



LAWS OF DELAWARE
VOLUME 85
CHAPTER 364
153rd GENERAL ASSEMBLY
FORMERLY
SENATE BILL NO. 328

AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO SCHOOL BUILDING SAFETY.

WHEREAS, the Division of Public Health is currently testing for lead in drinking water in schools; and

WHEREAS, the Division of Public Health is looking to reduce the action level of lead in drinking water to 10 parts per billion, but will be testing for levels as low as 5 parts per billion; and

WHEREAS, lead at any level, even 1 part per billion, could be cause for concern; and

WHEREAS, the results of the Division of Public Health's findings may lead to continued reductions in the allowable maximum levels of lead in the future.

NOW, THEREFORE:

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF DELAWARE:

Section 1. Amend Chapter 23, Title 14 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline as follows:

§ 2301. Definitions.

As used in this chapter:

(3) "Facilities evaluation instrument" means a document ~~developed~~ established by regulations by March 1, 2027, by the Department of Education that includes the evaluation detail component and the standard of good repair that is used to determine whether a school facility is in good repair. The facilities evaluation instrument may not require capital improvements beyond the standards to which the facility was designed and constructed.

§ 2307. School building maintenance standards.

(12) Hazardous materials (interior and exterior), including lead-based paint and lead-based paint hazards.

Approved July 23, 2026