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**AB-1428 Safe Drinking Water Act: applicability.** (2021-2022)

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**Assembly Bill No. 1428**

**CHAPTER 64**

An act to amend Section 116286 of the Health and Safety Code, relating to drinking water.

[ Approved by Governor July 09, 2021. Filed with Secretary of State July 09, 2021. ]

**LEGISLATIVE COUNSEL'S DIGEST**

AB 1428, Quirk. Safe Drinking Water Act: applicability.

Existing law vests in the State Water Resources Control Board the authority to implement the federal Safe Drinking Water Act and the California Safe Drinking Water Act. Under existing law, a water district, as defined, in existence prior to May 18, 1994, that provides primarily agricultural services through a piped water system with only incidental residential or similar uses is not considered to be a public water system under specified conditions, including the system certifying that it is providing alternative water for residential or similar uses for drinking water and cooking to achieve the equivalent level of public health protection provided by the applicable primary drinking water regulations.

This bill would remove the above provision authorizing those water districts to certify that they are providing alternative water for residential or similar uses to achieve the equivalent level of public health protection provided by the applicable primary drinking water regulations.

Vote: majority Appropriation: no Fiscal Committee: yes Local Program: no

**THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:**

**SECTION 1.** Section 116286 of the Health and Safety Code is amended to read:

**116286.** (a) A water district, as defined in subdivision (b), in existence prior to May 18, 1994, that provides primarily agricultural services through a piped water system with only incidental residential or similar uses shall not be considered to be a public water system if the department determines that either of the following applies:

(1) The system is providing alternative water for residential or similar uses for drinking water and cooking to achieve the equivalent level of public health protection provided by the applicable primary drinking water regulations.

(2) The water provided for residential or similar uses for drinking, cooking, and bathing is centrally treated or treated at the point of entry by the provider, a passthrough entity, or the user to achieve the equivalent level of protection provided by the applicable primary drinking water regulations.

(b) For purposes of this section, "water district" means any district or other political subdivision, other than a city or county, a primary function of which is irrigation, reclamation, or drainage of land.

