

2025 Regular Session

LSLI Disposition Sheet for Title 30

Effective date is August 1, 2025 unless otherwise noted

<u>LSA-R.S.</u>	<u>Effect</u>	<u>Act No.</u>	<u>Section</u>	<u>Sp. Eff. Dt.</u>
✓/Heading, Chpt.1, Subtitle I-----	Amend-----	458-----	1-----	10/01/2025 ✓
✓/Heading, Pt.I, Chpt.1, Subtitle I---	Amend-----	458-----	1-----	10/01/2025 ✓
✓/30:1(Heading)-----	Amend-----	458-----	1-----	10/01/2025 ✓
✓/30:1(A)-----	Amend-----	458-----	1-----	10/01/2025 ✓
✓/30:1(B)-----	Amend-----	458-----	1-----	10/01/2025 ✓
✓/30:1(C)-----	Amend-----	458-----	1-----	10/01/2025 ✓
✓/30:3(Intro.Par.)-----	Amend-----	458-----	1-----	10/01/2025 ✓
✓/30:3(3)-----	Amend-----	458-----	1-----	10/01/2025 ✓
✓/30:3(8)-----	Amend-----	458-----	1-----	10/01/2025 ✓
✓/30:3(9)-----	Amend-----	458-----	1-----	10/01/2025 ✓
✓/30:3(11)-----	Amend-----	458-----	1-----	10/01/2025 ✓
✓/30:3(20)-----	Amend-----	458-----	1-----	10/01/2025 ✓
✓/30:3(18)-----	Amend-----	458-----	1-----	10/01/2025 ✓
✓/30:3(5)-----	Enact-----	458-----	1-----	10/01/2025 ✓
✓/30:3(4)-----	Enact-----	458-----	1-----	10/01/2025 ✓
✓/30:4(A)-----	Amend-----	458-----	1-----	10/01/2025 ✓
✓/30:4(B)-----	Amend-----	458-----	1-----	10/01/2025 ✓
✓/30:4(C)(Intro.Par.)-----	Amend-----	458-----	1-----	10/01/2025 ✓
✓/30:4(C)(1)(a)(v)-----	Amend-----	458-----	1-----	10/01/2025 ✓
✓/30:4(C)(1)(b)-----	Amend-----	458-----	1-----	10/01/2025 ✓
✓/30:4(C)(14)-----	Amend-----	458-----	1-----	10/01/2025 ✓
✓/30:4(C)(16)(b)-----	Amend-----	458-----	1-----	10/01/2025 ✓
✓/30:4(C)(17)(b)-----	Amend-----	458-----	1-----	10/01/2025 ✓
✓/30:4(C)(21)-----	Enact-----	458-----	1-----	10/01/2025 ✓
✓/30:4(D)(Intro.Par.)-----	Amend-----	458-----	1-----	10/01/2025 ✓
✓/30:4(D)(1)-----	Amend-----	458-----	1-----	10/01/2025 ✓
✓/30:4(D)(2)-----	Amend-----	458-----	1-----	10/01/2025 ✓

√30:4(D)(3)	Amend	458	1	10/01/2025	✓
√30:4(D)(5)	Amend	458	1	10/01/2025	✓
√30:4(D)(6)	Enact	458	1	10/01/2025	✓
√30:4(E)	Amend	458	1	10/01/2025	✓
√30:4(F)	Amend	458	1	10/01/2025	✓
√30:4(G)	Amend	458	1	10/01/2025	✓
√30:4(H)	Amend	458	1	10/01/2025	✓
√30:4(I)(Intro.Par.)	Amend	458	1	10/01/2025	✓
√30:4(I)(1)	Amend	458	1	10/01/2025	✓
√30:4(I)(3)	Amend	458	1	10/01/2025	✓
√30:4(I)(4)	Amend	458	1	10/01/2025	✓
√30:4(I)(5)	Amend	458	1	10/01/2025	✓
√30:4(I)(9)	Amend	458	1	10/01/2025	✓
√30:4(I)(11)	Amend	458	1	10/01/2025	✓
√30:4(K)	Amend	458	1	10/01/2025	✓
√30:4(L)(1)(Intro.Par.)	Amend	458	1	10/01/2025	✓
√30:4(M)(Intro.Par.)	Amend	458	1	10/01/2025	✓
√30:4(M)(3)	Amend	458	1	10/01/2025	✓
√30:4(M)(6)(b)	Amend	458	1	10/01/2025	✓
√30:4(N)	Repeal	458	11	10/01/2025	✓
√30:4(O)(1)	Amend	458	1	10/01/2025	✓
√30:4(O)(2)	Amend	458	1	10/01/2025	✓
√30:4(P)	Amend	458	1	10/01/2025	✓
√30:4(Q)	Amend	458	1	10/01/2025	✓
√30:4(R)(Intro.Par.)	Amend	458	1	10/01/2025	✓
√30:4(T)	Amend	458	1	10/01/2025	✓
√30:4.1(B)	Amend	458	1	10/01/2025	✓
√30:4.1(C)	Amend	458	1	10/01/2025	✓
√30:4.1(D)	Amend	458	1	10/01/2025	✓
√30:4.1(E)	Amend	458	1	10/01/2025	✓
√30:4.1(F)(1)	Amend	458	1	10/01/2025	✓

√30:4.1(I)	Amend	458	1	10/01/2025	✓
√30:4.1(K)	Amend	458	1	10/01/2025	✓
√30:4.2	Amend	458	1	10/01/2025	✓
√30:4.3	Amend	458	1	10/01/2025	✓
√30:5(A)	Amend	458	1	10/01/2025	✓
√30:5(B)	Amend	458	1	10/01/2025	✓
√30:5(C)(1)	Amend	458	1	10/01/2025	✓
√30:5(C)(2)(Intro.Par.)	Amend	458	1	10/01/2025	✓
√30:5(C)(2)(d)	Amend	458	1	10/01/2025	✓
√30:5(C)(4)	Amend	458	1	10/01/2025	✓
√30:5(C)(6)	Amend	458	1	10/01/2025	✓
√30:5(D)(1)	Amend	458	1	10/01/2025	✓
√30:5(D)(2)(Intro.Par.)	Amend	458	1	10/01/2025	✓
√30:5.1(A)(1)	Amend	458	1	10/01/2025	✓
√30:5.1(A)(2)	Amend	458	1	10/01/2025	✓
√30:5.1(A)(3)(Intro.Par.)	Amend	458	1	10/01/2025	✓
√30:5.1(A)(3)(e)	Amend	458	1	10/01/2025	✓
√30:5.1(A)(5)	Amend	458	1	10/01/2025	✓
√30:5.1(A)(6)	Amend	458	1	10/01/2025	✓
√30:5.1(A)(7)	Amend	458	1	10/01/2025	✓
√30:5.1(A)(8)	Amend	458	1	10/01/2025	✓
√30:5.1(A)(9)	Amend	458	1	10/01/2025	✓
√30:5.1(B)(1)	Amend	458	1	10/01/2025	✓
√30:5.1(B)(2)	Amend	458	1	10/01/2025	✓
√30:5.1(B)(3)(Intro.Par.)	Amend	458	1	10/01/2025	✓
√30:5.1(B)(5)	Amend	458	1	10/01/2025	✓
√30:5.1(B)(7)	Amend	458	1	10/01/2025	✓
√30:5.1(B)(9)	Amend	458	1	10/01/2025	✓
√30:5.1(B)(10)	Amend	458	1	10/01/2025	✓
√30:5.1(B)(12)	Amend	458	1	10/01/2025	✓
√30:5.1(B)(13)	Amend	458	1	10/01/2025	✓

√ 30:5.2(A)	-----Amend-----	458	-----1-----	10/01/2025 ✓
√ 30:5.2(B)	-----Amend-----	458	-----1-----	10/01/2025 ✓
√ 30:5.2(C)(Intro.Par.)	-----Amend-----	458	-----1-----	10/01/2025 ✓
√ 30:5.2(E)	-----Amend-----	458	-----1-----	10/01/2025 ✓
√ 30:5.2(F)	-----Amend-----	458	-----1-----	10/01/2025 ✓
√ 30:5.2(G)	-----Amend-----	458	-----1-----	10/01/2025 ✓
√ 30:5.2(H)	-----Amend-----	458	-----1-----	10/01/2025 ✓
√ 30:6	-----Amend-----	458	-----1-----	10/01/2025 ✓
√ 30:6.1(A)	-----Amend-----	458	-----1-----	10/01/2025 ✓
√ 30:6.1(B)	-----Amend-----	458	-----1-----	10/01/2025 ✓
√ 30:6.1(C)	-----Amend-----	458	-----1-----	10/01/2025 ✓
√ 30:6.1(D)(1)	-----Amend-----	458	-----1-----	10/01/2025 ✓
√ 30:6.1(F)	-----Amend-----	458	-----1-----	10/01/2025 ✓
R √ 30:8(A) ⁽¹⁾ (Intro.Par.)	-----Amend-----	458	-----1-----	10/01/2025 ✓
√ 30:8(A) ⁽²⁾ (1)	-----Amend-----	458	-----1-----	10/01/2025 ✓
√ 30:8(A) ⁽³⁾ (2)	-----Amend-----	458	-----1-----	10/01/2025 ✓
√ 30:8(A) ⁽⁴⁾ (3)	-----Amend-----	458	-----1-----	10/01/2025 ✓
√ 30:8(A) ⁽⁵⁾ (4)	-----Amend-----	458	-----1-----	10/01/2025 ✓
√ 30:8(A) (5)	-----Amend-----	458	-----1-----	10/01/2025 ✓
√ 30:8(B)	-----Amend-----	458	-----1-----	10/01/2025 ✓
√ 30:9(A)(Intro.Par.)	-----Amend-----	458	-----1-----	10/01/2025 ✓
√ 30:9(B)	-----Amend-----	458	-----1-----	10/01/2025 ✓
√ 30:9(C)	-----Amend-----	458	-----1-----	10/01/2025 ✓
√ 30:9(D)	-----Amend-----	458	-----1-----	10/01/2025 ✓
R √ 30:10(A) ⁽¹⁾ (Intro.Par.)	-----Amend-----	458	-----1-----	10/01/2025 ✓
√ 30:10(A) ⁽²⁾ ^(a) (1) (Intro.Par.)	-----Amend-----	458	-----1-----	10/01/2025 ✓
√ 30:10(A) ⁽³⁾ (2) (Intro.Par.)	-----Amend-----	458	-----1-----	10/01/2025 ✓
√ 30:10(A) ⁽³⁾ (2) (a)(i)(Intro.Par.)	-----Amend-----	458	-----1-----	10/01/2025 ✓
√ 30:10(A) ⁽³⁾ (2) (b)(ii)(ii)	-----Amend-----	458	-----1-----	10/01/2025 ✓
√ 30:10(A) ⁽³⁾ (2) (b)(vi)(Intro.Par.)	-----Amend-----	458	-----1-----	10/01/2025 ✓
√ 30:10(A) ⁽³⁾ (2) (b)(vi)(bb)	-----Amend-----	458	-----1-----	10/01/2025 ✓
√ 30:10(A) ⁽³⁾ (2) (c)	-----Amend-----	458	-----1-----	10/01/2025 ✓

