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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)]

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SB 37 Engrossed

DIGEST  
2026 Regular Session

McMath

Present law provides for lead poisoning provisions relative to children in both Title 30 under the La. Dept. of Environmental 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 day care centers and public and nonpublic schools with prekindergarten programs 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 and schools with prekindergarten programs built prior to 1978 to have a lead risk assessment and submit the testing results to the department prior to obtaining department approval of plans and specifications as part of the department's lead poisoning prevention program.

Proposed law provides that the lead risk assessment shall include painted surfaces of the building, dust, water, and soil adjacent to the building and on any property that is regularly utilized by the children enrolled at the early learning center or prekindergarten program.

Proposed law provides that the La. Dept. of Health shall provide the owner or operator with a list developed by the Dept. of Environmental Quality of persons approved or licensed to conduct non-drinking water lead testing.

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))

#### Summary of Amendments Adopted by Senate

##### Committee Amendments Proposed by Senate Committee on Health and Welfare to the original bill

1. Changes references from "lead inspections" and "presence of lead" to "lead investigation", "lead risk assessment", and "lead hazards".
2. Removes elementary schools from the lead risk assessment requirement.
3. Makes technical changes.