

By: Representative Baker (74th)

To: Conservation and Water Resources

HOUSE BILL NO. 231

1 AN ACT TO AMEND SECTION 41-26-13, MISSISSIPPI CODE OF 1972,
2 TO REVISE THE PUBLIC NOTIFICATION REQUIREMENT FOR PUBLIC WATER
3 SYSTEMS BY REQUIRING THE PUBLIC NOTICE TO BE PROVIDED TO THE STATE
4 DEPARTMENT OF HEALTH FOR PUBLICATION ON ITS WEB SITE; TO REQUIRE
5 THE PUBLIC WATER SYSTEM TO PROVIDE NOTICE IN CERTAIN NEWSPAPERS
6 THAT THE DRINKING WATER QUALITY REPORTS ARE AVAILABLE ON THE STATE
7 DEPARTMENT OF HEALTH WEB SITE; AND FOR RELATED PURPOSES.

8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

9 **SECTION 1.** Section 41-26-13, Mississippi Code of 1972, is
10 amended as follows:

11 41-26-13. (1) A public water system shall, as soon as
12 practicable, notify the county or district health department, the
13 board and the administrator if one (1) of the following conditions
14 exist: (a) the system is not in compliance with the Mississippi
15 Primary Drinking Water Regulations; (b) the system fails to
16 perform monitoring required by regulations adopted by the board;
17 (c) the system is subject to a variance granted for an inability
18 to meet a maximum contaminant level requirement; (d) the system is
19 subject to an exemption; or (e) the system fails to comply with
20 the requirements prescribed by a variance or exemption.

21 (2) In addition, the system shall provide public notice.
22 The notice shall be provided to the Mississippi State Department
23 of Health at least once every three (3) months, and that public
24 notice shall be published by the department on its Web site. The
25 system shall provide notice that the drinking water quality
26 reports are available on the Mississippi State Department of
27 Health Web site by placing the notice, including the Web site
28 address, in a newspaper of general circulation in the area which
29 is served by the water system, as determined by the director. The



30 notice shall not be placed in the legal section of the newspaper.
31 The notice shall be furnished to the other communications media
32 serving the area as soon as practicable after the discovery of any
33 condition for which the notice is required. If the water bills of
34 a public water system are issued more often than once every three
35 (3) months, the notice shall be included in at least one (1) water
36 bill of the system every three (3) months, and if a public water
37 system issues its water bills less often than once every three (3)
38 months, the notice shall be included in each water bill issued by
39 the system.

40 **SECTION 2.** This act shall take effect and be in force from
41 and after July 1, 2010.

