


Government of the District of Columbia
Office of the Chief Financial Officer



Glen Lee
Chief Financial Officer

MEMORANDUM

TO: The Honorable Phil Mendelson
Chairman, Council of the District of Columbia

FROM: Glen Lee
Chief Financial Officer 

DATE: September 28, 2022

SUBJECT: Fiscal Impact Statement – Child Development Facility Lead Testing
Amendment Act of 2022

REFERENCE: Bill 24-730, Committee Print as provided to the Office of Revenue
Analysis on August 15, 2022

Conclusion

Funds are sufficient in the fiscal year 2022 budget and the fiscal year 2023 through fiscal year 2026 budget and financial plan to implement the bill.

Background

The District requires child development facilities to test drinking water sources for lead contamination, install lead filters, remediate excessive lead conditions, and report on lead levels to parents and guardians and the Department of Energy and Environment (DOEE).¹ DOEE must also report on child development facilities' compliance with lead testing, posting of testing results, and remediation laws to the Office of the State Superintendent for Education (OSSE).

Current law requires DOEE to provide a list of contractors for child development facilities to hire to perform lead testing, filter installation, and remediation;² however, DOEE, in practice, has been directly contracting with contractors for these activities. The bill maintains that it is the child development facility's responsibility to comply with the laws around drinking water sources, but codifies the ability of DOEE to directly contract with firms on behalf of a child development facility. The bill ensures that DOEE meets all the testing and remediation requirements and appropriately

¹ Childhood Lead Exposure Prevention Amendment Act of 2017, effective September 23, 2017 (D.C. Law 22-21; D.C. Official Code § 7-2501).

² D.C. Official Code § 7-2501(a).

notifies the child development facilities about testing and remediation results and activities. Child development facilities must take the information from DOEE and report it to OSSE.

The bill also requires DOEE and child development facilities to publicly post information about testing results and remediation efforts on their respective websites. A child development facility must post testing information within fourteen days of receiving the results and within five days of notifying parents and guardians. The bill only requires child development facilities to post this information if they have a public facing website.

Financial Plan Impact

Funds are sufficient in the fiscal year 2022 budget and the fiscal year 2023 through fiscal year 2026 budget and financial plan to implement the bill. The bill codifies DOEE's current practices around supporting child development facilities, while maintaining that the facilities are responsible for testing and remediation if DOEE does not directly contract for the services. DOEE does not require additional resources to continue this practice and can absorb any costs associated with publicly posting child development facility information. OSSE can also absorb any costs associated with receiving information from child development facilities to include in its annual reporting on child development facility compliance with lead testing and mitigation rules.

Child development facilities will be responsible for posting testing results and mitigation efforts on their websites. They are only required to post the information if they have a public facing website.