NOT AMENDED

✓	30:10(A)(2)(d)	Amend	458	1	10/01/2025	✓
✓	30:10(A)(2)(f)	Amend	458	1	10/01/2025	✓
✓	30:10(A)(3)	Amend	458	1	10/01/2025	✓
	30:10(B)	Amend	458	1	10/01/2025	✓
	30:10(C)(7)	Amend	458	1	10/01/2025	✓
	30:10.1(B)(1)	Amend	458	1	10/01/2025	✓
	30:10.1(B)(3)	Amend	458	1	10/01/2025	✓
	30:10.1(B)(4)	Amend	458	1	10/01/2025	✓
	30:10.1(B)(5)	Amend	458	1	10/01/2025	✓
	30:11.1	Amend	458	1	10/01/2025	✓
	30:12(A)	Amend	458	1	10/01/2025	✓
	30:12(B)(1)	Amend	458	1	10/01/2025	✓
	30:12(B)(2)	Amend	458	1	10/01/2025	✓
	30:12(B)(3)	Amend	458	1	10/01/2025	✓
	30:12(B)(4)	Amend	458	1	10/01/2025	✓
	30:12(B)(5)(Intro.Par.)	Amend	458	1	10/01/2025	✓
	30:12(B)(5)(f)	Amend	458	1	10/01/2025	✓
	30:12(C)	Amend	458	1	10/01/2025	✓
	30:13	Amend	458	1	10/01/2025	✓
	30:14	Amend	458	1	10/01/2025	✓
	30:15	Amend	458	1	10/01/2025	✓
	30:18(A)(1)	Amend	458	1	10/01/2025	✓
	30:18(A)(2)	Amend	458	1	10/01/2025	✓
	30:18(A)(3)	Amend	458	1	10/01/2025	✓
	30:18(A)(4)	Amend	458	1	10/01/2025	✓
	30:18(A)(5)	Amend	458	1	10/01/2025	✓
	30:18(A)(6)(a)(i)	Amend	458	1	10/01/2025	✓
	30:18(A)(6)(a)(ii)	Amend	458	1	10/01/2025	✓
	30:18(A)(6)(b)	Amend	458	1	10/01/2025	✓
	30:18(A)(6)(c)(i)(ff)	Amend	458	1	10/01/2025	✓
	30:18(A)(6)(c)(ii)	Amend	458	1	10/01/2025	✓

NOT AMENDED

√ 30:18(A)(6)(c)(iii)	Amend	458	1	10/01/2025	✓
√ 30:18(A)(6)(d)	Amend	458	1	10/01/2025	✓
√ 30:18(A)(6)(e)	Amend	458	1	10/01/2025	✓
√ 30:18(B)	Amend	458	1	10/01/2025	✓
√ 30:20(A)	Amend	458	1	10/01/2025	✓
√ 30:20(D)	Amend	458	1	10/01/2025	✓
√ 30:21(A)	Amend	458	1	10/01/2025	✓
√ 30:21(B)(1)(a)	Amend	458	1	10/01/2025	✓
√ 30:21(B)(1)(b)	Amend	458	1	10/01/2025	✓
√ 30:21(B)(1)(c)	Amend	458	1	10/01/2025	✓
√ 30:21(B)(1)(d)(Intro.Par.)	Amend	458	1	10/01/2025	✓
√ 30:21(B)(1)(e)	Amend	458	1	10/01/2025	✓
√ 30:21(B)(2)(a)	Amend	458	1	10/01/2025	✓
√ 30:21(B)(2)(b)	Amend	458	1	10/01/2025	✓
R { √ 30:21.1 ^{4(Q)(1)(b)}	Enact	296	1		
R { √ 30:21.1 ^{4(Q)(1)(b)} (Acts 2025, No. 296)	Redesignate	458	14	10/01/2025	✓
√ 30:21.1	Enact	458	1	10/01/2025	✓
√ 30:22(B)(Intro.Par.)	Amend	458	1	10/01/2025	✓
√ 30:22(C)(Intro.Par.)	Amend	458	1	10/01/2025	✓
√ 30:22(D)	Amend	458	1	10/01/2025	✓
√ 30:22(E)	Amend	458	1	10/01/2025	✓
√ 30:23(B)(Intro.Par.)	Amend	458	1	10/01/2025	✓
√ 30:23(C)	Amend	458	1	10/01/2025	✓
√ 30:23(D)	Amend	458	1	10/01/2025	✓
√ 30:23.1(A)	Amend	458	1	10/01/2025	✓
√ 30:25(A)(2)	Amend	458	1	10/01/2025	✓
√ 30:25(A)(3)	Amend	458	1	10/01/2025	✓
√ 30:25(A)(5)	Amend	458	1	10/01/2025	✓
√ 30:25(A)(6)	Amend	458	1	10/01/2025	✓
√ 30:25(A)(7)	Amend	458	1	10/01/2025	✓
√ 30:25(D)	Amend	458	1	10/01/2025	✓

√ 30:25(E)	-----Amend-----	458	-----1-----	10/01/2025 ✓
√ 30:25(F)	-----Amend-----	458	-----1-----	10/01/2025 ✓
√ 30:26(A)	-----Amend-----	458	-----1-----	10/01/2025 ✓
√ 30:27(A)(Intro.Par.)	-----Amend-----	458	-----1-----	10/01/2025 ✓
√ 30:27(D)	-----Amend-----	458	-----1-----	10/01/2025 ✓
√ 30:27(F)	-----Amend-----	458	-----1-----	10/01/2025 ✓
√ 30:28(A)	-----Amend-----	458	-----1-----	10/01/2025 ✓
√ 30:28(C)	-----Amend-----	458	-----1-----	10/01/2025 ✓
√ 30:28(D)(Intro.Par.)	-----Amend-----	458	-----1-----	10/01/2025 ✓
√ 30:28(D)(2)	-----Amend-----	458	-----1-----	10/01/2025 ✓
√ 30:28(D)(3)	-----Amend-----	458	-----1-----	10/01/2025 ✓
√ 30:28(D)(5)	-----Amend-----	458	-----1-----	10/01/2025 ✓
√ 30:28(D)(6)	-----Amend-----	458	-----1-----	10/01/2025 ✓
√ 30:28(D)(7)	-----Amend-----	458	-----1-----	10/01/2025 ✓
√ 30:28(F)	-----Amend-----	458	-----1-----	10/01/2025 ✓
√ 30:28(G)	-----Amend-----	458	-----1-----	10/01/2025 ✓
√ 30:28(H)	-----Amend-----	458	-----1-----	10/01/2025 ✓
√ 30:28(I)(1)(Intro.Par.)	-----Amend-----	458	-----1-----	10/01/2025 ✓
√ 30:28(I)(1)(a)	-----Amend-----	458	-----1-----	10/01/2025 ✓
√ 30:28(I)(1)(d)	-----Amend-----	458	-----1-----	10/01/2025 ✓
√ 30:28(I)(1)(g)	-----Amend-----	458	-----1-----	10/01/2025 ✓
√ 30:28(J)	-----Amend-----	458	-----1-----	10/01/2025 ✓
√ 30:29(A)	-----Amend-----	458	-----2✓-----	06/24/2025 ✓
√ 30:29(B)(1)	-----Amend-----	458	-----2✓-----	06/24/2025 ✓
√ 30:29(C)(1)	-----Amend-----	458	-----2✓-----	06/24/2025 ✓
√ 30:29(C)(3)(a)	-----Amend-----	458	-----2✓-----	06/24/2025 ✓
√ 30:29(C)(5)	-----Amend-----	458	-----2✓-----	06/24/2025 ✓
√ 30:29(C)(6)(b)	-----Amend-----	458	-----2✓-----	06/24/2025 ✓
√ 30:29(C)(6)(c)	-----Amend-----	458	-----2✓-----	06/24/2025 ✓
√ 30:29(C)(6)(d)	-----Enact-----	458	-----2✓-----	06/24/2025 ✓
√ 30:29(D)(1)	-----Amend-----	458	-----2✓-----	06/24/2025 ✓

✓30:29(D)(2)	Amend	458	2	✓	06/24/2025	✓
✓30:29(D)(3)	Amend	458	2	✓	06/24/2025	✓
✓30:29(E)(1)	Amend	458	2	✓	06/24/2025	✓
✓30:29(F)	Amend	458	2	✓	06/24/2025	✓
✓30:29(H)(1)	Amend	458	2	✓	06/24/2025	✓
✓30:29(I)(2)	Amend	458	2	✓	06/24/2025	✓
✓30:29(I)(4)	Amend	458	2	✓	06/24/2025	✓
✓30:29(M)(1)(Intro.Par.)	Amend	458	2	✓	06/24/2025	✓
✓30:29(M)(1)(c)	Amend	458	2	✓	06/24/2025	✓
✓30:29(M)(1)(d)	Repeal	458	11	✓	10/01/2025	✓
✓30:41	Amend	458	1		10/01/2025	✓
✓30:42	Amend	458	1		10/01/2025	✓
✓30:44	Amend	458	1		10/01/2025	✓
✓30:45	Amend	458	1		10/01/2025	✓
✓30:48	Amend	458	1		10/01/2025	✓
R ✓30:61 ^(A) (Intro.Par.)	Amend	458	1		10/01/2025	✓
✓30:73(1)	Amend	458	1		10/01/2025	✓
✓30:74(A)	Amend	458	1		10/01/2025	✓
✓30:74(B)	Amend	458	1		10/01/2025	✓
✓30:79(A)	Amend	458	1		10/01/2025	✓
✓30:79(B)	Amend	458	1		10/01/2025	✓
✓30:79(C)	Amend	458	1		10/01/2025	✓
R ✓30:82 ⁽¹¹⁾ (1)	Amend	458	1		10/01/2025	✓
✓30:82 ⁽⁴⁾ (6)	Amend	458	1		10/01/2025	✓
✓30:82 ⁽⁵⁾ (7)	Amend	458	1		10/01/2025	✓
✓30:82 ⁽⁹⁾ (11)	Amend	458	1		10/01/2025	✓
✓30:82 ⁽¹²⁾ (14)	Amend	458	1		10/01/2025	✓
✓30:83(A)(5)	Amend	458	1		10/01/2025	✓
✓30:83(A)(7)	Amend	458	1		10/01/2025	✓
✓30:83.1(B)(3)	Amend	458	1		10/01/2025	✓
✓30:85(A)(3)	Amend	458	1		10/01/2025	✓

