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The original instrument was prepared by Christine Arbo Peck. The following digest, which does not constitute a part of the legislative instrument, was prepared by Brandi Cannon.

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DIGEST

SB 168 Engrossed

2020 Regular Session

Fred Mills

Proposed law creates the "Community Drinking Water Infrastructure Sustainability Act" and provides for legislative intent for development of a community water system accountability process to provide public assurance that drinking water is of high quality with clear standards and expectations of the community water system.

Proposed law defines "community water system" as a public water system that serves year-round residents within a residential setting including systems serving municipalities, water districts, subdivisions, and mobile home parks.

Proposed law provides that LDH will implement a statewide accountability system that assesses letter grades to community water systems based on a clear and appropriate point value assigned, at a minimum, for federal water quality violation history, state water quality violation history, water system financial sustainability, operation and maintenance performance history, infrastructure violations, customer satisfaction, and level of secondary contaminants. Proposed law provides for the assignment of a letter grade of "A", "B", "C", "D", or "F".

Proposed law provides that LDH shall publish scores and letter grades earned by each community water system on its website in a frequency and duration established by LDH in rulemaking.

Proposed law provides that any community water system that receives a letter grade of "D" or "F" shall be considered operationally unacceptable and may be subject to present law enforcement actions including administrative compliance orders, civil actions, and court appointed receivership, LDH mandated receivership, oversight of federal or state grant funding by an auditor approved by the Louisiana legislative auditor, or being placed on notice to the State Bond Commission, Public Service Commission, and attorney general's office to prohibit the incurring of any additional debt for anything not directly related to the water system.

Proposed law provides that no local governing authority that operates a community water system that receives a grade of "D" or "F" shall expend any money raised through payment by citizens for access to water or other water system revenue for any item, debt payment, or public purpose other than the improvement and sustainability of the community water system, except as otherwise required by law. Proposed law shall not be construed to prohibit the payment of bonded indebtedness secured by the water system's revenue incurred prior to the effective date of proposed law.

Proposed law provides that LDH shall publish the first letter grades no later than January 1, 2022.

Effective August 1, 2020.

(Adds R.S. 40:5.9.1)

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Health and Welfare to the original bill

1. Clarify that water system revenue may be used to pay for bonded indebtedness secured by the water system's revenue prior to the effective date of the Act.
2. Extend the deadline for publication of the first letter grades from January 1, 2021 to January 1, 2022.