**Guillory (HB 471)** **Act No. 362**

New law provides no person shall use any pipe, pipe or plumbing fitting or fixture, solder, or flux that is not lead free in the installation or repair of any public water system or any plumbing in a facility providing water for human consumption, except when necessary for the repair of leaded joints of cast iron pipes.

New law provides no person shall introduce into commerce any pipe, pipe or plumbing fitting, or fixture intended to convey or dispense water for human consumption through drinking or cooking that is not lead free, including kitchen faucets, bathroom faucets, and any other end-use devices intended to convey or dispense water for human consumption through drinking or cooking.

New law provides for the following exclusions:

> Pipes, pipe fittings, plumbing fittings, or fixtures, including backflow preventers, that are used exclusively for nonpotable services such as manufacturing, industrial processing, irrigation, outdoor watering, or any other uses where the water is not anticipated to be used for human consumption.
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> Toilets, bidets, urinals, fill valves, flushometer valves, tub fillers, shower valves, showers, safety shower flushes, service saddles, or water distribution main gate valves that are two inches in diameter or larger.
>
> Materials purchased or acquired by public water systems prior to Jan. 1, 2013.

New law provides that no person engaged in the business of selling plumbing supplies, except as manufactured, shall sell solder or flux that is not lead free.

New law provides that no person shall introduce into commerce any solder or flux that is not lead free unless the solder or flux bears a prominent label stating that it is illegal to use the solder or flux in the installation or repair of any plumbing providing water for human consumption.

New law defines "lead free".

New law provides that all pipe, pipe or plumbing fittings or fixtures, solder, or flux shall be certified by an independent American National Standards Institute (ANSI) accredited third party as being in compliance with new law.

New law requires the Dept. of Health and Hospitals to promulgate rules and regulations implementing the provisions of new law.

Existing law provides for the enforcement of violations of provisions prohibiting use and sale of lead-based paint and the removal of lead-based paint in certain circumstances as health code violations by all local health officers, and health unit supervisors concurrently with the state health officer. Such violations are treated as emergency matters.

New law adds violations of new law to existing law.

New law provides that the enforcement of prohibitions on placing certain items into commerce shall be limited to instances of notification to the state health officer.

Effective January 1, 2013.

(Amends R.S. 40:1299.28; Adds R.S. 40:1299.27.1)