√ 30:85(C)	-----Amend-----	458	-----1-----	10/01/2025	✓
√ 30:86(A)(2)	-----Amend-----	458	-----1-----	10/01/2025	✓
√ 30:86(D)(8)	-----Amend-----	458	-----1-----	10/01/2025	✓
√ 30:86(D)(9)	-----Amend-----	458	-----1-----	10/01/2025	✓
√ 30:86(D)(10)	-----Amend-----	458	-----1-----	10/01/2025	✓
√ 30:86(D)(11)	-----Repeal-----	458	-----11-----	10/01/2025	✓
√ 30:86(E)(2)	-----Amend-----	458	-----1-----	10/01/2025	✓
√ 30:86(E)(6)	-----Amend-----	458	-----1-----	10/01/2025	✓
√ 30:86(E)(7)	-----Amend-----	458	-----1-----	10/01/2025	✓
√ 30:86(F)	-----Repeal-----	458	-----11-----	10/01/2025	✓
√ 30:86(G)	-----Amend-----	458	-----1-----	10/01/2025	✓
√ 30:86(H)	-----Amend-----	458	-----1-----	10/01/2025	✓
√ 30:86(I)	-----Enact-----	458	-----1-----	10/01/2025	✓
√ 30:86(J)	-----Enact-----	458	-----1-----	10/01/2025	✓
√ 30:87(A)	-----Amend-----	458	-----2-----	06/24/2025	✓
R √ 30:87(F)(1) ^(b) (a)(Intro.Par.)	-----Amend-----	458	-----2-----	06/24/2025	✓
R √ 30:87(F)(1) ^(c) (b)(Intro.Par.)	-----Amend-----	458	-----2-----	06/24/2025	✓
√ 30:88(B)	-----Amend-----	458	-----1-----	10/01/2025	✓
√ 30:88(C)	-----Amend-----	458	-----1-----	10/01/2025	✓
√ 30:88(D)	-----Amend-----	458	-----1-----	10/01/2025	✓
√ 30:88(E)	-----Amend-----	458	-----1-----	10/01/2025	✓
√ 30:88(F)	-----Amend-----	458	-----1-----	10/01/2025	✓
√ 30:88(I)	-----Amend-----	458	-----1-----	10/01/2025	✓
√ 30:88(J)(Intro.Par.)	-----Amend-----	458	-----1-----	10/01/2025	✓
√ 30:88.1(A)(3)	-----Amend-----	458	-----1-----	10/01/2025	✓
√ 30:88.1(A)(4)	-----Amend-----	458	-----1-----	10/01/2025	✓
√ 30:88.1(C)	-----Amend-----	458	-----1-----	10/01/2025	✓
√ 30:88.1(D)	-----Amend-----	458	-----1-----	10/01/2025	✓
√ 30:88.1(E)	-----Amend-----	458	-----1-----	10/01/2025	✓
√ 30:88.1(G)(Intro.Par.)	-----Amend-----	458	-----1-----	10/01/2025	✓
√ 30:88.1(H)	-----Amend-----	458	-----1-----	10/01/2025	✓

√ 30:88.2(C)-----	Amend-----	458-----	1-----	10/01/2025 ✓
√ 30:88.2(E)(Intro.Par.)-----	Amend-----	458-----	1-----	10/01/2025 ✓
√ 30:88.2(E)(1)-----	Amend-----	458-----	1-----	10/01/2025 ✓
√ 30:88.2(F)-----	Amend-----	458-----	1-----	10/01/2025 ✓
√ 30:89(A)-----	Amend-----	458-----	1-----	10/01/2025 ✓
√ 30:89(B)-----	Amend-----	458-----	1-----	10/01/2025 ✓
√ 30:89(C)(Intro.Par.)-----	Amend-----	458-----	1-----	10/01/2025 ✓
√ 30:89(C)(2)-----	Amend-----	458-----	1-----	10/01/2025 ✓
√ 30:89(C)(3)-----	Amend-----	458-----	1-----	10/01/2025 ✓
√ 30:89(D)-----	Amend-----	458-----	1-----	10/01/2025 ✓
√ 30:90(C)-----	Amend-----	458-----	1-----	10/01/2025 ✓
√ 30:90(D)(Intro.Par.)-----	Amend-----	458-----	1-----	10/01/2025 ✓
√ 30:90(D)(1)-----	Amend-----	458-----	1-----	10/01/2025 ✓
√ 30:90(D)(4)-----	Amend-----	458-----	1-----	10/01/2025 ✓
√ 30:90(E)(4)-----	Amend-----	458-----	1-----	10/01/2025 ✓
√ 30:91(A)(Intro.Par.)-----	Amend-----	458-----	1-----	10/01/2025 ✓
√ 30:91(A)(1)-----	Amend-----	458-----	1-----	10/01/2025 ✓
√ 30:91(B)(1)-----	Amend-----	458-----	1-----	10/01/2025 ✓
√ 30:91(B)(2)(a)-----	Amend-----	458-----	1-----	10/01/2025 ✓
√ 30:91(B)(2)(c)-----	Amend-----	458-----	1-----	10/01/2025 ✓
√ 30:91(B)(3)-----	Amend-----	458-----	1-----	10/01/2025 ✓
√ 30:91(B)(4)-----	Amend-----	458-----	1-----	10/01/2025 ✓
√ 30:91(D)-----	Amend-----	458-----	1-----	10/01/2025 ✓
√ 30:92(A)-----	Amend-----	458-----	1-----	10/01/2025 ✓
√ 30:92(C)-----	Amend-----	458-----	1-----	10/01/2025 ✓
√ 30:93(A)(Intro.Par.)-----	Amend-----	458-----	1-----	10/01/2025 ✓
√ 30:93(C)-----	Enact-----	458-----	1-----	10/01/2025 ✓
√ 30:94(A)-----	Amend-----	458-----	1-----	10/01/2025 ✓
√ 30:94(B)(1)(Intro.Par.)-----	Amend-----	458-----	1-----	10/01/2025 ✓
√ 30:94(B)(2)(b)-----	Amend-----	458-----	1-----	10/01/2025 ✓
√ 30:94(B)(3)(Intro.Par.)-----	Amend-----	458-----	1-----	10/01/2025 ✓

✓ 30:94(C)	Amend	458	1	10/01/2025 ✓
✓ 30:95(B)	Amend	458	1	10/01/2025 ✓
✓ 30:95(C)	Amend	458	1	10/01/2025 ✓
✓ 30:95(D)	Amend	458	1	10/01/2025 ✓
✓ 30:98.1 thru 98.13 (Pt.VIII, Chpt.1, Subtitle I)	Enact	458	1	10/01/2025 ✓
✓ 30:101.1 thru 101.15 (Pt.IX, Chpt.1, Subtitle I)	Redesignate	458	13 ✓	10/01/2025 ✓
✓ 30:101.2(A)	Amend	458	1	10/01/2025 ✓
✓ 30:101.3 ^(b)	Amend	458	1	10/01/2025 ✓
✓ 30:101.4	Amend	458	1	10/01/2025 ✓
✓ 30:101.5(A)(2)	Amend	458	1	10/01/2025 ✓
✓ 30:101.6(A)(Intro.Par.)	Amend	458	1	10/01/2025 ✓
✓ 30:101.6(B)	Amend	458	1	10/01/2025 ✓
✓ 30:101.7(A)	Amend	458	1	10/01/2025 ✓
✓ 30:101.8	Amend	458	1	10/01/2025 ✓
✓ 30:101.9(D)(Intro.Par.)	Amend	458	1	10/01/2025 ✓
✓ 30:101.9(D)(1)	Amend	458	1	10/01/2025 ✓
✓ 30:101.9(D)(2)	Amend	458	1	10/01/2025 ✓
✓ 30:101.10(A)	Amend	458	1	10/01/2025 ✓
✓ 30:101.10(B)(Intro.Par.)	Amend	458	1	10/01/2025 ✓
✓ 30:101.13(A)	Amend	458	1	10/01/2025 ✓
✓ 30:101.13(B)(2)	Amend	458	1	10/01/2025 ✓
✓ 30:101.13(C)(4)	Amend	458	1	10/01/2025 ✓
✓ 30:101.14(A)	Amend	458	1	10/01/2025 ✓
✓ 30:101.14(B)	Amend	458	1	10/01/2025 ✓
✓ 30:103.1(A)(Intro.Par.)	Amend	458	1	10/01/2025 ✓
✓ 30:121(A)	Amend	458	1	10/01/2025 ✓
✓ 30:121(C)	Amend	458	1	10/01/2025 ✓
✓ 30:121(D)	Amend	458	1	10/01/2025 ✓
✓ 30:124.1	Enact	458	1	10/01/2025 ✓
✓ 30:125	Amend	458	1	10/01/2025 ✓

√ 30:127.1(C)(10)	-----Amend-----	458	-----1-----	10/01/2025 ✓
√ 30:127.1(C)(11)	-----Amend-----	458	-----1-----	10/01/2025 ✓
√ 30:127.1(D)	-----Amend-----	458	-----1-----	10/01/2025 ✓
√ 30:129(B)(1)(a)	-----Amend-----	458	-----1-----	10/01/2025 ✓
√ 30:135	-----Amend-----	458	-----1-----	10/01/2025 ✓
√ 30:136.3(B)(1)	-----Amend-----	458	-----1-----	10/01/2025 ✓
√ 30:136.3(B)(6)	-----Enact-----	458	-----1-----	10/01/2025 ✓
√ 30:136.3(B)(7)	-----Enact-----	458	-----1-----	10/01/2025 ✓
√ 30:136.3(C)	-----Amend-----	458	-----1-----	10/01/2025 ✓
√ 30:136.3(D)	-----Amend-----	458	-----1-----	10/01/2025 ✓
√ 30:136.3(E)	-----Repeal-----	458	-----11-----	10/01/2025 ✓
√ 30:143(D)(2)	-----Amend-----	458	-----1-----	10/01/2025 ✓
√ 30:143(D)(3)	-----Amend-----	458	-----1-----	10/01/2025 ✓
√ 30:148.8	-----Amend-----	458	-----1-----	10/01/2025 ✓
√ 30:148.9(A)(1)	-----Amend-----	458	-----1-----	10/01/2025 ✓
√ 30:148.9(A)(2)	-----Amend-----	458	-----1-----	10/01/2025 ✓
√ 30:149(B)(Intro.Par.)	-----Amend-----	508	-----1-----	
√ 30:149(C)	-----Amend-----	508	-----1-----	
√ 30:149.1	-----Enact-----	508	-----1-----	
√ 30:153	-----Amend-----	458	-----1-----	10/01/2025 ✓
√ 30:172	-----Amend-----	458	-----1-----	10/01/2025 ✓
√ 30:186 thru 188 (Pt.III, Chpt.2, Subtitle I)	-----Repeal-----	458	-----11-----	10/01/2025 ✓
√ 30:209(4)(e)(Intro.Par.)	-----Amend-----	458	-----1-----	10/01/2025 ✓
√ 30:209(6)	-----Enact-----	458	-----1-----	10/01/2025 ✓
√ 30:209.1(A)	-----Amend-----	458	-----1-----	10/01/2025 ✓
√ 30:209.1(B)(1)	-----Amend-----	458	-----1-----	10/01/2025 ✓
√ 30:209.2(B)(Intro.Par.)	-----Amend-----	508	-----1-----	
√ 30:209.2(C)	-----Amend-----	508	-----1-----	
√ 30:209.3	-----Enact-----	508	-----1-----	
√ 30:413(A)	-----Amend-----	458	-----1-----	10/01/2025 ✓
√ 30:413(B)	-----Amend-----	458	-----1-----	10/01/2025 ✓

