

2024 Regular Session

SENATE BILL NO. 460

BY SENATOR DUPLESSIS

LOCAL FINANCE. Provides for lead service line replacement. (8/1/24)

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AN ACT

To enact R.S. 33:4081.1, relative to water systems; to provide with respect to municipalities and municipal water systems; to provide relative to lead service line replacement; to provide for right of entry; to provide with respect to terms, conditions, and procedures; to provide for notice and notice requirements; to provide for definitions; to provide for funding; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 33:4081.1 is hereby enacted to read as follows:

§4081.1. Lead service line replacement; right of entry

A. A municipality may adopt an ordinance that allows the municipality or municipal water system, or any agent thereof, to enter a property within the municipality to perform a lead service line replacement, provided that the municipality provides the owner and any residents of the property with notice at least seventy-two hours before entering the property, unless in the case of an emergency as determined by the municipality or municipal water system. A municipality may not enter into a property that is not directly related to performing a lead service line replacement.

1 **B. For the purposes of this Section, notice to the owner and any residents**
2 **of the property shall include an attempt to inform the owner and any residents**
3 **in person of the date and time of the lead service line replacement, and if the**
4 **owner or a resident is unable to be reached in person, the municipality shall**
5 **send, by certified mail, a letter to the owner and any residents or post a written**
6 **notice in a prominent location on the property which shall include:**

7 **(1) The scheduled date and time of the lead service line replacement and**
8 **who will be performing the replacement.**

9 **(2) The likely extent of water service disruption.**

10 **(3) Nearby locations where the municipality or a public water system is**
11 **distributing supplementary drinking water, if any.**

12 **(4) Any remedies that the municipality shall take if the municipality or**
13 **municipal water system, or an agent thereof, is unable to access the property.**

14 **C. In addition to the notice requirements of Subsection B of this Section,**
15 **a municipality shall send, by certified mail, the owner a letter after the**
16 **completion of the replacement stating the approximate time that the**
17 **replacement occurred, and providing a brief summary of the work performed.**

18 **D. As used in this Section:**

19 **(1) "Municipal water system" means a municipal utilities authority,**
20 **water district, waterworks, water commission, joint meeting or any other**
21 **political subdivision of the state authorized pursuant to law to operate or**
22 **maintain a public water system or to construct, rehabilitate, operate, or**
23 **maintain water supply facilities or otherwise provide water for human**
24 **consumption.**

25 **(2) "Service line" means the pipe, tubing, and fittings connecting a**
26 **municipal water main to a building or structure, and also includes the water**
27 **meter for the property.**

28 Section 2. The provisions of this Act shall become effective if and when the
29 Louisiana Constitution is amended to allow the use of public funds by a political subdivision

1 for the purpose of identifying, inventorying, removing or replacing drinking water service
 2 lines composed of or harmfully affected by hazardous materials including but not limited to
 3 lead, copper, galvanized steel or iron.

The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by James Benton.

DIGEST

SB 460 Original

2024 Regular Session

Duplessis

Proposed law provides that a municipality may adopt an ordinance that allows the municipality or municipal water system, or any agent thereof, to enter a property within the municipality to perform a lead service line replacement, provided that the municipality provides the owner and any residents of the property with notice at least 72 hours before entering the property, unless in the case of an emergency as determined by the municipality or municipal water system.

Proposed law provides that a municipality may not enter into a property that is not directly related to performing a lead service line replacement.

Proposed law provides that notice to the owner and any residents of the property shall include an attempt to inform the owner and any residents in person of the date and time of the lead service line replacement, and if the owner or a resident is unable to be reached in person, the municipality shall send, by certified mail, a letter to the owner and any residents or post a written notice in a prominent location on the property which shall include:

- (1) The scheduled date and time of the lead service line replacement and who will be performing the replacement.
- (2) The likely extent of water service disruption.
- (3) Nearby locations where the municipality or a public water system is distributing supplementary drinking water, if any.
- (4) Any remedies that the municipality shall take if the municipality or municipal water system, or an agent thereof, is unable to access the property.

Proposed law provides that in addition to the notice requirements of proposed law, a municipality shall send, by certified mail, the owner a letter after the completion of the replacement stating the approximate time that the replacement occurred, and providing a brief summary of the work performed.

Proposed law provides the definition of "municipal water system" and "service line".

Proposed law provides that the provision of proposed law shall become effective if and when the La. constitution is amended to allow the use of public funds by a political subdivision for the purpose of identifying, inventorying, removing or replacing drinking water service lines composed of or harmfully affected by hazardous materials including but not limited to lead, copper, galvanized steel or iron.

Effective August 1, 2024.

(Adds R.S. 33:4081.1)