b) Environmental contamination poses significant risks to
9 public health, economic stability, and natural resources. (c)
10 Regular monitoring, testing, and transparent reporting of air and
11 water quality are necessary to ensure compliance with
12 environmental standards and maintain public confidence. (d)
13 Advances in environmental science and monitoring technology
14 allow for more accurate and timely detection of pollutants. (e) It is
15 the intent of the General Assembly to establish consistent
16 statewide standards for testing, reporting, and enforcement
17 relating to air and water purity. **SECTION 3. DEFINITIONS.**
18 For purposes of this Act, unless the context otherwise requires: (a)
19 “Department” means the Department of Public Health and
20 Environment. (b) “Air contaminant” means any particulate matter,
21 gas, vapor, or chemical substance that may harm human health or
22 the environment. (c) “Water system” means any public or private

1 entity that provides water for human consumption or public use.
2 (d) “Testing entity” means a laboratory or agency certified by the
3 Department to conduct environmental testing. (e) “Purity
4 standards” means allowable concentration limits for contaminants
5 established by rule consistent with state and federal environmental
6 standards. (f) “Certified testing personnel” means individuals who
7 meet training and certification standards established by the
8 Department for conducting environmental sampling and analysis.

9 **SECTION 4. WATER QUALITY TESTING REQUIREMENTS.**

10 (a) All public water systems shall conduct routine testing for
11 contaminants identified by the Department, including but not
12 limited to: (I) Lead and heavy metals; (II) Bacteria and microbial
13 contaminants; (III) Industrial chemicals; (IV) Agricultural runoff
14 contaminants; and (V) Any additional substances identified by
15 rule; and (VI) Emerging contaminants, including but not limited
16 to per- and polyfluoroalkyl substances (PFAS), pharmaceuticals,
17 and microplastics, as identified by rule. (b) Testing shall occur at
18 intervals established by the Department; however, testing of
19 primary drinking water sources shall occur at the end of every two
20 calendar months, and systems serving populations exceeding fifty
21 thousand persons shall conduct monthly contaminant monitoring
22 for substances identified as high-risk by the Department. (I) For
23 purposes of this subsection, “end of every two calendar months”
24 means testing shall occur no later than the last day of each second
25 consecutive calendar month. (c) Upon detection of contamination
26 exceeding established purity standards, a water system shall notify
27 the Department immediately and shall provide public notice to
28 affected communities within twenty-four hours through electronic
29 notification, public posting, local media outlets, and, where
30 feasible, multilingual communication, and direct customer
31 communication where practicable. (d) A water system detecting
32 contamination exceeding health-based limits shall implement
33 interim mitigation measures, including alternative water supply

1 notification or treatment actions, pending full remediation. (e)
2 Any contamination result exceeding purity standards shall be
3 confirmed through independent laboratory verification within
4 seventy-two hours unless immediate public health action is
5 required. (f) County and city governments may designate or
6 establish a department or agency responsible for testing water
7 sources within their jurisdiction. Any such designated or
8 established entity shall comply with rules adopted by the
9 Department to ensure uniform testing standards across the state.
10 (g) Each public water system shall undergo an independent
11 third-party audit of its testing procedures and results not less than
12 once every two years. The results of such audits shall be
13 submitted to the Department and made publicly available. (h) The
14 Department may require immediate additional testing outside of
15 established intervals upon receipt of credible evidence of
16 contamination, environmental hazard, or public health risk. (i) All
17 water samples collected pursuant to this Act shall follow
18 documented chain-of-custody procedures established by the
19 Department to ensure integrity, traceability, and reliability of test
20 results. (j) Water systems serving schools, childcare facilities,
21 hospitals, and long-term care facilities shall conduct additional
22 targeted testing for contaminants identified as posing heightened
23 risks to vulnerable populations, as determined by the Department.

24 **SECTION 5. AIR QUALITY MONITORING**

25 **REQUIREMENTS.** (a) The Department shall establish and
26 maintain air quality monitoring standards throughout the state. (b)
27 Industrial facilities and major emission sources shall conduct
28 periodic emissions testing and reporting as required by rule. (c)
29 The Department may require additional monitoring in areas
30 identified as having elevated pollution levels or increased public
31 health risk. (d) The Department shall establish continuous air
32 monitoring systems in areas designated as high-risk due to
33 industrial activity, wildfire exposure, population density, or