✓	30:414(A)	-----Amend-----	458	-----1-----	10/01/2025 ✓
✓	30:502(D)	-----Amend-----	458	-----1-----	10/01/2025 ✓
R	30:503(1)	-----Amend-----	458	-----1-----	10/01/2025 ✓
	30:503(2)	-----Amend-----	458	-----1-----	10/01/2025 ✓
	30:503(3)	-----Amend-----	458	-----1-----	10/01/2025 ✓
	30:503(4)	-----Amend-----	458	-----1-----	10/01/2025 ✓
	30:503(5)	-----Amend-----	458	-----1-----	10/01/2025 ✓
✓	30:503(6)	-----Amend-----	458	-----1-----	10/01/2025 ✓
✓	30:503(7)	-----Amend-----	458	-----1-----	10/01/2025 ✓
✓	30:503(8)	-----Amend-----	458	-----1-----	10/01/2025 ✓
✓	30:504	-----Amend-----	458	-----1-----	10/01/2025 ✓
✓	30:521(A)(Intro.Par.)	-----Amend-----	458	-----1-----	10/01/2025 ✓
✓	30:521(C)	-----Amend-----	458	-----1-----	10/01/2025 ✓
✓	30:524	-----Amend-----	458	-----1-----	10/01/2025 ✓
✓	30:525	-----Amend-----	458	-----1-----	10/01/2025 ✓
✓	30:541(Intro.Par.)	-----Amend-----	458	-----1-----	10/01/2025 ✓
✓	30:541(2)	-----Amend-----	458	-----1-----	10/01/2025 ✓
✓	30:544(A)	-----Amend-----	458	-----1-----	10/01/2025 ✓
✓	30:544(B)	-----Amend-----	458	-----1-----	10/01/2025 ✓
✓	30:546(A)(Intro.Par.)	-----Amend-----	458	-----1-----	10/01/2025 ✓
✓	30:546(A)(5)	-----Amend-----	458	-----1-----	10/01/2025 ✓
✓	30:546(B)	-----Amend-----	458	-----1-----	10/01/2025 ✓
✓	30:546(C)	-----Amend-----	458	-----1-----	10/01/2025 ✓
✓	30:548(Intro.Par.)	-----Amend-----	458	-----1-----	10/01/2025 ✓
✓	30:551	-----Amend-----	458	-----1-----	10/01/2025 ✓
✓	30:557(A)	-----Amend-----	458	-----1-----	10/01/2025 ✓
✓	30:557(B)	-----Amend-----	458	-----1-----	10/01/2025 ✓
✓	30:557(C)	-----Amend-----	458	-----1-----	10/01/2025 ✓
✓	30:557(D)	-----Amend-----	458	-----1-----	10/01/2025 ✓
✓	30:557(E)(Intro.Par.)	-----Amend-----	458	-----1-----	10/01/2025 ✓
✓	30:557(E)(1)	-----Amend-----	458	-----1-----	10/01/2025 ✓
✓	30:557(F)	-----Amend-----	458	-----1-----	10/01/2025 ✓
✓	30:557(G)	-----Amend-----	458	-----1-----	10/01/2025 ✓
✓	30:558(A)	-----Amend-----	458	-----1-----	10/01/2025 ✓

✓	30:558(B)	Amend	458	1	10/01/2025	✓
✓	30:558(D)	Amend	458	1	10/01/2025	✓
✓	30:558(F)	Amend	458	1	10/01/2025	✓
✓	30:558(G)	Amend	458	1	10/01/2025	✓
✓	30:558(H)	Amend	458	1	10/01/2025	✓
✓	30:559(A)	Amend	458	1	10/01/2025	✓
✓	30:559(C)	Amend	458	1	10/01/2025	✓
✓	30:560(B)	Amend	458	1	10/01/2025	✓
✓	30:560(C)	Amend	458	1	10/01/2025	✓
✓	30:560(D)	Amend	458	1	10/01/2025	✓
✓	30:561(A)	Amend	458	1	10/01/2025	✓
✓	30:561(B)	Amend	458	1	10/01/2025	✓
✓	30:561(C)	Amend	458	1	10/01/2025	✓
✓	30:571	Amend	458	1	10/01/2025	✓
✓	30:572(1)(Intro.Par.)	Amend	458	1	10/01/2025	✓
✓	30:572(1)(f)	Amend	458	1	10/01/2025	✓
✓	30:572(1)(h)	Amend	458	1	10/01/2025	✓
✓	30:572(1)(i)	Amend	458	1	10/01/2025	✓
✓	30:603(A)	Amend	458	1	10/01/2025	✓
✓	30:603(B)	Amend	458	1	10/01/2025	✓
✓	30:603(C)	Amend	458	1	10/01/2025	✓
✓	30:603(D)	Amend	458	1	10/01/2025	✓
✓	30:603(E)	Amend	458	1	10/01/2025	✓
✓	30:603(G)	Amend	458	1	10/01/2025	✓
✓	30:604	Amend	458	1	10/01/2025	✓
✓	30:681.1(5)	Amend	458	1	10/01/2025	✓
✓	30:681.1(8)	Amend	458	1	10/01/2025	✓
✓	30:681.1(9)	Amend	458	1	10/01/2025	✓
✓	30:681.2(2)	Amend	458	1	10/01/2025	✓
R ✓	30:681.2(3) ⁽¹⁾	Amend	458	1	10/01/2025	✓
R ✓	30:702(1) ⁽⁵⁾	Amend	458	1	10/01/2025	✓

R ✓	30:702 ⁽¹⁾ (2) (b)	Amend	458	1	10/01/2025 ✓
R ✓	30:702 ⁽⁴⁾ (5)	Amend	458	1	10/01/2025 ✓
✓	30:703	Amend	458	1	10/01/2025 ✓
✓	30:704(B)	Amend	458	1	10/01/2025 ✓
✓	30:704(C)	Amend	458	1	10/01/2025 ✓
✓	30:704(D)	Amend	458	1	10/01/2025 ✓
✓	30:704(E)	Amend	458	1	10/01/2025 ✓
✓	30:705(A)	Amend	458	1	10/01/2025 ✓
✓	30:705(B)	Amend	458	1	10/01/2025 ✓
✓	30:706	Amend	458	1	10/01/2025 ✓
✓	30:707	Amend	458	1	10/01/2025 ✓
✓	30:722	Amend	458	1	10/01/2025 ✓
✓	30:723(A)	Amend	458	1	10/01/2025 ✓
✓	30:723(F)	Amend	458	1	10/01/2025 ✓
✓	30:723(H)	Amend	458	1	10/01/2025 ✓
R ✓	30:731 ⁽³⁾ (4)	Amend	458	1	10/01/2025 ✓
✓	30:732	Amend	458	1	10/01/2025 ✓
✓	30:802	Amend	458	1	10/01/2025 ✓
✓	30:904(2)	Amend	458	1	10/01/2025 ✓
✓	30:904(4)	Amend	458	1	10/01/2025 ✓
✓	30:904(7)	Amend	458	1	10/01/2025 ✓
✓	30:904(9)	Amend	458	1	10/01/2025 ✓
✓	30:904(12)	Amend	458	1	10/01/2025 ✓
✓	30:904(20)	Amend	458	1	10/01/2025 ✓
✓	30:905(A)	Amend	458	1	10/01/2025 ✓
✓	30:905(B)(Intro.Par.)	Amend	458	1	10/01/2025 ✓
✓	30:905(B)(2)	Amend	458	1	10/01/2025 ✓
✓	30:905(B)(8)	Amend	458	1	10/01/2025 ✓
✓	30:905(B)(9)	Amend	458	1	10/01/2025 ✓
✓	30:905(C)	Amend	458	1	10/01/2025 ✓
✓	30:905.1(A)	Amend	458	1	10/01/2025 ✓

√ 30:905.1(B)(2)	-----Amend-----	458	-----1-----	10/01/2025 ✓
√ 30:905.3(A)(1)(Intro.Par.)	-----Amend-----	458	-----1-----	10/01/2025 ✓
√ 30:905.3(B)	-----Amend-----	458	-----1-----	10/01/2025 ✓
√ 30:905.3(C) (Intro.Par.)	-----Amend-----	458	-----1-----	10/01/2025 ✓
√ 30:905.3(E)(1)	-----Amend-----	458	-----1-----	10/01/2025 ✓
√ 30:905.3(F)	-----Amend-----	458	-----1-----	10/01/2025 ✓
√ 30:906.1	-----Amend-----	458	-----1-----	10/01/2025 ✓
√ 30:907(A)	-----Amend-----	458	-----1-----	10/01/2025 ✓
√ 30:907(B)(Intro.Par.)	-----Amend-----	458	-----1-----	10/01/2025 ✓
√ 30:907(B)(9)	-----Amend-----	458	-----1-----	10/01/2025 ✓
√ 30:907(B)(11)	-----Amend-----	458	-----1-----	10/01/2025 ✓
√ 30:907(B)(12)	-----Amend-----	458	-----1-----	10/01/2025 ✓
√ 30:907(B)(13)(b)	-----Amend-----	458	-----1-----	10/01/2025 ✓
√ 30:907(B)(15)	-----Amend-----	458	-----1-----	10/01/2025 ✓
√ 30:907(B)(17)	-----Amend-----	458	-----1-----	10/01/2025 ✓
√ 30:907(B)(18)	-----Amend-----	458	-----1-----	10/01/2025 ✓
√ 30:907(C)(1)	-----Amend-----	458	-----1-----	10/01/2025 ✓
√ 30:907(D)	-----Amend-----	458	-----1-----	10/01/2025 ✓
√ 30:907(F)	-----Amend-----	458	-----1-----	10/01/2025 ✓
√ 30:907(G)	-----Amend-----	458	-----1-----	10/01/2025 ✓
√ 30:908(A)(12)	-----Amend-----	458	-----1-----	10/01/2025 ✓
√ 30:908(B)	-----Amend-----	458	-----1-----	10/01/2025 ✓
√ 30:915(B)(7) (Intro.Par.)	-----Amend-----	458	-----1-----	10/01/2025 ✓
√ 30:915(B)(9)	-----Amend-----	458	-----1-----	10/01/2025 ✓
√ 30:915(B)(10)(f)	-----Amend-----	458	-----1-----	10/01/2025 ✓
√ 30:915(B)(12)	-----Amend-----	458	-----1-----	10/01/2025 ✓
√ 30:915(B)(15)(Intro.Par.)	-----Amend-----	458	-----1-----	10/01/2025 ✓
√ 30:915(B)(15)(e)	-----Amend-----	458	-----1-----	10/01/2025 ✓
√ 30:915(B)(20)	-----Amend-----	458	-----1-----	10/01/2025 ✓
√ 30:915(B)(22)(e)	-----Amend-----	458	-----1-----	10/01/2025 ✓
√ 30:915(B)(25)	-----Amend-----	458	-----1-----	10/01/2025 ✓

√30:915(C)(2)(Intro.Par.)	Amend	458	1	10/01/2025	✓
√30:915(C)(2)(d)	Amend	458	1	10/01/2025	✓
√30:915(C)(3)(Intro.Par.)	Amend	458	1	10/01/2025	✓
√30:915(C)(4)	Amend	458	1	10/01/2025	✓
√30:915(D)(3)	Amend	458	1	10/01/2025	✓
√30:915(D)(4)	Amend	458	1	10/01/2025	✓
√30:915(E)(1)	Amend	458	1	10/01/2025	✓
√30:915(E)(4)	Amend	458	1	10/01/2025	✓
√30:915(E)(5)	Amend	458	1	10/01/2025	✓
√30:917(A)(1)	Amend	458	1	10/01/2025	✓
R √30:917(A)(2) ^(q) (Intro.Par.)	Amend	458	1	10/01/2025	✓
R √30:917(A)(2) ^{(q)(iv)} (d)	Amend	458	1	10/01/2025	✓
√30:917(A)(3)	Amend	458	1	10/01/2025	✓
√30:917(B)	Amend	458	1	10/01/2025	✓
√30:917(D)	Amend	458	1	10/01/2025	✓
√30:917(E)	Amend	458	1	10/01/2025	✓
√30:917(F)	Amend	458	1	10/01/2025	✓
√30:917(G)	Amend	458	1	10/01/2025	✓
√30:921	Amend	458	1	10/01/2025	✓
√30:1102	Amend	458	1	10/01/2025	✓
√30:1103(3)	Amend	458	1	10/01/2025	✓
√30:1103(10)	Repeal	458	11	10/01/2025	✓
√30:1103(14)	Amend	458	1	10/01/2025	✓
√30:1103(15)	Amend	458	1	10/01/2025	✓
√30:1104(A)(Intro.Par.)	Amend	458	1	10/01/2025	✓
√30:1104(A)(3)	Amend	458	1	10/01/2025	✓
√30:1104(A)(9)	Amend	458	1	10/01/2025	✓
√30:1104(A)(10)	Amend	458	1	10/01/2025	✓
√30:1104(B)	Amend	458	1	10/01/2025	✓
√30:1104(C)(Intro.Par.)	Amend	458	1	10/01/2025	✓
√30:1104(D)	Amend	458	1	10/01/2025	✓

