

P.L. 2021, CHAPTER 82, *approved May 11, 2021*  
Senate, No. 968 (*Second Reprint*)

1 AN ACT concerning the notification of lead in drinking water and  
2 supplementing P.L.1977, c.224 (C.58:12A-1 et seq.).

3

4 **BE IT ENACTED** by the Senate and General Assembly of the State  
5 of New Jersey:

6

7 1. As used in P.L. , c. (C. ) (pending before the  
8 Legislature as this bill):

9 "Landlord" means the same as that term is defined in section 2 of  
10 P.L.1975, c.310 (C.46:8-44).

11 "Lead action level" means the standard for lead in drinking water  
12 established by the United States Environmental Protection Agency,  
13 or a more stringent standard adopted by the department pursuant to  
14 the "Safe Drinking Water Act," P.L.1977, c.224 (C.58:12A-  
15 1 et seq.).

16 "Local health agency" means the same as that term is defined in  
17 section 3 of P.L.1975, c.329 (C.26:3A2-3).

18

19 2. a. A public water system that exceeds the lead action level  
20 shall provide a written notice, <sup>1</sup>in a letter addressed to "resident" or  
21 "property owner/tenant,"<sup>1</sup> by regular mail, to <sup>1</sup>both the service  
22 address and the mailing address of<sup>1</sup> all customers served by the  
23 public water system, <sup>1</sup>including<sup>1</sup> all schools <sup>1</sup>**【and】** <sup>1</sup> daycare  
24 centers <sup>1</sup>**【served by the public water system】**, and facilities serving  
25 young children, all public and private hospitals, medical clinics, and  
26 doctor's offices serving pregnant women and young children, and<sup>1</sup>  
27 all local health <sup>1</sup>and welfare<sup>1</sup> agencies in the public water system's  
28 service area, and the chief executive of each municipality in the  
29 public water system's service area.

30 The written notice shall be sent <sup>1</sup>as soon as practicable, but<sup>1</sup> no  
31 later than 10 calendar days after the <sup>1</sup>**【end of the monitoring period**  
32 **during which the exceedance is discovered】** public water system  
33 confirms that there has been an exceedance of the lead action level  
34 and the written notice has been approved by the Department of  
35 Environmental Protection<sup>1</sup> . The written notice shall:

36 (1) clearly state that the public water system is in exceedance of  
37 the lead action level;

**EXPLANATION** – Matter enclosed in bold-faced brackets **【thus】** in the above bill is not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

<sup>1</sup>Assembly AEN committee amendments adopted February 22, 2021.

<sup>2</sup>Assembly floor amendments adopted March 1, 2021.

1 (2) explain what the lead action level is and the measurement  
2 process that the public water system is required to perform to  
3 monitor drinking water for lead;

4 (3) provide additional information on the possible sources of  
5 lead in drinking water, the health effects of drinking water with  
6 elevated levels of lead, and measures a <sup>1</sup>~~customer~~ consumer<sup>1</sup> can  
7 take to reduce or eliminate lead in drinking water; and

8 (4) state, in easily legible type, the responsibility of a landlord  
9 to distribute the written notice to every tenant pursuant to section 3  
10 of P.L. , c. (C. ) (pending before the Legislature as this  
11 bill).

12 b. The notice required pursuant to this section shall be in  
13 addition to any notice requirements under federal law.  
14

15 3. a. When a landlord receives any notice or health and safety  
16 information from a public water system concerning the presence of  
17 lead in drinking water, including but not limited to the written  
18 notice submitted pursuant to section 2 of P.L. , c. (C. )  
19 (pending before the Legislature as this bill), the landlord shall:

20 (1) distribute <sup>2</sup>, by any means including by electronic mail,<sup>2</sup> the  
21 notice or information, <sup>1</sup>~~within five~~ as soon as practicable, but no  
22 later than three<sup>1</sup> <sup>2</sup>~~calendar~~ business<sup>2</sup> days <sup>1</sup>~~of~~ after<sup>1</sup> receipt, to  
23 every tenant who has entered into a lease agreement with the  
24 landlord and whose dwelling unit is served by the public water  
25 system; and

26 (2) post the notice or information, <sup>1</sup>~~within five~~ as soon as  
27 practicable, but no later than three<sup>1</sup> <sup>2</sup>~~calendar~~ business<sup>2</sup> days  
28 <sup>1</sup>~~of~~ after<sup>1</sup> receipt, in a prominent location at the entrance of each  
29 rental premises that is owned by the landlord and served by the  
30 public water system <sup>2</sup>, except that this requirement shall not apply  
31 in the case of single-family dwellings that do not have a common  
32 area<sup>2</sup> .

33 b. <sup>2</sup>The requirements of subsection a. of this section shall not  
34 apply to a landlord when a tenant is a direct customer of the public  
35 water system and is billed directly by the public water system.

36 c.<sup>2</sup> When a public water system provides any notice or  
37 information to its customers concerning the presence of lead in  
38 drinking water, the public water system shall include a statement,  
39 printed in easily legible type, explaining the requirements set forth  
40 in subsection a. of this section.  
41

42 4. This act shall take effect immediately.  
43  
44

45 Requires public water systems to provide notice of elevated lead  
46 levels in drinking water to customers and local officials; requires  
47 landlords to notify tenants of elevated lead levels.