

2026 Regular Session

SENATE BILL NO. 274

BY SENATOR EDMONDS

ENVIRONMENTAL QUALITY. Provides for lead hazard risk assessments for certain child care facilities and prekindergarten programs. (8/1/26)

1 AN ACT

2 To amend and reenact R.S. 30:2351.28, relative to environmental quality; to provide for data
3 and records related to lead hazard detection; to provide for risk assessments of
4 certain facilities; to provide for applicability; to provide for authority of state
5 departments to enter agreements; to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 30:2351.28 is hereby amended and reenacted to read as follows:

8 §2351.28. Data collection program

9 A. The secretary may establish and administer a program for the collection
10 ~~and~~ , analysis, and reporting of data ~~on~~ related to lead hazard detection and lead
11 hazard reduction activities in the state, and on the certification, accreditation, and
12 enforcement activities of the department.

13 B. The owner of any licensed day care center, preschool, or public or
14 nonpublic elementary school facility that qualifies as a child-occupied facility,
15 operator, or governing authority of any proposed licensed early learning center,
16 a daycare center that is subject to federal daycare center licensing
17 requirements, a public prekindergarten program that is part of a public

1 elementary school, or an approved nonpublic prekindergarten program that is
2 part of an approved nonpublic elementary school and first placed in operation on
3 or after August 1, 2012, shall have ~~an inspector conduct an inspection~~ a risk
4 assessor conduct a risk assessment of the facility and grounds for the presence of
5 lead hazards. ~~No inspection shall~~ The risk assessment shall be conducted no fewer
6 than thirty calendar days prior to the facility's intended commencement of
7 operations. A risk assessment shall not be required if the facility or its grounds has
8 been inspected, has had a risk assessment, or has been the subject of lead
9 abatement or remediation since 1978. If a portion of the facility or its grounds has
10 not been inspected, has not had a risk assessment, or has not been the subject of
11 lead abatement or remediation since 1978, then those portions of the facility or its
12 grounds shall be subject to the provisions of this Section. The owner ~~or~~, operator ~~of~~
13 ~~the facility,~~ or governing authority shall maintain documentation that the inspection
14 ~~or lead abatement~~ and make available upon request documentation
15 demonstrating that all required inspections, risk assessments, abatement, or
16 remediation activities were conducted in accordance with applicable requirements.
17 ~~If a lead hazard is found to be present, the inspector~~ federal and state
18 requirements. Prior to issuance of a license for operation, the owner, operator,
19 or governing authority shall submit the results of the risk assessment to the
20 department, the state Department of Education, and the Louisiana Department
21 of Health in a form and manner prescribed by the department. The risk
22 assessor and the owner shall report those findings to the state health officer, the
23 Louisiana Department of Health, the state Department of Education, and the
24 secretary. The state health officer shall compile the results and report the findings to
25 the legislature in the annual Louisiana Health Report Card.

26 C. The secretary may enter into memoranda of agreements with the
27 Louisiana Department of Health and the state Department of Education to
28 implement this Section.

29 D. Upon receipt of an application for licensure of an early learning

1 center, a day care center subject to federal day care center licensing
 2 requirements, a public prekindergarten program that is part of a public
 3 elementary school, or an approved prekindergarten program that is part of an
 4 approved nonpublic school, the state Department of Education shall provide
 5 written notice to the department and the Louisiana Department of Health that
 6 such application has been received.

The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Senate Legislative Services. The keyword, summary, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

DIGEST

SB 274 Original

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Edmonds

Present law authorizes the secretary of the Dept. of Environmental Quality (DEQ) to establish a program for the collection and analysis of data on lead hazard detection and reduction activities and on the certification, accreditation, and enforcement activities of the department.

Present law requires the owner of any licensed day care center, preschool, or public or nonpublic elementary school facility that qualifies as a child-occupied facility and that was first placed in operation after Aug. 1, 2012, to have an inspector conduct an inspection of the facility and grounds for the presence of lead hazards. Present law provides exceptions if the facility has been inspected or subject to abatement or remediation since 1978, requires maintenance of documentation, and requires reporting of findings to the state health officer and the secretary. Present law authorizes the secretary to enter into agreements with the La. Dept. of Health (LDH) to implement these provisions.

Proposed law authorizes the secretary to establish and administer a program for the collection, analysis, and reporting of data related to lead hazard detection and reduction activities.

Proposed law revises the entities subject to lead hazard review first placed in operation on or after Aug. 1, 2012, to include the owner, operator, or governing authority of proposed licensed early learning centers, a daycare center subject to federal daycare center licensing requirements, public prekindergarten programs that are part of a public elementary school, or an approved nonpublic prekindergarten program that are part of an approved nonpublic elementary school.

Proposed law replaces the requirement for an inspection by an inspector with a requirement for a risk assessment conducted by a risk assessor.

Proposed law requires that the risk assessment be conducted no fewer than 30 calendar days prior to the facility's intended commencement of operations.

Proposed law provides that a risk assessment is not required if the facility or its grounds has been inspected, has had a risk assessment, or has been the subject of lead abatement or remediation since 1978, and clarifies that only portions not previously addressed are subject to the provisions of proposed law.

Proposed law requires the owner, operator, or governing authority to maintain and make

available upon request documentation demonstrating compliance with applicable federal and state requirements.

Proposed law requires, prior to issuance of a license for operation, submission of the results of the risk assessment to the DEQ, Dept. of Education (DOE), and LDH, in a form and manner prescribed by the department.

Proposed law expands reporting requirements so that findings are reported to the state health officer, LDH, DOE, and the secretary.

Proposed law authorizes the secretary to enter into memoranda of agreement with LDH and DOE to implement proposed law.

Proposed law requires DOE, upon receipt of an application for licensure of a covered facility, to provide written notice to the DEQ and LDH.

Effective August 1, 2026.

(Amends R.S. 30:2351.28)