	√ 30:1104(E)	-----Amend-----	458	-----1-----	10/01/2025 ✓
	√ 30:1104(F)	-----Repeal-----	458	-----11-----	10/01/2025 ✓
	√ 30:1104.2(B)	-----Amend-----	414	-----1-----	
CONFLICT	√ 30:1105(D)	NOTE -----Enact-----	407	-----1-----	06/20/2025 ✓
	√ 30:1105(D)	PRINT -----Enact-----	414	-----1-----	
	√ 30:1106(D)(1)	-----Amend-----	397	-----1-----	06/20/2025 ✓
	√ 30:1107(A)(1)(Intro.Par.)	-----Amend-----	458	-----1-----	10/01/2025 ✓
	√ 30:1107(A)(2)	-----Amend-----	458	-----1-----	10/01/2025 ✓
	√ 30:1107(B)	-----Amend-----	458	-----1-----	10/01/2025 ✓
MERGE	√ 30:1107(C)	-----Amend-----	407	-----1-----	06/20/2025 ✓
	√ 30:1107(D)	(D) -----Amend-----	458	-----1-----	10/01/2025 ✓
	√ 30:1107(D)	-----Amend-----	407	-----1-----	06/20/2025 ✓
	√ 30:1107(D)	(E) (Intro.Par.) -----Amend-----	458	-----1-----	10/01/2025 ✓
	√ 30:1107(E)	-----Enact-----	407	-----1-----	06/20/2025 ✓
	√ 30:1107.1(B)(4)	-----Enact-----	397	-----1-----	06/20/2025 ✓
	√ 30:1107.1(B)(5)	-----Enact-----	397	-----1-----	06/20/2025 ✓
	√ 30:1107.1(C)	-----Amend-----	397	-----1-----	06/20/2025 ✓
	√ 30:1107.1(D)	-----Enact-----	397	-----1-----	06/20/2025 ✓
	√ 30:1107.1(E)	-----Enact-----	397	-----1-----	06/20/2025 ✓
	√ 30:1107.1(F)	-----Enact-----	397	-----1-----	06/20/2025 ✓
	√ 30:1108(A)(1)	-----Amend-----	458	-----1-----	10/01/2025 ✓
	√ 30:1108(B)	-----Amend-----	458	-----1-----	10/01/2025 ✓
MERGE	√ 30:1108(C)	-----Amend-----	179	-----1-----	
	√ 30:1108(C)	-----Amend-----	414	-----1-----	
	√ 30:1108(D)	-----Amend-----	458	-----1-----	10/01/2025 ✓
	√ 30:1109(A)(1)(Intro.Par.)	-----Amend-----	458	-----1-----	10/01/2025 ✓
	√ 30:1109(C)	-----Amend-----	458	-----1-----	10/01/2025 ✓
	√ 30:1109(D)	-----Amend-----	458	-----1-----	10/01/2025 ✓
	√ 30:1109(E)	-----Amend-----	458	-----1-----	10/01/2025 ✓
	√ 30:1109(F)	-----Amend-----	458	-----1-----	10/01/2025 ✓
	√ 30:1109(G)	-----Amend-----	458	-----1-----	10/01/2025 ✓

	√30:1110(A)	-----Amend-----	458	-----1-----	10/01/2025 ✓
	√30:1110(B)(1)	-----Amend-----	458	-----1-----	10/01/2025 ✓
	√30:1110(C)(Intro.Par.)	-----Amend-----	458	-----1-----	10/01/2025 ✓
	√30:1110(C)(1)(Intro.Par.)	-----Amend-----	458	-----1-----	10/01/2025 ✓
	√30:1110(C)(1)(b)	-----Amend-----	458	-----1-----	10/01/2025 ✓
	√30:1110(C)(1)(f)	-----Amend-----	458	-----1-----	10/01/2025 ✓
	√30:1110(C)(1)(g)	-----Amend-----	458	-----1-----	10/01/2025 ✓
	√30:1110(C)(1)(h)	-----Amend-----	458	-----1-----	10/01/2025 ✓
	√30:1110(C)(2)	-----Amend-----	458	-----1-----	10/01/2025 ✓
	√30:1110(C)(3)	-----Amend-----	458	-----1-----	10/01/2025 ✓
	√30:1110(G)(Intro.Par.)	-----Amend-----	458	-----1-----	10/01/2025 ✓
	√30:1110(H)	-----Amend-----	458	-----1-----	10/01/2025 ✓
	√30:1110(I)	-----Amend-----	458	-----1-----	10/01/2025 ✓
CONFLICT	√30:1115	PRINT -----Amend-----	414	-----1-----	
	√30:1115	NOTE -----Amend-----	458	-----1-----	10/01/2025 ✓
	√30:1131 (Chpt.12)	-----Enact-----	279	-----1-----	
	√30:1141 thru 1145 (Chpt.12)	-----Enact-----	279	-----1-----	
	√30:1501 thru 1502 (Chpt.17)	-----Enact-----	462	-----1-----	
	√30:2014.5	-----Amend-----	111	-----1-----	
	√30:2025(D)(1)	-----Amend-----	492	-----1-----	
	√30:2057(A)(3) (9)	-----Enact-----	95	-----1-----	
R	√30:2073(7)	-----Amend-----	105	-----1-----	06/08/2025 ✓
	√30:2200 (29)	-----Amend-----	458	-----1-----	10/01/2025 ✓
R	√30:2454(23)	-----Enact-----	458	-----1-----	10/01/2025 ✓
	√30:2455	-----Amend-----	458	-----1-----	10/01/2025 ✓
	√30:2456(A)(Intro.Par.)	-----Amend-----	458	-----1-----	10/01/2025 ✓
	√30:2458	-----Repeal-----	458	-----11-----	10/01/2025 ✓
	√30:2469	-----Repeal-----	458	-----11-----	10/01/2025 ✓
	√30:2470	-----Repeal-----	458	-----11-----	10/01/2025 ✓
	√30:2471	-----Repeal-----	458	-----11-----	10/01/2025 ✓
	√30:2472	-----Repeal-----	458	-----11-----	10/01/2025 ✓

✓ 30:2473 ----- Repeal ----- 458 ----- 11[✓] ----- 10/01/2025 ✓
✓ 30:2474 ----- Repeal ----- 458 ----- 11[✓] ----- 10/01/2025 ✓

Approved by AK on 10-2-25
(Attorney)
MW on 11/11/2025
(Revisor)

ACT 458
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ACT 458

2025 Regular Session

ENROLLED

SENATE BILL NO. 244 (Substitute of Senate Bill No. 193 by Senator Hensgens)

BY SENATOR HENSGENS

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Note: SEE ATTACHED EDIT SHEET

1 *The Leading of Chpt. 1 of Subtitle I & of part I of chpt. 1*
2 *17, 31, 36, 38, 39, 44, 45, 49, 56 of Subtitle I &*
3 *AN ACT*
4 To amend and reenact R.S. 30:1 (section heading), (A), (B), and (C), the introductory
5 paragraph of 3, 3(3), (6), (7), (9), and (18), 4(A), (B), introductory paragraph of (C),
6 (C)(1)(a)(v) and (b), (14), (16)(b), (17)(b), introductory paragraph of (D), (D)(1), (2),
7 (3), and (5), (E), (F), (G), (H), introductory paragraph of (I), (I)(1), (3), (4), (5), (9),
8 and (11), (K), introductory paragraph of (L)(1), introductory paragraph of (M),
9 (M)(3), (6)(b), (O)(1) and (2), (P), (Q), introductory paragraph of (R), and (T),
10 ~~introductory paragraph of 4.1(B), (C), (D), (E), (F)(1), (I), and (K), 4.2, 4.3, 5(A),~~
11 (B), (C)(1), introductory paragraph of (2), (2)(d), (4), and (6), and (D)(1) and the
12 introductory paragraph of (2), 5.1(A)(1), (2), introductory paragraph of (3), (3)(e),
13 (5), (6), (7), (8), and (9), (B)(1), (2), and introductory paragraph of (3), (5), (7), (9),
14 (10), (12), and (13), 5.2(A), (B), the introductory paragraph of (C), (E), (F), (G), and
15 (H), 6, 6.1(A), (B), (C), (D)(1), and (F), 8(A)(1), (2), (3), and (4), and (B),
16 introductory paragraph of 9(A), (B), (C), and (D), the introductory paragraph of
17 10(A), the introductory paragraph of (A)(1), the introductory paragraph of (A)(2),
18 the introductory paragraph of (A)(2)(a)(i), (b)(ii)(ii), introductory paragraph of (vi),
19 (vi)(bb), (c), (d), and (f), and (3), (B), and (C)(7), 10.1(B)(1), (3), (4), and (5), 11.1,
20 12(A), (B)(1), (2), (3), (4), introductory paragraph of (5), and (5)(f), and (C), 13, 14,
15, 18(A)(1), (2), (3), (4), (5), (6)(a)(i) and (ii), (b), (c)(i)(ff), (ii), (iii), (d), and (e),
and (B), 20(A) and (D), 21(A) and (B)(1)(a), (b), (c), the introductory paragraph of

1 (d) and (e), and (2)(a) and (b), the introductory paragraphs of 22(B) and (C), (D), and
 2 (E), introductory paragraph of 23(B), (C), and (D), 23.1(A), 25(A)(2), (3), (5), (6),
 3 and (7), (D), (E), and (F), 26(A), the introductory paragraph of 27(A), (D), and (F),
 4 28(A), (C), introductory paragraph of (D), (D)(2), (3), (5), (6), and (7), (F), (G), (H),
 5 introductory paragraph of (I)(1), (1)(a), (d), and (g), and (J), 29(A), (B)(1), (C)(1),
 6 (3)(a), (5), and (6)(b) and (c), (D)(1) through (3), (E)(1), (F), (H)(1) (I)(2) and (4),
 7 the introductory paragraph of (M)(1), and (M)(1)(c), 41, 42, 44, 45, 48, introductory
 8 paragraph of 61, 73(1), 74(A) and (B), 79(A), (B), and (C), 82(1), (6), (7), (11), and
 9 (14), 83(A)(5) and (7), 83.1(B)(3), 85(A)(3) and (C), 86(A)(2), (D)(8), (9), and (10),
 10 (E)(2) as enacted by Section 1 of Act 16 of the 2024 Third Extraordinary Session of
 11 the Legislature of Louisiana, (6), and (7), (G), and (H), 87(A), introductory
 12 paragraph of (F)(1)(a), and introductory paragraph of (b) as enacted by Section 1 of
 13 Act 16 of the 2024 Third Extraordinary Session of the Legislature of Louisiana,
 14 88(B), (C), (D), (E), (F), (I), and introductory paragraph of (J), 88.1(A)(3) and (4),
 15 (C), (D), (E), (G), and (H), ^(Intro. Par.) 88.2(C), introductory paragraph of (E), (E)(1), and (F),
 16 89(A), (B), introductory paragraph of (C), (C)(2) and (3), and (D), 90(C),
 17 introductory paragraph of (D), (D)(1) and (4), and (E)(4), introductory paragraph of
 18 R.S. 30:91(A), 91(A)(1), (B)(1), (2)(a) and (c), (3), and (4), and (D), 92(A) and (C),
 19 introductory paragraph of R.S. 30:93(A), 94(A), introductory paragraph of (B)(1),
 20 (2)(b), and (3), and ^(Intro. Par.) (C), 95(B), (C), and (D), 101.2(A), 101.3(2), 101.4, 101.5(A)(2),
 21 introductory paragraph of 101.6(A) and (B), 101.7(A), 101.8, introductory paragraph
 22 of 101.9(D), (D)(1) and (2), 101.10(A) and introductory paragraph of (B), 101.13(A)
 23 and (B)(2), and (C)(4), 101.14(A) and (B), introductory paragraph of R.S.
 24 30:103.1(A), 121(A), (C), and (D), 125, 127.1(C)(10) and (11), and (D),
 25 129(B)(1)(a), 135, 136.3(B)(1), (C) and (D), 143(D)(2) and (3), 148.8, 148.9(A)(1)
 26 and (2), 153, 172, the introductory paragraph of 209(4)(e), 209.1(A) and (B)(1),
 27 413(A) and (B), 414(A), 502(D), 503(1), (2), (4), (6), and (8), 504, the introductory
 28 paragraph of 521(A) and 521(C), 524, 525, introductory paragraph of R.S. 30:541
 29 and 541(2), 544(A) and (B), introductory paragraph of 546(A), (A)(5), (B), and (C),
 30 introductory paragraph of R.S. 30:548, 551, 557(A), (B), (C), (D), the introductory

