

SENATE BILL NO. 268

BY SENATOR DUPLESSIS AND REPRESENTATIVES ADAMS, BOYD, BRASS, BRYANT, CHASSION, FISHER, FREEMAN, FREIBERG, GREEN, HEBERT, JACKSON, JORDAN, KNOX, LAFLEUR, MANDIE LANDRY, TERRY LANDRY, LARVADAIN, LYONS, MARCELLE, MARTINEZ, MENA, MILLER, MOORE, MUSCARELLO, NEWELL, PHELPS, STAGNI, WALTERS AND YOUNG

1 AN ACT

2 To enact R.S. 33:4081.2, relative to water systems; to provide with respect to municipalities  
3 and municipal water systems; to provide relative to lead service line replacement; to  
4 provide for right-of-entry; to provide with respect to terms, conditions, and  
5 procedures; to provide for notice and notice requirements; to provide for definitions;  
6 to provide for funding; and to provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 33:4081.2 is hereby enacted to read as follows:

9 **§4081.2. Lead service line replacement; right-of-entry**

10 **A. A municipality may adopt an ordinance that allows the municipality**  
11 **or municipal water system, or any agent thereof, to enter a property within the**  
12 **municipality to perform a lead service line replacement, provided that the**  
13 **municipality provides the owner and any residents of the property with notice**  
14 **at least seven days before entering the property, unless in the case of an**  
15 **emergency as determined by the municipality or municipal water system. A**  
16 **municipality may not enter into a property that is not directly related to**  
17 **performing a lead service line replacement.**

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

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

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

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

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

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

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

13                   **(1) "Municipal water system" means a municipal utilities authority,**  
14                   **water district, waterworks, water commission, joint meeting or any other**  
15                   **political subdivision of the state authorized, pursuant to law, to operate or**  
16                   **maintain a public water system or to construct, rehabilitate, operate, or**  
17                   **maintain water supply facilities or otherwise provide water for human**  
18                   **consumption.**

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

\_\_\_\_\_  
PRESIDENT OF THE SENATE

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

\_\_\_\_\_  
GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: \_\_\_\_\_