1 documented pollution exceedances. **SECTION 6. PUBLIC**
2 **REPORTING AND TRANSPARENCY.** (a) The Department shall
3 maintain a publicly accessible online database containing: (I)
4 Water quality testing results; (II) Air quality monitoring data; (III)
5 Notices of violations or exceedances; (IV) Corrective actions
6 taken; (V) Historical testing data for not less than five years; (VI)
7 Geographic mapping of contamination or pollution exceedances;
8 and (VII) Health advisory notices issued by state or local
9 authorities. (b) Reports shall be updated regularly and presented
10 in a format accessible to the public, including compliance with
11 accessibility standards for individuals with disabilities and
12 availability in commonly spoken languages within affected
13 communities. (c) Public reporting required under this section shall
14 include plain-language summaries explaining health risks
15 associated with detected contaminants. (d) All testing results
16 required under this Act shall be submitted to the Department
17 within seventy-two hours of laboratory confirmation, unless a
18 shorter timeframe is required for contaminants posing immediate
19 public health risks. (e) All testing data, reports, and related
20 documentation shall be retained by water systems and testing
21 entities for a minimum of ten years and shall be made available to
22 the Department upon request. (f) The Department shall develop
23 and maintain an emergency notification system capable of issuing
24 real-time alerts to affected residents in the event of significant
25 contamination or public health risk. (g) County and municipal
26 entities conducting testing pursuant to this Act shall submit an
27 annual summary report to the Department detailing testing
28 activities, findings, and compliance status. **SECTION 7.**
29 **ENFORCEMENT AND COMPLIANCE.** (a) The Department
30 may issue notices of violation, corrective compliance orders, and
31 administrative penalties not to exceed amounts established by rule
32 based on severity, duration, and degree of negligence, or
33 mandatory remediation requirements. (b) Continued or willful

1 violations may result in suspension of operating permits or
2 referral for civil enforcement. (c) Nothing in this Act limits
3 existing enforcement authority under environmental laws. (d)
4 County and municipal governments that establish or designate
5 testing entities pursuant to this Act may enforce compliance
6 within their jurisdiction, including the issuance of local notices of
7 violation and coordination with the Department for enforcement
8 actions. (e) Any entity found in violation of this Act more than
9 twice within a three-year period shall be subject to enhanced
10 enforcement actions, including increased penalties, mandatory
11 corrective action plans, and potential suspension of operating
12 authority. (f) Prior to the issuance of major enforcement actions,
13 including permit suspension or significant penalties, the
14 Department shall provide notice and an opportunity for a public
15 hearing in the affected community. (g) The Department may
16 assess reasonable fees to cover the costs of certification,
17 oversight, and compliance monitoring under this Act; however,
18 such fees shall be structured to avoid undue burden on small or
19 rural water systems. **SECTION 7.5. TECHNICAL**
20 **ASSISTANCE.** (a) The Department shall establish technical
21 assistance and grant support programs for rural or small water
22 systems to achieve compliance with testing and reporting
23 requirements. (b) The Department may prioritize funding for
24 communities with demonstrated financial hardship or documented
25 contamination risks. **SECTION 7.6. WHISTLEBLOWER**
26 **PROTECTIONS.** (a) An employee or contractor of a water
27 system, testing entity, or regulated facility shall not be subject to
28 retaliation for reporting violations, contamination risks, or
29 noncompliance with this Act. (b) The Department shall establish
30 procedures for confidential reporting and investigation of
31 complaints under this section. **SECTION 8. RULEMAKING**
32 **AUTHORITY.** The Department of Public Health and
33 Environment may promulgate rules necessary to implement and

1 enforce this Act, including purity standards, testing procedures,
2 and reporting requirements, which shall apply uniformly to all
3 state, county, and municipal testing entities. The Department shall
4 coordinate with state environmental, agricultural, and emergency
5 management agencies to ensure consistent enforcement and
6 response to contamination events. **SECTION 8.5. REPORTING.**
7 (a) Beginning January 15, 2028, the Department shall submit an
8 annual report to the General Assembly and the Governor
9 summarizing: (I) Statewide contamination trends; (II)
10 Enforcement actions taken; (III) Communities disproportionately
11 affected by pollution; and (IV) Recommendations for statutory
12 improvements. (b) Beginning one year after the effective date of
13 this Act, the Department shall provide an interim report to the
14 General Assembly and the Governor summarizing
15 implementation progress, compliance rates, and any challenges
16 encountered. ~~**SECTION 9. EFFECTIVE DATE.** This Act shall~~
17 ~~take effect at 12:01 a.m. on the day following the signature of the~~
18 ~~Governor.~~ **SECTION 9. INITIAL COMPLIANCE PERIOD.** (a)
19 Entities subject to this Act shall have a period of one year from
20 the effective date to achieve full compliance with testing and
21 reporting requirements. (b) During this period, the Department
22 shall prioritize technical assistance over enforcement for first-time
23 violations, except in cases involving immediate public health
24 risks. ~~**SECTION 10. SAFETY CLAUSE.** The General Assembly~~
25 ~~hereby finds, determines, and declares that this Act is necessary~~
26 ~~for the immediate preservation of the public peace, health, or~~
27 ~~safety.~~ **SECTION 10. SUNSET REVIEW.** (a) This Act shall be
28 subject to review by the General Assembly five years after its
29 effective date to evaluate effectiveness, costs, and public health
30 outcomes. (b) The Department shall provide recommendations
31 regarding continuation, modification, or repeal. **SECTION 11.**
32 **SEVERABILITY.** If any provision of this Act or its application to
33 any person or circumstance is held invalid, such invalidity shall

1 not affect other provisions or applications of the Act that can be
2 given effect without the invalid provision or application.

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