1 paragraph of (E), (E)(1), (F), and (G), 558(A), (B), (D), (F), (G), and (H), 559(A) and
 2 (C), 560(B), (C), and (D), 561(A), (B), and (C), 571, introductory paragraph of
 3 572(1), (1)(f), (h), and (i), 603(A), (B), (C), (D), (E), and (G), 604, 681.1(5), (8), and
 4 (9), 681.2(2) and (3), 702(1), (2)(b), and (5), 703, 704(B), (C), (D), and (E), 705(A)
 5 and (B), 706, 707, 722, 723(A), (F), and (H), 731(1), 732, 802, 904(2), (4), (7), (9),
 6 (12), (20), 905(A), introductory paragraph of (B), (B)(2), (8), and (9), and (C),
 7 905.1(A) and (B)(2), introductory paragraph of 905.3(A)(1), (B), (C), (E)(1), and (F),
 8 906.1, 907(A) and introductory paragraph of (B), (B)(9), (11), (12), (13)(b), (15),
 9 (17), and (18), (C)(1), (D), (F), and (G), 908(A)(12) and (B), 915(B)(7), (9), (10)(f),
 10 (12), introductory paragraph of (15), (15)(e), (20), (22)(e), (25), introductory
 11 paragraph of (C)(2), (2)(d), introductory paragraph of (3), and (4), (D)(3) and (4),
 12 (E)(1), (4), and (5), 917(A)(1), introductory paragraph of (2), (2)(d), (3), (B), (D),
 13 (E), (F), and (G), 921, 1102, 1103(3), (14), and (15), introductory paragraph of
 14 1104(A), 1104(A)(3), (9), (10), (B), introductory paragraph of (C), (D), (E), the
 15 introductory paragraph of 1107(A)(1), (A)(2), (B), (C), and the introductory
 16 paragraph of (D), 1108(A)(1), (B), and (D), introductory paragraph of 1109(A)(1),
 17 1109(C), (D), (E), (F), and (G), 1110(A), (B)(1), introductory paragraph of (C),
 18 introductory paragraph of (C)(1), (1)(b), (f), (g), and (h), (2), and (3), introductory
 19 paragraph of (G), (H), and (I), 1115, 2200, 2455, and introductory paragraph of
 20 2456(A), R.S. 31:115(C)(1)(b), *✓ The heading of chapter 8 and* R.S. 36:351, 352, 353, 354(A)(7), (10), (13), and
 21 (15), (B)(1)(b), (2), (4), (6), (8), (10), and (12), 355, 356, 357, 358, the introductory
 22 paragraphs of 359(A) and (B), (B)(1) and (2), and (C), R.S. 38:3072, 3073(8),
 23 introductory paragraph of 3076(A), (A)(3), (4), (7), (8), (9), (14)(b), and (24), (C),
 24 (D), (E), introductory paragraph of (F)(1), (F)(1)(b), and (2), 3077, 3078, 3079,
 25 3081, 3083, 3087.136(4), 3087.138, 3092(2) and (4), 3093, the introductory
 26 paragraph of 3094(A), (A)(1) through (4), the introductory paragraph of 3094(B),
 27 (B)(7), the introductory paragraph of 3094(C), and (C)(1), 3097.1(C), 3097.2(1), (4),
 28 (7), and (9), 3097.3(A) and (B), the introductory paragraphs of 3097.3(C) and
 29 (C)(4)(a), (C)(4)(a)(v) and (b), and (8), (D), (E), (F)(1), the introductory paragraph
 30 of (2), the introductory paragraph of (d), and the introductory paragraph of (f), and

1 (G), 3097.6(A), the introductory paragraphs of 3097.6(B) and (B)(3), 3097.8(A) and
 2 (C), the introductory paragraph of 3098(A), 3098(B) and (E), and 3098.1(4), R.S.
 3 ~~44:4.1(B)(19), R.S. 45:251(3), 252, and 255, R.S. 49:214.29(B) and 992(D)(7), R.S.~~
 4 ~~56:432.1(C)(2), 700.13(B), and 700.14(B), to enact R.S. 30:3(21) and (22), 4(C)(21)~~
 5 ~~and (D)(6), 21.1, 29(C)(6)(d), 86(I) and (J), 93(C), Part VIII of Chapter 1 of Subtitle~~
 6 ~~I of Title 30 of the Louisiana Revised Statutes of 1950, to be comprised of 98.1~~
 7 ~~through 98.13, 124.1, 136.3(B)(6) and (7), 209(6), and 2454(33), R.S. 36:351.1,~~
 8 ~~354(B)(13) and (14), 354.1, 356.1(B)(6) and (7) and (D), and 359(D) and 600, R.S.~~
 9 ~~38:3098(G), R.S. 39:1367(E)(2)(b)(xi), and R.S. 45:251(4), and to repeal R.S. 17:200~~
 10 ~~through 220, R.S. 30:4(N), ³⁶~~85~~(D)(11), 86(F), 136.3(E), Part III of Chapter 2 of~~
 11 ~~Subtitle I of Title 30 of the Revised Statutes of Louisiana, comprised of R.S. 30:186~~
 12 ~~through 188, 1103(10), 1104(F), 2458, 2469, and 2470 through 2474, and R.S.~~
 13 ~~38:3073(2), 3074, 3075, 3080, 3097.4, 3097.7, and 3098.6(A)(1), relative to the~~
 14 ~~Department of Energy and Natural Resources; to rename the Department of Energy~~
 15 ~~and Natural Resources as the Department of Conservation and Energy; to provide for~~
 16 ~~the structure and organization of the department; to provide for definitions; to~~
 17 ~~provide for bonding authority; to provide for the creation of offices; to provide for~~
 18 ~~the secretary; to provide for the deputy secretary; to provide for the undersecretary;~~
 19 ~~to provide for directors; to provide for the authority to promulgate rules and~~
 20 ~~regulations; to provide for expedited permits; to provide for the Natural Resources~~
 21 ~~Financial Security Fund; to provide for enforcement; to provide for the Natural~~
 22 ~~Resources Commission; to provide for the Louisiana Natural Resources Trust~~
 23 ~~Authority; to provide for water resource management; to provide for net state~~
 24 ~~supported debt; to provide for orphan oil wells; to provide for the State Mineral and~~
 25 ~~Energy Board; to provide for the transfer of entities; to provide for the Oyster Lease~~
 26 ~~Acquisition and Compensation Program; to provide for conditions, terms, and~~
 27 ~~procedures; to provide for the issuance of certificates of public convenience and~~
 28 ~~necessity; to provide for carbon dioxide sequestration policy; to provide for notice;~~
 29 ~~to provide for remediation; to provide for an administrative process for resolution of~~
 30 ~~disputes within the department's jurisdiction; to provide for oilfield site restoration;~~

and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 30:1 (section heading), (A), (B), and (C), introductory paragraph of ^{The heading of Chpt. 1 of Subtitle I of Pt. I of Chpt. 1 of Subtitle I 4}

3, 3(3), (6), (7), (9), and (18), 4(A), (B), introductory paragraph of (C), (C)(1)(a)(v) and (b), (14), (16)(b), (17)(b), introductory paragraph of (D), (D)(1), (2), (3), and (5), (E), (F), (G), (H), introductory paragraph of (I), (I)(1), (3), (4), (5), (9), and (11), (K), introductory paragraph of (L)(1), introductory paragraph of (M), (M)(3), (6)(b), (O)(1) and (2), (P), (Q), introductory paragraph of (R), and ~~(T)~~, introductory paragraph of ⁹4.1(B), (C), (D), (E), (F)(1), (I), and (K), 4.2, 4.3, 5(A), (B), (C)(1), introductory paragraph of (2), (2)(d), (4), and (6), and (D)(1) and introductory paragraph of (2), 5.1(A)(1), (2), introductory paragraph of (3), (3)(e), (5), (6), (7), (8), and (9), (B)(1), (2), and introductory paragraph of (3), (5), (7), (9), (10), (12), and (13), 5.2(A), ~~(B)~~, introductory paragraph of (C), (E), (F), (G), and (H), 6, 6.1(A), (B), (C), (D)(1), and (F), ^(Intro. Par.)8(A)(1), (2), (3), and (4), and (B), introductory paragraph of 9(A), (B), (C), and (D), the introductory paragraph of 10(A), the introductory paragraph of (A)(1), the introductory paragraph of (A)(2), the introductory paragraph of (A)(2)(a)(i), (b)(ii)(ii), introductory paragraph of (vi), (vi)(bb), (c), (d), and (f), and (3), (B), and (C)(7), 10.1 ~~(B)(1)~~, (3), (4), and (5), 11.1, 12(A), (B)(1), (2), (3), (4), introductory paragraph of (5), and (5)(f), and (C), 13, 14, 15, 18(A)(1), (2), (3), (4), (5), (6)(a)(i) and (ii), (b), (c)(i)(ff), (ii), (iii), (d), and (e), and (B), 20(A) and (D), 21(A) and (B)(1)(a), (b), (c), introductory paragraph of (d) and (e), and (2)(a) and (b), introductory ^{paragraphs} paragraph of 22(B) and (C), (D), and (E), introductory paragraph of 23(B), (C), and (D), 23.1(A), 25(A)(2), (3), (5), (6), and (7), (D), (E), and (F), 26(A), the introductory paragraph of 27(A), (D), and (F), 28(A), (C), introductory paragraph of (D), (D)(2), (3), (5), (6), and (7), (F), (G), (H), introductory paragraph of (I)(1), (1)(a), (d), and (g), and (J), 41, 42, 44, 45, 48, introductory paragraph of 61, 73(1), 74(A) and (B), 79(A), (B), and (C), 82(1), (6), (7), (11), and (14), 83(A)(5) and (7), 83.1(B)(3), 85(A)(3), and (C), 86(A)(2), (D)(8), (9), and (10), (E)(2) as enacted by Section 1 of Act 16 of the 2024 Third Extraordinary Session of the Legislature of Louisiana, (6), and (7), (G), and (H), 88(B), (C), (D), (E), (F), (I), and introductory paragraph of (J), 88.1(A)(3) and (4), (C), (D), (E), (G), ^(Intro. Par.) and (H), 88.2(C), introductory paragraph of (E), (E)(1), and (F), 89(A), (B), introductory paragraph of (C), (C)(2) and (3), and (D), 90(C),

NOT AMENDED

NOT AMENDED

paragraphs

(Intro. Par.)

