

[Second Reprint]

SENATE, No. 968

STATE OF NEW JERSEY
219th LEGISLATURE

INTRODUCED JANUARY 27, 2020

Sponsored by:

Senator TROY SINGLETON

District 7 (Burlington)

Senator JOSEPH A. LAGANA

District 38 (Bergen and Passaic)

Assemblyman WILLIAM F. MOEN, JR.

District 5 (Camden and Gloucester)

Assemblywoman LISA SWAIN

District 38 (Bergen and Passaic)

Assemblyman P. CHRISTOPHER TULLY

District 38 (Bergen and Passaic)

Co-Sponsored by:

Senators O'Scanlon, Turner, Assemblywomen Vainieri Huttle, Dunn,

Assemblyman Johnson, Assemblywomen McKnight, Jasey and

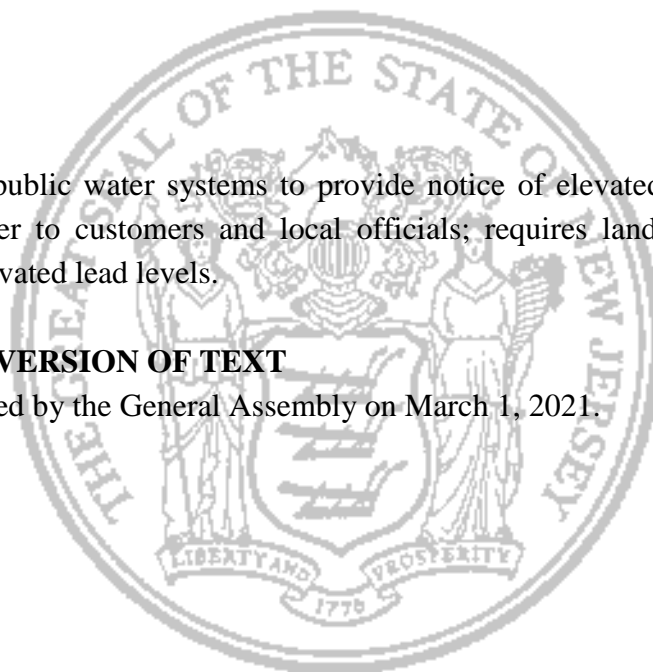
Assemblyman Calabrese

SYNOPSIS

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

CURRENT VERSION OF TEXT

As amended by the General Assembly on March 1, 2021.



(Sponsorship Updated As Of: 3/25/2021)

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, ¹in a letter addressed to "resident" or
21 "property owner/tenant,"¹ by regular mail, to ¹both the service
22 address and the mailing address of¹ all customers served by the
23 public water system, ¹including¹ all schools ¹**[and]** ¹ daycare
24 centers ¹**[served by the public water system], and facilities serving**
25 young children, all public and private hospitals, medical clinics, and¹
26 doctor's offices serving pregnant women and young children, and¹
27 all local health ¹and welfare¹ 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 ¹as soon as practicable, but¹ no
31 later than 10 calendar days after the ¹**[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 Protection¹ . The written notice shall:

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

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

41 (3) provide additional information on the possible sources of
42 lead in drinking water, the health effects of drinking water with
43 elevated levels of lead, and measures a ¹**[customer]** consumer¹ can
44 take to reduce or eliminate lead in drinking water; and

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:

¹Assembly AEN committee amendments adopted February 22, 2021.

²Assembly floor amendments adopted March 1, 2021.

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

5 b. The notice required pursuant to this section shall be in
6 addition to any notice requirements under federal law.
7

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

13 (1) distribute ², by any means including by electronic mail,² the
14 notice or information, ¹**[within five]** as soon as practicable, but no
15 later than three¹ ²**[calendar]** business² days ¹**[of]** after¹ receipt, to
16 every tenant who has entered into a lease agreement with the
17 landlord and whose dwelling unit is served by the public water
18 system; and

19 (2) post the notice or information, ¹**[within five]** as soon as
20 practicable, but no later than three¹ ²**[calendar]** business² days
21 ¹**[of]** after¹ receipt, in a prominent location at the entrance of each
22 rental premises that is owned by the landlord and served by the
23 public water system ², except that this requirement shall not apply
24 in the case of single-family dwellings that do not have a common
25 area² .

26 b. ²The requirements of subsection a. of this section shall not
27 apply to a landlord when a tenant is a direct customer of the public
28 water system and is billed directly by the public water system.

29 c.² When a public water system provides any notice or
30 information to its customers concerning the presence of lead in
31 drinking water, the public water system shall include a statement,
32 printed in easily legible type, explaining the requirements set forth
33 in subsection a. of this section.
34

35 4. This act shall take effect immediately.