

2025 -- H 5859

LC000403

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2025

A N A C T

RELATING TO FOOD AND DRUGS -- SANITATION IN FOOD ESTABLISHMENTS

Introduced By: Representative Megan L. Cotter

Date Introduced: February 28, 2025

Referred To: House Health & Human Services

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 21-27-3 of the General Laws in Chapter 21-27 entitled "Sanitation in
2 Food Establishments" is hereby amended to read as follows:

3 **21-27-3. Sanitary regulations.**

4 (a) The director shall adopt any regulations relating to sanitation that he or she may deem
5 advisable with reference to any food business and with reference to the premises, property,
6 equipment, and utensils used in connection with any food business.

7 (b) No regulation adopted pursuant to the provisions of this section shall prohibit the use
8 of private well water in employee only restrooms or restrooms available for use by customers or
9 the public if the private well water complies with the rules and regulations adopted pursuant to §
10 23-1-5.3. The director may adopt regulations requiring the posting of notices in restrooms utilizing
11 private well water notifying persons using the rest room that the water is produced from a private
12 water well and shall not be used for drinking or food preparation.

13 (c) Nothing in this section shall be construed as limiting or restricting the director's
14 authority to regulate the source of drinking water or water utilized to wash, prepare or cook food
15 or drink that is sold on the premises.

16 SECTION 2. Section 23-1-5.3 of the General Laws in Chapter 23-1 entitled "Department
17 of Health" is hereby amended to read as follows:

18 **23-1-5.3. Duties of the office of private well water contamination.**

19 The office of private well water contamination shall:

- 1 (1) Coordinate the response of all state agencies to instances of private well water
2 contamination;
- 3 (2) Inform public officials of private well contamination events occurring within their
4 jurisdictions and advise them of any actions proposed by the department of health or other state
5 agencies;
- 6 (3) Advise private well owners, public officials and others on applicable federal and state
7 policies, regulations, and standards relative to private well water contamination;
- 8 (4) Develop educational materials describing drinking water quality standards for private
9 wells, private well testing requirements, groundwater contamination and existing programs and
10 procedures for its abatement and prevention;
- 11 (5) Develop regulations establishing procedures for providing emergency response to
12 private well water contamination including the provision of bottled water and/or water filters where
13 appropriate;
- 14 (6) Develop and promulgate any rules and regulations that are necessary to establish
15 drinking water quality standards for private wells, and shall be subject to the Administrative
16 Procedures Act, chapter 35 of title 42. As a minimum, these rules and regulations shall:
- 17 (i) Specifically identify all contaminants to be tested, as well as the acceptable level for
18 each contaminant;
- 19 (ii) Require testing for coliform bacteria, fluoride, iron, lead, manganese, nitrate, nitrite and
20 turbidity of all new private wells prior to being placed into service as a source of drinking water;
- 21 (iii) Require testing for coliform bacteria, fluoride, iron, lead, manganese, nitrate, nitrite
22 and turbidity of all private wells currently in service, or capable of being placed in service, as a
23 source of drinking water, prior to sale of a property upon which they are located or serviced;
- 24 (iv) Require the property owner to disclose the results of any previous well water testing
25 prior to sale or lease of a property upon which the well(s) are located or serviced;
- 26 (v) Establish minimum qualifications for professionals engaged in sampling private water
27 wells and preparing opinions relating to the quality of the water;
- 28 (vi) Establish requirements and procedures for reporting the results of all private well
29 testing to the director of health and municipal building officials;
- 30 (vii) Establish specific guidance for municipal building officials as to what constitutes
31 “potable” water for a private well, and contaminant levels which constitute a public health concern
32 with regard to the issuance of a certificate of occupancy and recommendations for further testing
33 beyond that required in paragraphs (ii) and (iii) of this subdivision; ~~and~~
- 34 (7) Establish and maintain a database showing known areas where there are contaminants

1 of concern to public health and make these results available to the public through the website of
2 the department of health- ; [and](#)
3 [\(8\) Develop and promulgate any rules and regulations that are necessary to protect the](#)
4 [safety of employees and the public for the use of private well water in the restrooms of food service](#)
5 [establishments.](#)

6 SECTION 3. This act shall take effect on January 1, 2026.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF

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1 This act would permit the use of private well water in food service establishment's
2 restrooms if the water complies with the standards established pursuant to § 23-1-5.3(8).

3 This act would take effect on

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