1 introductory paragraph of (D), (D)(1) and (4), and (E)(4), introductory paragraph of R.S.
 2 30:91(A), 91(A)(1), (B)(1), (2)(a) and (c), (3), and (4), and (D), 92(A) and (C), introductory
 3 paragraph of R.S. 30:93(A), 94(A), introductory paragraph of (B)(1), (2)(b), and (3), and (C),
 4 95(B), (C), and (D), 101.2(A), 101.3(2), 101.4, 101.5(A)(2), introductory paragraph of
 5 101.6(A) and (B), 101.7(A), 101.8, introductory paragraph of 101.9(D), (D)(1) and (4),
 6 101.10(A) and introductory paragraph of (B), 101.13(A) and (B)(2), and (C)(4), 101.14(A)
 7 and (B), introductory paragraph of R.S. 30:103.1(A), 121(A), (C), and (D), 125,
 8 127.1(C)(10) and (11), and (D), 129(B)(1)(a), 135, 136.3(B)(1), (C) and (D), 143(D)(2) and
 9 (3), 148.8, 148.9(A)(1) and (2), 153, 172, the introductory paragraph of 209(4)(e), 209.1(A)
 10 and (B)(1), 413(A) and (B), 414(A), 502(D), 503(1), (2), (4), (6), and (8), 504, the
 11 introductory paragraph of 521(A) and 521(C), 524, 525, introductory paragraph of R.S.
 12 30:541 and 541(2), 544(A) and (B), introductory paragraph of 546(A), (A)(5), (B), and (C),
 13 introductory paragraph of R.S. 30:548, 551, 557(A), (B), (C), (D), introductory paragraph
 14 of (E), (E)(1), (F), and (G), 558(A), (B), (D), (F), (G), and (H), 559(A) and (C), 560(B), (C),
 15 and (D), 561(A), (B), and (C), 571, introductory paragraph of 572(1), (1)(f), (h), and (i),
 16 603(A), (B), (C), (D), (E), and (G), 604, 681.1(5), (8), and (9), 681.2(2) and (3), 702(1),
 17 (2)(b), and (5), 703, 704(B), (C), (D), and (E), 705(A) and (B), 706, 707, 722, 723(A), (F),
 18 and (H), 731(1), 732, 802, 904(2), (4), (7), (9), (12), (20), 905(A), introductory paragraph
 19 of (B), (B)(2), (8), and (9), and (C), 905.1(A) and (B)(2), introductory paragraph of
 20 905.3(A)(1), (B), (C), (E)(1), and (F), 906.1, 907(A) and introductory paragraph of (B),
 21 (B)(9), (11), (12), (13)(b), (15), (17), and (18), (C)(1), (D), (F), and (G), 908(A)(12) and (B),
 22 915(B)(7), (9), (10)(f), (12), introductory paragraph of (15), (15)(e), (20), (22)(e), (25),
 23 introductory paragraph of (C)(2), (2)(d), introductory paragraph of (3), and (4), (D)(3) and
 24 (4), (E)(1), (4), and (5), 917(A)(1), introductory paragraph of (2), (2)(d), (3), (B), (D), (E),
 25 (F), and (G), 921, 1102, 1103(3), and (14), and (15), introductory paragraph of 1104(A),
 26 1104(A)(3), (9), (10), (B), introductory paragraph of (C), (D), (E), and (F), 1107,
 27 1108(A)(1), (B), and (D), introductory paragraph of 1109(A)(1), 1109(C), (D), (E), (F), and
 28 (G), 1110(A), (B)(1), introductory paragraph of (C), introductory paragraph of (C)(1), (1)(b),
 29 (f), (g), and (h), (2), and (3), introductory paragraph of (G), (H), and (I), 1115, 2200, 2455,
 30 introductory paragraph of R.S. 30:2456(A) are hereby amended and reenacted and R.S.

(Intro. Par.)

(2)

(Intro. Par.)

(Intro. Par.)

(A)(1)(Intro. Par.), (2)(B), (C), & (D)(Intro. Par.)

1 30:3(21) and (22), 4(C)(21), (D)(6), 21.1, 86(I) and (J), 93(C), Part VIII of Chapter 1 of
 2 Subtitle I of Title 30 of the Louisiana Revised Statutes of 1950, comprised of 98.1 through
 3 98.13, 124.1, 136.3(B)(6) and (7), 209(6), 2454(33) are hereby enacted to read as follows:

4 CHAPTER 1. COMMISSIONER OF CONSERVATION AND ENERGY

5 PART I. DEPARTMENT OF CONSERVATION AND ENERGY

6 §1. Department established; appointment of ~~commissioners; term; vacancies;~~
 7 secretary; jurisdiction; salary

8 A. There is established the state Department of Conservation and Energy,
 9 hereinafter referred to in this Subtitle as the department. The department shall be
 10 directed and controlled by a ~~commissioner of conservation~~ secretary, who shall be
 11 appointed by the governor, with the consent of the Senate, ~~for a term of four years.~~
 12 ~~In case of vacancy for any cause the governor shall, with consent of the Senate, fill~~
 13 ~~the office by appointment for the unexpired term.~~

14 B. Notwithstanding the provisions of any other law to the contrary, the salary
 15 of the ~~commissioner of conservation~~ shall be fixed by the governor All natural
 16 resources of the state not within the jurisdiction of other state departments or
 17 agencies are within the jurisdiction of the department.

18 C. ~~All natural resources of the state not within the jurisdiction of other state~~
 19 ~~departments or agencies are within the jurisdiction of the department. The~~
 20 department shall manage all natural resources within its jurisdiction through
 21 the following offices:

22 (1) The office of permitting and compliance shall oversee all portions of
 23 state law within the jurisdiction of the department which relate to the issuance
 24 of permits and compliance with legal and regulatory requirements as further
 25 detailed by order of the secretary in accordance with R.S. 36:354.1.

26 (2) The office of enforcement shall oversee all portions of state law within
 27 the jurisdiction of the department which relate to penalties and enforcement of
 28 violations as further detailed by order of the secretary in accordance with R.S.
 29 36:354.1.

30 (3) The office of state resources shall oversee all portions of state law

within the jurisdiction of the department which relate to management of the state's natural resources, including but not limited to mineral and energy leasing, management of groundwater resources, and energy-related management of state lands and water bottoms as further detailed by order of the secretary in accordance with R.S. 36:354.1.

* * *

§3. Definitions

ALPHABETIZE

Unless the context otherwise requires, the words defined in this Section have the following meaning when found in this Chapter Subtitle:

(1)-(3) = (1)-(3)
(4)-(20) → (6)-(22)
(21) → (5)
(22) → (4)

* * *

(3) "~~Commissioner~~" means the ~~Commissioner of Conservation of the State of Louisiana~~ "Department" means the Department of Conservation and Energy, or any successor agency.

* * *

(8) "~~(6)~~"Illegal gas" means gas which has been produced within the state from any well in excess of the amount allowed by any rule, regulation, or order of the commissioner department, as distinguished from gas produced within the state not in excess of the amount so allowed by any rule, regulation, or order, which is "legal gas."

(9) "~~(7)~~"Illegal oil" means oil which has been produced within the state from any well in excess of the amount allowed by any rule, regulation, or order of the commissioner department, as distinguished from oil produced within the state not in excess of the amount so allowed by any rule, regulation, or order, which is "legal oil."

* * *

(11) "~~(9)~~"Multiple mineral development area" means an area designated by the commissioner department for the management and development of various concurrent surface and sub-surface mineral or resource production or extraction operations, including exploratory activities, for the purpose of efficient and effective development of minerals or resources in the area without unreasonable interference.

(20)

* * *

(18) "Tender" means a permit or certificate of clearance for the transportation of oil, gas, or products, approved and issued or registered under the authority of the commissioner department.

(5)

* * *

(21) "Expedited processing" shall mean the processing or review of permits, permit modifications, licenses, registrations, plans, proposals, exceptions, or variances whereby the Department of Conservation and Energy completes its administrative and technical review within a timeline agreed to in writing.

(4)

(22) "Employee" includes any personnel, classified and unclassified, retained by the department to assist in the performance of duties related to expedited processing.

§4. Jurisdiction, duties, and powers of the assistant secretary; rules and regulations

A. The commissioner secretary has jurisdiction and authority over all persons and property necessary to enforce effectively the provisions of this Chapter and all other laws relating to the conservation of oil or gas.

B. The commissioner secretary shall make such inquiries as he thinks proper to determine whether or not waste, over which he has jurisdiction, exists or is imminent. In the exercise of this power the commissioner secretary has the authority to collect data; to make investigations and inspections; to examine properties, leases, papers, books, and records; to examine, survey, check, test, and gauge oil and gas wells, tanks, refineries, and modes of transportation; to hold hearings; to provide for the keeping of records and the making of reports; to require the submission of an emergency phone number by which the operator may be contacted in case of an emergency; and to take any action as reasonably appears to him to be necessary to enforce this Chapter.

C. The commissioner secretary has authority to make, after notice and hearings as provided in this Chapter, any reasonable rules, regulations, and orders that are necessary from time to time in the proper administration and enforcement

of this Chapter, including rules, regulations, or orders for the following purposes:

(1)(a)(i) * * *

(v) To allow for transferrable plugging credits in lieu of the bond with security required by Subsection R of this Section in order to promote the plugging of orphaned oilfield sites and oilfield sites that have been inactive for at least five years. A plugging credit shall be issued for the plugging of orphaned oilfield sites and oilfield sites that have been inactive for at least five years, with the specific requirements and procedures for issuance, transfer, and acceptance of such credits to be developed by the ~~commissioner~~ secretary. The regulations shall, at a minimum, provide criteria under which plugging credits may be earned, and require approval by the ~~commissioner~~ secretary for the earning, using, banking, or selling of the plugging credits.

(b) Only an owner as defined in R.S. 30:3~~(8)~~ shall be held or deemed responsible for the performance of any actions required by the ~~commissioner~~ secretary.

* * *

(14) To require interested persons to place uniform meters of a type approved by the ~~commissioner~~ secretary wherever the ~~commissioner~~ secretary designates on all pipelines, gathering systems, barge terminals, loading racks, refineries, or other places necessary or proper to prevent waste and the transportation of illegally produced oil or gas. These meters shall be under the supervision and control of the department of conservation. It shall be a violation of this Chapter, subject to the penalties provided in R.S. 30:18, for any person to refuse to attach or install a meter when ordered to do so by the ~~commissioner~~ secretary, or in any way to tamper with the meters so as to produce a false or inaccurate reading, or to have any device through which the oil or gas can be passed around the meter, unless expressly authorized by written permit of the ~~commissioner~~ secretary.

