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DIGEST

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SB 274 Reengrossed

2026 Regular Session

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 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. Requires the entity meet the definition of a child-occupied facility and begin operating on or after Aug. 1, 2026.

Present law defines "child-occupied facility". Proposed law adds early learning centers to the definition of "child-occupied facility".

Proposed law replaces the requirement for an inspection by an inspector with a requirement for a risk assessment conducted by a risk assessor and requires a risk assessment of the facility and grounds for lead hazards in paint, dust, and soil.

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 a memorandum 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.

Proposed law provides that if the risk assessment finds lead hazards, the department must notify the DOE and LDH and the facility cannot commence operations until lead hazard control methods have been conducted and confirmed by the department.

Proposed law provides that once the department, DOE, and LDH receive a report of the absence of lead hazards, no further lead testing is required to open the facility. Further testing may be required if major renovating or remodeling is undertaken at the facility or if lead hazards are subsequently discovered on the premises.

Proposed law requires the department to provide a prospective owner, operator, or governing authority of a facility with a list of persons qualified to perform lead testing.

Effective August 1, 2026.

(Amends R.S. 30:2351.1(7)(a) and 2351.28)

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Finance to the engrossed bill

1. Make technical changes.

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Natural Resources and Environment to the reengrossed bill:

1. Add early learning centers to the definition of "child-occupied facility".
2. Require that risk assessments look for lead hazards in paint, dust, and soil.
3. Limits the requirement of a risk assessment to facilities that meet the definition of a "child-occupied facility" and that open on or after August 1, 2026.
4. Provide for the effects of a risk assessment that finds lead hazards, including reporting requirements and remediation prior to operating.
5. Provide for reports of the absence of lead hazards and instances where further lead testing may be required subsequent to a report of the absence of lead hazards.
6. Require the department to provide prospective facility owners, operators, and governing authorities with a list of person qualified to perform lead testing.
7. Make technical changes.