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DIGEST

SB 37 Original

2026 Regular Session

McMath

Present law provides for lead poisoning provisions relative to children in both Title 30 under the La. Dept. of Environment Quality and in Title 40 under the La. Dept. of Health.

Proposed law consolidates all lead poisoning provisions relative to children into Title 40.

Title 30

Present law requires healthcare providers to report blood test results that are positive for the presence of lead to the state health officer and for the state health officer to define what constitutes a positive test result. Present law further authorizes the state health officer to enter into agreements with other departments for purposes of lead exposure reporting. Proposed law combines present law provisions with similar provisions in Title 40.

Present law defines "child-occupied facility" and includes public and nonpublic elementary schools and day care centers in the definition.

Proposed law moves provisions relative to public and nonpublic elementary schools and day care centers to Title 40.

Present law requires the owner of a child-occupied facility and the inspector to provide joint notification to the secretary of the Dept. of Environmental Quality and the state health officer within 90 days of receipt of a report of lead hazards, lead abatement activities, or any lead testing performed that exceeds applicable standards. Proposed law repeals present law.

Present law further requires the child-occupied facility to display a copy of the notification in a prominent location at the facility and to notify all parents and legal guardians or children enrolled at the facility. Proposed law repeals present law.

Title 40

Present law provides for the state Sanitary Code which authorizes the La. Dept. of Health to conduct health and safety inspections and to issue permits to public and private schools and buildings where people congregate.

Present law establishes a lead poisoning prevention program within the La. Dept. of Health to provide for the prevention, screening, diagnosis, and treatment of lead poisoning.

Proposed law retains present law and requires early learning centers, schools with prekindergarten programs, and public and private elementary schools built prior to 1978 to submit lead testing results to the department prior to obtaining approval for occupancy as part of the department's lead poisoning prevention program.

Present law authorizes the sale of lead-based paint if the container contains a warning label.
Proposed law repeals present law to prohibit the sale of lead-based paint.

Effective August 1, 2026.

(Amends R.S. 40:1285.1-1285.4, 1285.6(B), and 1285.7; repeals R.S. 30:2351.1(7), 2351.52(A) and (C), and 2351.53 and R.S. 40:1285.6(G))