

SENATE BILL NO. 538

BY SENATORS JOHN SMITH, ALLAIN, BUFFINGTON, CLAITOR, DORSEY-COLOMB, ERDEY, GUILLORY, HEITMEIER, MILLS AND NEVERS AND REPRESENTATIVES ARNOLD, BARROW, BERTHELOT, WESLEY BISHOP, BROADWATER, BROWN, CARMODY, CARTER, CHANEY, CONNICK, COX, CROMER, FOIL, GAROFALO, GISCLAIR, HARRISON, HAZEL, HENRY, HOFFMANN, HOWARD, HUNTER, IVEY, JAMES, JOHNSON, KLECKLEY, TERRY LANDRY, LOPINTO, LORUSSO, MORENO, PIERRE, PONTI, POPE, RICHARD, RITCHIE, SCHEXNAYDER, SMITH, ST. GERMAIN, STOKES, WHITNEY, PATRICK WILLIAMS, WILLMOTT AND WOODRUFF

1 AN ACT

2 To enact Part III-B of Chapter 2 of Title 29 of the Louisiana Revised Statutes of 1950, to be
3 comprised of R.S. 29:331, relative to the Military Airborne Hazards and Open Burn
4 Pit Registry; to provide for the duties and powers of the secretary of the Department
5 of Veterans Affairs; to provide terms, conditions and requirements; and to provide
6 for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. Part III-B of Chapter 2 of Title 29 of the Louisiana Revised Statutes of
9 1950, comprised of R.S. 29:331, is hereby enacted to read as follows:

10 **PART III- B MILITARY AIRBORNE HAZARDS AND**

11 **OPEN BURN PIT REGISTRY**

12 **§331. Military Airborne Hazards and Open Burn Pit Registry; creation; duties**
13 **and powers**

14 **For the purposes of outreach, education, and advocacy for Louisiana**
15 **service members and veterans who have been exposed to open burn pit smoke**
16 **or other airborne hazards during their service in Operation Iraqi Freedom,**
17 **Operation Enduring Freedom, Operation New Dawn, the Gulf War 1990-1991,**
18 **or other conflicts or theaters which may subsequently be identified, the**
19 **secretary of the Department of Veterans Affairs shall:**

20 **(1) Monitor the most current published epidemiological studies and**
21 **recommendations arising as a requirement of 38 U.S.C. 527, as well as any**
22 **developments in the study and treatment of conditions associated with exposure**

1 to toxic airborne chemicals and fumes caused by open burn pits.

2 (2) Create a database of self-identifying service members and veterans
3 who have been exposed to burn pits, that shall include the name, address,
4 electronic address, phone number, location and period of service, and any other
5 information as deemed necessary by the secretary of the Department of
6 Veterans Affairs.

7 (3) Establish and maintain a public information program in order to
8 educate and inform service members, veterans, and their families regarding:

9 (a) The most recent scientific developments on the health effects of
10 exposure to open burn pit smoke or other airborne hazards.

11 (b) Availability of possible treatments for their conditions.

12 (c) Applying for service-connected disability compensation for any
13 possible illnesses or conditions related to exposure to open burn pit smoke or
14 other airborne hazards, including the current status on related presumptive
15 conditions or diseases as designated by the United States Department of
16 Veterans Affairs.

17 (d) Appealing an existing disability rating decision or requesting an
18 upgrade in disability rating from the United States Department of Veterans
19 Affairs.

20 Section 2. This Act shall be known and may be cited as the Staff Sergeant William
21 Austin Daniel Military Airborne Hazards and Open Burn Pit Registry Act of 2014.

PRESIDENT OF THE SENATE

SPEAKER OF THE HOUSE OF REPRESENTATIVES

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____