

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

REENGROSSED

LLS NO. 26-0715.03 Amirah Vasquez x2851

HOUSE BILL 26-010

SENATE SPONSORSHIP

Petty

HOUSE SPONSORSHIP

Black, Cole, Enriquez, Mendoza

House Committees

Senate Committees

Environment, Climate, & Wildfire Management

Not assigned

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 water and air purity testing, monitoring, and reporting to protect public health and environmental quality. The bill requires regular testing of public drinking water systems and expanded monitoring of air quality to ensure compliance with established environmental safety standards.

Under the bill, public water systems must conduct routine testing for contaminants such as heavy metals, bacteria, industrial chemicals, and agricultural runoff. The legislation

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.

requires immediate notification to the Department of Public Health and Environment and affected communities when contamination exceeds allowable limits. The Department is also directed to maintain air quality monitoring standards statewide and require emissions testing for major industrial sources.

The bill increases transparency by requiring the Department to maintain a publicly accessible online database containing air and water testing results, violation notices, and corrective actions. The legislation also provides enforcement authority for administrative penalties and compliance orders for entities that fail to meet testing or reporting requirements.

The purpose of the Act is to ensure consistent statewide environmental monitoring, improve public access to environmental information, and strengthen protections for clean air and safe drinking water.

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)

1 “Department” means the Department of Public Health and
2 Environment. (b) “Air contaminant” means any particulate matter,
3 gas, vapor, or chemical substance that may harm human health or
4 the environment. (c) “Water system” means any public or private
5 entity that provides water for human consumption or public use.
6 (d) “Testing entity” means a laboratory or agency certified by the
7 Department to conduct environmental testing. (e) “Purity
8 standards” means allowable concentration limits for contaminants
9 established by rule consistent with state and federal environmental
10 standards. (f) “Certified testing personnel” means individuals who
11 meet training and certification standards established by the
12 Department for conducting environmental sampling and analysis.

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

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

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

28 **SECTION 5. AIR QUALITY MONITORING**

29 **REQUIREMENTS.** (a) The Department shall establish and
30 maintain air quality monitoring standards throughout the state. (b)
31 Industrial facilities and major emission sources shall conduct
32 periodic emissions testing and reporting as required by rule. (c)
33 The Department may require additional monitoring in areas

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

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

1 procedures for confidential reporting and investigation of
2 complaints under this section. **SECTION 8. RULEMAKING**
3 **AUTHORITY.** The Department of Public Health and
4 Environment may promulgate rules necessary to implement and
5 enforce this Act, including purity standards, testing procedures,
6 and reporting requirements, which shall apply uniformly to all
7 state, county, and municipal testing entities. The Department shall
8 coordinate with state environmental, agricultural, and emergency
9 management agencies to ensure consistent enforcement and
10 response to contamination events. **SECTION 8.5. REPORTING.**
11 (a) Beginning January 15, 2028, the Department shall submit an
12 annual report to the General Assembly and the Governor
13 summarizing: (I) Statewide contamination trends; (II)
14 Enforcement actions taken; (III) Communities disproportionately
15 affected by pollution; and (IV) Recommendations for statutory
16 improvements. (b) Beginning one year after the effective date of
17 this Act, the Department shall provide an interim report to the
18 General Assembly and the Governor summarizing
19 implementation progress, compliance rates, and any challenges
20 encountered. **SECTION 9. EFFECTIVE DATE.** This Act shall
21 take effect at 12:01 a.m. on the day following the signature of the
22 Governor. **SECTION 9.5. INITIAL COMPLIANCE PERIOD.**
23 (a) Entities subject to this Act shall have a period of one year from
24 the effective date to achieve full compliance with testing and
25 reporting requirements. (b) During this period, the Department
26 shall prioritize technical assistance over enforcement for first-time
27 violations, except in cases involving immediate public health
28 risks. **SECTION 10. SAFETY CLAUSE.** The General Assembly
29 hereby finds, determines, and declares that this Act is necessary
30 for the immediate preservation of the public peace, health, or
31 safety. **SECTION 11. SUNSET REVIEW.** (a) This Act shall be
32 subject to review by the General Assembly five years after its
33 effective date to evaluate effectiveness, costs, and public health

1 outcomes. (b) The Department shall provide recommendations
2 regarding continuation, modification, or repeal. **SECTION 12.**
3 **SEVERABILITY.** If any provision of this Act or its application to
4 any person or circumstance is held invalid, such invalidity shall
5 not affect other provisions or applications of the Act that can be
6 given effect without the invalid provision or application.