

Regular Session, 2005

ACT No. 69

HOUSE BILL NO. 570

BY REPRESENTATIVES LAFONTA AND JEFFERSON

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

1 AN ACT

2 To enact R.S. 29:41, relative to exposure to depleted uranium; to provide for definitions; to
3 provide for screening of certain members of the armed forces of the United States;
4 to provide for reports on training; to prohibit state funding of the costs of the testing;
5 and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 29:41 is hereby enacted to read as follows:

8 §41. Exposure to depleted uranium

9 A. For the purposes of this Section, the following terms shall have the
10 following meanings:

11 (1) "Depleted uranium" means uranium containing less uranium-235 than the
12 naturally occurring distribution of uranium isotopes.

13 (2) "Eligible member" means a member who served in the Persian Gulf War,
14 as defined in 38 USC 101, or in an area designated as a combat zone by the president
15 of the United States during Operation Enduring Freedom or Operation Iraqi
16 Freedom.

17 (3) "Member of the armed forces" or "member" means a member of the
18 armed forces of the United States, including the Louisiana National Guard, who is
19 a resident of this state.

20 (4) "Veteran" means a member who served as an eligible member.

21 B. On and after October 1, 2005, any eligible member or veteran who returns
22 or has returned to this state after service in an area designated as a combat zone by
23 the president of the United States and who has been assigned a risk level I or II for
24 depleted uranium exposure by his branch or service, or any other member or veteran

1 who has reason to believe that he was exposed to depleted uranium during such
 2 service, shall have the right to a best practice health screening test for exposure to
 3 depleted uranium using a bioassay procedure involving sensitive methods capable
 4 of detecting depleted uranium at low levels and the use of equipment with the
 5 capacity to discriminate between different radioisotopes in naturally occurring levels
 6 of uranium and the characteristic ratio and marker for depleted uranium.

7 C. On or before October 1, 2005, the adjutant general of the Louisiana
 8 National Guard shall submit a report to the House Judiciary Committee and Senate
 9 Judiciary B Committee on the scope and adequacy of training received by members
 10 of the armed forces on detecting whether their service as eligible members is likely
 11 to entail, or to have entailed, exposure to depleted uranium. The report shall include
 12 an assessment of the feasibility and cost of adding predeployment training
 13 concerning potential exposure to depleted uranium and other toxic chemical
 14 substances and the precautions recommended under combat and noncombat
 15 conditions while in a combat zone.

16 D. The expenditure or appropriation of state funds for the purposes of
 17 providing testing pursuant to this Section is prohibited.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____