

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

**REREVISED**

LLS NO. 26-0715.05 Amirah Vasquez x2851

**HOUSE BILL 26-010**

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**SENATE SPONSORSHIP**

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**Black, Cole, Enriquez, Mendoza**

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**House Committees**

Environment, Climate, & Wildfire Management

**Senate Committees**

Energy, Environment & Natural Resources

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**A BILL FOR AN ACT**

**CONCERNING TESTING REQUIREMENTS FOR THE PURITY OF WATER AND AIR.**

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**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.

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1 *Be it enacted by the General Assembly of the State of San*  
2 *Andreas:*  
3 **SECTION 1. SHORT TITLE.** This bill shall be referred to as the  
4 “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 pollutant” 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  
20 every sixty days, 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 in the affected  
30 area, and, where feasible, multilingual communication, and direct  
31 customer communication where practicable. (d) A water system  
32 detecting contamination exceeding health-based limits shall  
33 implement interim mitigation measures, including alternative

1 water supply notification or treatment actions, pending full  
2 remediation. (e) Any contamination result exceeding purity  
3 standards shall be confirmed through independent laboratory  
4 verification within seventy-two hours unless immediate public  
5 health action is required. (f) County and city governments may  
6 designate or establish a department or agency responsible for  
7 testing water sources within their jurisdiction. Any such  
8 designated or established entity shall comply with rules adopted  
9 by the Department to ensure uniform testing standards across the  
10 state. (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 real-time  
32 automated air monitoring systems in areas designated as high-risk  
33 due to industrial activity, wildfire exposure, population density, or

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

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

1 complaints under this section. **SECTION 8. RULEMAKING**  
2 **AUTHORITY.** The Department of Public Health and  
3 Environment may promulgate rules necessary to implement and  
4 enforce this Act, including purity standards, testing procedures,  
5 and reporting requirements, which shall apply uniformly to all  
6 state, county, and municipal testing entities. The Department shall  
7 coordinate with state environmental, agricultural, and emergency  
8 management agencies to ensure consistent enforcement and  
9 response to contamination events. **SECTION 8.5. REPORTING.**  
10 (a) Beginning January 15, 2028, the Department shall submit an  
11 annual report to the General Assembly and the Governor  
12 summarizing: (I) Statewide contamination trends; (II)  
13 Enforcement actions taken; (III) Communities disproportionately  
14 affected by pollution; and (IV) Recommendations for statutory  
15 improvements. (b) Beginning on or before July 1, 2027, the  
16 Department shall provide an interim report to the General  
17 Assembly and the Governor summarizing implementation  
18 progress, compliance rates, and any challenges encountered.  
19 ~~**SECTION 9. INITIAL COMPLIANCE PERIOD.** (a) Entities~~  
20 ~~subject to this Act shall have a period of one year from the~~  
21 ~~effective date to achieve full compliance with testing and~~  
22 ~~reporting requirements. (b) During this period, the Department~~  
23 ~~shall prioritize technical assistance over enforcement for first-time~~  
24 ~~violations, except in cases involving immediate public health~~  
25 ~~risks. **SECTION 9.** Implementation period. (a) THE~~  
26 ~~DEPARTMENT SHALL PROVIDE A GRACE PERIOD OF~~  
27 ~~ONE HUNDRED EIGHTY DAYS FOR ENTITIES TO~~  
28 ~~REGISTER THEIR TESTING PROTOCOLS. **SECTION 10.**~~  
29 **SUNSET REVIEW.** (a) This Act shall be subject to review by the  
30 General Assembly five years after its effective date to evaluate  
31 effectiveness, costs, and public health outcomes. (b) The  
32 Department shall provide recommendations regarding  
33 continuation, modification, or repeal. **SECTION 11.**

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

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