

2018 Regular Session

HOUSE BILL NO. 635

BY REPRESENTATIVE HUNTER

PUBLIC HEALTH: Provides relative to the disproportionate impact of environmental and public health issues on certain communities

1 AN ACT

2 To enact Part VI of Subchapter B of Chapter 5-F of Title 40 of the Louisiana Revised
3 Statutes of 1950, to be comprised of R.S. 40:1290.10 through 1290.12, relative to
4 public health; to require state entities to collect certain information; to require state
5 entities to analyze collected data; to require reporting of collected data; to require
6 reporting by public water utilities; and to provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. Part VI of Subchapter B of Chapter 5-F of Title 40 of the Louisiana
9 Revised Statutes of 1950, comprised of R.S. 40:1290.10 through 1290.12, is hereby enacted
10 to read as follows:

11 PART VI. DISPROPORTIONATE IMPACT ON
12 THE ENVIRONMENT AND PUBLIC HEALTH

13 §1290.10. Purpose

14 A. The purposes of this Part are all of the following:

15 (1) To require state departments, offices, and agencies of Louisiana and other
16 entities serving the public to address and eliminate the disproportionate
17 environmental and human health impacts on communities of color, indigenous
18 communities, and low-income communities.

1 (2) To ensure that all state departments, offices, and agencies and other
2 entities serving the public develop and enforce rules, regulations, guidance,
3 standards, policies, plans, and practices that promote environmental justice.

4 (3) To increase cooperation and require coordination among state
5 departments, offices, and agencies and other entities serving the public in achieving
6 environmental justice.

7 (4) To provide to communities of color, indigenous communities, and
8 low-income communities greater access to public information and opportunities for
9 participation in decisionmaking affecting human health and the environment.

10 (5) To mitigate the inequitable distribution of the burdens and benefits of
11 public programs having significant impacts on human health and the environment.

12 §1290.11. Disproportionate impact; data collection; analysis; reporting

13 A. To the maximum extent practicable and permitted by applicable law, each
14 state department, office, and agency shall do both of the following:

15 (1) Collect, maintain, and analyze information assessing and comparing
16 environmental and human health risks borne by populations identified by race,
17 national origin, or income.

18 (2) Use the information collected pursuant to Paragraph (1) of this
19 Subsection to determine whether the programs, policies, and activities of the
20 department or agency have disproportionately high and adverse human health or
21 environmental effects on communities of color, indigenous communities, and
22 low-income communities.

23 B.(1) The information collected and maintained and the analysis conducted
24 by each state department, office, and agency pursuant to Subsection A of this Section
25 shall be public information subject to the provisions of the Public Records Act and
26 shall not include personally identifiable information or healthcare or medical
27 information.

28 (2) Each state department, office, and agency shall make the information
29 collected and maintained and the analysis conducted pursuant to Subsection A of this

1 Section publicly available by, at a minimum, posting on the website for the state
2 department, office, or agency.

3 §1290.12. Water utility system report to the legislature

4 A.(1) Every water utility system in the state of Louisiana, whether public or
5 privately owned or managed and whether above ground or under ground, shall report
6 before a joint meeting of the House and Senate committees on health and welfare on
7 the current status of the water utility system.

8 (2) Each water utility system shall include in the system's report to the
9 committees, at a minimum, all of the following:

10 (a) Water supply quality testing conducted and the results of recent tests.

11 (b) Known water supply quality issues and any plans for addressing each
12 issue.

13 (c) Known problems with the water utility system's physical delivery system
14 and any plans for addressing each issue.

15 (d) The impact of known issues on the population served by the water utility
16 system including but not limited the impact on accessibility and affordability of
17 drinking water and the physical health of the population.

18 (e) The water utility system's plan for addressing and eliminating any
19 disproportionate environmental and human health impacts on communities of color,
20 indigenous communities, and low-income communities caused by any known
21 operating, physical delivery, or water quality issue.

22 B. The timing and order of presentations shall be determined using the
23 congressional districts of Louisiana.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, 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)]

HB 635 Original

2018 Regular Session

Hunter

Abstract: Requires state entities and other entities serving the public to address and eliminate the disproportionate environmental and human health impacts on communities of color, indigenous communities, and low-income communities.

Proposed law requires each state department, office, and agency to do both of the following:

- (1) Collect, maintain, and analyze information assessing and comparing environmental and human health risks borne by populations identified by race, national origin, or income.
- (2) Use the information collected to determine whether the programs, policies, and activities of the state entity have disproportionately high and adverse human health or environmental effects on communities of color, indigenous communities, and low-income communities.

Proposed law provides that the collected data shall be public information, shall not include personally identifiable information or healthcare or medical information, and shall be publicly available by, at a minimum, posting on the website for the state entity.

Proposed law requires every water utility system in the state of La., whether public or privately owned or managed and whether above ground or under ground, to report before a joint meeting of the House and Senate committees on health and welfare on the current status of the water utility system.

(Adds R.S. 40:1290.10-1290.12)