

CHAPTER 82

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

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

C.58:12A-12.4 Definitions.

1. As used in P.L.2021, c.82 (C.58:12A-12.4 et seq.):

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

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

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

C.58:12A-12.5 Written notice provided by public water system.

2. a. A public water system that exceeds the lead action level shall provide a written notice, in a letter addressed to "resident" or "property owner/tenant," by regular mail, to both the service address and the mailing address of all customers served by the public water system, including all schools, daycare centers, and facilities serving young children, all public and private hospitals, medical clinics, and doctor's offices serving pregnant women and young children, and all local health and welfare agencies in the public water system's service area, and the chief executive of each municipality in the public water system's service area.

The written notice shall be sent as soon as practicable, but no later than 10 calendar days after the public water system confirms that there has been an exceedance of the lead action level and the written notice has been approved by the Department of Environmental Protection. The written notice shall:

- (1) clearly state that the public water system is in exceedance of the lead action level;
- (2) explain what the lead action level is and the measurement process that the public water system is required to perform to monitor drinking water for lead;
- (3) provide additional information on the possible sources of lead in drinking water, the health effects of drinking water with elevated levels of lead, and measures a consumer can take to reduce or eliminate lead in drinking water; and
- (4) state, in easily legible type, the responsibility of a landlord to distribute the written notice to every tenant pursuant to section 3 of P.L.2021, c.82 (C.58:12A-12.6).

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

C.58:12A-12.6 Required actions of landlord.

3. a. When a landlord receives any notice or health and safety information from a public water system concerning the presence of lead in drinking water, including but not limited to the written notice submitted pursuant to section 2 of P.L.2021, c.82 (C.58:12A-12.5), the landlord shall:

- (1) distribute, by any means including by electronic mail, the notice or information, as soon as practicable, but no later than three business days after receipt, to every tenant who has entered into a lease agreement with the landlord and whose dwelling unit is served by the public water system; and

(2) post the notice or information, as soon as practicable, but no later than three business days after receipt, in a prominent location at the entrance of each rental premises that is owned by the landlord and served by the public water system, except that this requirement shall not apply in the case of single-family dwellings that do not have a common area.

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

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

4. This act shall take effect immediately.

Approved May 11, 2021.