* * *

(16)(a) * * *

(i)

(b) Provided that before a permit to operate a new commercial operations' waste disposal well may be granted, a public hearing shall be held on the application for a permit, and shall fix the date, time, and place therefor. The operator or owner, prior to such public hearing, shall give public notice on three separate days within a period of thirty days prior to the public hearing, with at least five days between each publication of the notice, both in the official state journal and in the official journal of the parish in which the well is to be located, that application for a permit for a new commercial operations' waste disposal well has been made and that a public hearing on the matter will be held on the date and at the time and place which shall be stated in the public notice. The ~~assistant~~ secretary shall prescribe the form of the advertisement. In addition, the applicant for a permit shall place an advertisement in the same newspapers but not in the classified advertisement or public notice section of the newspapers, in a form which shall be not less than one-half page in size and printed in bold face type; which shall inform the public that application for a permit has been made for a new commercial operations' waste disposal well and that a public hearing, at which all interested persons are charged to be present and to present their views and which shall state the date, time, and place at which the meeting will be held. The content of both the public notice and the one-half page announcement or advertisement also shall include the name of the owner or operator, location of the proposed well, materials to be disposed in the well, *and* a statement that comments may be sent to the ~~assistant commissioner of the Office of Conservation~~ secretary prior to the public meeting, ~~and the mailing address of the assistant secretary.~~

(ii) "Commercial operations" as defined in this Section pertains to those who dispose of waste materials off the site where produced by others. "Waste materials" is defined as any material, excluding drilling muds, produced waters and crude oil residues, for which no use or reuse is intended and which is to be discarded.

* * *

(17)(a)

* * *

(b) No person shall exercise the right of expropriation under the laws of this

1 state in connection with the construction or operation of such a carbon dioxide
 2 pipeline until the enhanced recovery project has been approved by the ~~commissioner~~
 3 secretary and a certificate of public convenience and necessity for the pipeline has
 4 been issued. If the enhanced recovery project is located in another state or
 5 jurisdiction, the ~~commissioner's~~ secretary's approval shall consist of confirmation
 6 that the applicable regulatory authority of that state or jurisdiction has approved or
 7 authorized the injection of carbon dioxide in association with such project.

8 * * *

9 (21) To require reporting of the production of oil, gas, and condensate
 10 on an individual well-basis.

11 D. The ~~assistant~~ secretary shall may make, after notice and public hearing as
 12 provided in this Chapter, any reasonable rules, regulations, and orders that are
 13 necessary:

14 (1) To require that all pipelines, ~~excluding field transmission, flow, and~~
 15 ~~gathering lines;~~ all wells, and all associated structures, including any fittings,
 16 tie-overs, appliances, and equipment, which are constructed on state water bottoms
 17 pursuant to the grant of a right-of-way by the secretary of the Department of
 18 Conservation and Energy and Natural Resources or the issuance of a lease by the
 19 State Mineral and Energy Board shall conform to the following provisions:

20 (a) The owner or operator of a pipeline constructed on a right-of-way granted
 21 on state water bottoms shall be responsible for burying the line to a depth consistent
 22 with regulations promulgated by the office of conservation and for maintaining it at
 23 said depth to the extent feasible and practical, as determined by the ~~assistant~~
 24 secretary, taking into account the changes wrought by natural forces.

25 (b) Upon abandonment of a pipeline, well, or associated structure, the owner
 26 or operator thereof shall be responsible for removing any related object above the
 27 mudline which may unduly interfere with other uses of state waters or water bottoms,
 28 including navigation or fishing, or shall adequately mark it any such objects above
 29 the mudline for the duration of the obstruction according to regulations of the
 30 United States Coast Guard and regulations promulgated by the ~~assistant~~ secretary.

1 If necessary for environmental reasons or to prevent undue interference with other
2 uses of state waters or water bottoms, the owner of an abandoned buried pipeline,
3 well, or associated structure; an abandoned pipeline, well, or associated structure; or
4 portions thereof shall cause removal of that which constitutes an obstruction or
5 hazard to navigation or fishing, as determined necessary by the assistant secretary
6 after a public hearing.

7 (c) If an inspection by the ~~office of conservation~~ department discloses an
8 exposed pipeline, the owner thereof shall be required to reburial the line at its original
9 depth, to the extent feasible and practical, to remove the pipeline, or to install and
10 maintain for the duration of the line adequate marking in accordance with rules and
11 regulations of the United States Coast Guard, United States Corps of Engineers, and
12 the ~~office of conservation~~ Department of Conservation and Energy. The
13 appropriate course for such remedial action shall be made by the commissioner
14 secretary after a public hearing taking into account environmental issues and other
15 issues.

16 (d) If determined by the governor and the secretary of the Department of
17 Conservation and Energy and Natural Resources to be in the best interests of the
18 state, the owner or operator of a pipeline, well, or associated structure shall not be
19 required to have it removed but shall be required to adequately mark it any object
20 above the mudline for the duration of the obstruction according to regulations of the
21 Coast Guard and of the assistant secretary.

22 (e) At regular intervals subsequent to the abandonment of any pipeline, well,
23 or associated structure constructed on a right-of-way or lease established on state
24 waterbottoms, the owner or operator of such facility shall may cause and be
25 responsible for inspection of that property if the assistant secretary requires it to
26 ensure compliance with applicable rules and regulations of state and federal
27 agencies. The assistant secretary shall may require an inspection if he determines
28 that the public interest requires that an inspection is necessary.

29 (f) A person shall not construct any pipeline, well, or associated structure on
30 a right-of-way or lease established on state waterbottoms unless he has obtained a

1 permit from the ~~assistant~~ secretary prior to the initiation of construction.

2 (g) An owner or operator of any pipeline, well, or associated structure
3 constructed on state water bottoms pursuant to a right-of-way or lease shall report
4 to the ~~assistant~~ secretary any activities, incidents, developments, or accidents
5 creating an obstruction to navigation or fishing, and any permanent abandonments.

6 (2) To require that all field transmissions, flow, and gathering lines
7 constructed on state water bottoms pursuant to the grant of a right-of-way by the
8 secretary of the Department of Conservation and Energy and Natural Resources or
9 the issuance of a lease by the State Mineral and Energy Board shall meet all
10 requirements of the United States Army Corps of Engineers for burial and shall be
11 located, installed, marked, and maintained in a proper manner, to be approved by the
12 ~~assistant~~ secretary, so as to minimize undue interference with persons making other
13 uses of state waters or water bottoms, including mariners and fishermen.

14 (3) To require that all equipment, machinery, and materials associated with
15 the construction, operation, maintenance, or abandonment of all pipelines, including
16 field transmission, flow, and gathering lines; all wells; and all associated structures,
17 which are constructed on state water bottoms pursuant to the grant of a right-of-way
18 by the secretary of the Department of Conservation and Energy and Natural
19 Resources or the issuance of a lease by the State Mineral and Energy Board shall
20 conform to the following provisions:

21 (a)(i) The owner or operator of a pipeline, well, or associated structure
22 constructed on a right-of-way or lease upon state waterbottoms shall cause and be
23 responsible for inspection of that property if the ~~assistant~~ secretary requires it to
24 determine whether any equipment, machinery, or material associated with activity
25 on the lease or right-of-way, including sunken boats and barges, has been discarded
26 or abandoned above the mudline. The ~~assistant~~ secretary shall require an inspection
27 if he determines that the public interest requires that an inspection is necessary.

28 (ii) If the inspection reveals any equipment, machinery, or material above the
29 mudline, the owner shall be responsible for its removal to avoid its constituting an
30 obstruction which may unduly interfere with other uses, including navigation or

1 fishing. However, the ~~assistant~~ secretary may by rule grant exceptions or variances
 2 from this requirement if the location of the equipment, machinery, or material would
 3 cause removal to be extraordinarily onerous or impractical. Moreover, removal shall
 4 not be required if ~~the governor and~~ the secretary of the Department of Conservation
 5 and Energy and Natural Resources determine that in the best interests of the state
 6 removal shall not be required. However, the owner shall be required to mark it the
 7 equipment, machinery, or material above the mudline for the duration of the
 8 obstruction according to regulations of the Coast Guard and the ~~assistant~~ secretary.

9 (b) The owner or operator of any pipeline, well, or associated structure shall
 10 promptly notify and report to the ~~assistant~~ secretary concerning any discarded or
 11 abandoned equipment, machinery, or materials, including sunken barges and boats,
 12 known to be remaining on state waterbottoms as a result of activities conducted
 13 pursuant to a state right-of-way or lease. He shall also report to the ~~assistant~~ secretary
 14 the removal of any such equipment, machinery, or materials.

15 * * *

16 (5) To provide that the office of conservation shall conduct such inspections
 17 as the ~~assistant~~ secretary may deem necessary or appropriate in carrying out the
 18 provisions of this Subsection.

19 (6) To provide appropriate procedure, including public notice, comment,
 20 and hearing requirements, for implementation of this Subsection.

21 E. The ~~commissioner~~ secretary shall make, after notice and public hearing
 22 as provided in this Chapter, any reasonable rules, regulations, and orders that are
 23 necessary to require that all other pipelines not covered by Subsection D of this
 24 Section, together with any fittings, tie-overs, appliances, and equipment, which are
 25 constructed in this state shall be buried, maintained, or removed from the
 26 right-of-way or lease according to the following provisions:

27 (1) Pipelines in active use and those not in active use but whose owner
 28 anticipates reuse shall be buried to a depth consistent with regulations promulgated
 29 by the ~~office of conservation~~ department and shall be maintained during the course
 30 of the useful and active life of the lines at a depth determined by the ~~commissioner~~

1 secretary to be substantially equivalent to the original depth of burial. The
 2 ~~commissioner~~ secretary may by rule grant such exceptions or variances from this
 3 provision as may be necessary for pipelines buried under navigable streams or water
 4 bottoms as provided for in Subsection D of this Section.

5 (2) When a pipeline is abandoned, the ~~commissioner~~ secretary shall make
 6 a preliminary investigation to determine if the line, or any portion thereof, constitutes
 7 an obstruction which may unduly interfere with other uses of state waters or water
 8 bottoms, or if allowed to remain in its present state will constitute such an
 9 obstruction. If the initial determination of the ~~commissioner~~ secretary is that
 10 corrective action or removal of the pipeline, or any portion thereof, is necessary to
 11 eliminate or prevent the obstruction and if the owner of the pipeline does not agree
 12 with the ~~commissioner's~~ secretary's determination and to abide by it, the
 13 ~~commissioner~~ secretary shall call a public hearing for the purpose of determining
 14 finally what action, if any, he will require the owner of the pipeline to take.

15 (3) Field transmission, flow and gathering lines shall be installed, located,
 16 marked, maintained, and removed ~~after abandonment~~ in a proper manner, to be
 17 approved by the ~~commissioner~~ secretary, so as to minimize undue interference with
 18 persons, including mariners and fishermen, making other uses of state waters or
 19 water bottoms.

20 F. For the purposes of Subsection E, ^{of this Section} the word "pipeline" shall mean all
 21 intrastate pipelines used in the transportation of oil and gas, including ^{by products} ~~by products~~
 22 and waste therefrom, but shall not include field transmission, flow, and gathering
 23 lines, except as provided in ^{Paragraph of this Section} ~~Subsection (E)(3)~~. The ~~commissioner~~ secretary shall
 24 may require each pipeline operator to ~~employ in his periodic inspection of the line,~~
 25 ~~which shall be not less than once each year, a procedure to determine the depth of~~
 26 ~~cover over the line and to report such information to the commissioner~~ inspect the
 27 line; however, the ~~commissioner~~ secretary may by rule grant such exceptions or
 28 variances from this requirement as may be necessary for pipelines buried or installed
 29 in locations where such a requirement would be extraordinarily onerous or
 30 impractical. ~~The commissioner shall further require the owners of all pipelines in the~~

1 ~~state to notify the office of conservation of the abandonment of said pipeline or~~
2 ~~non-use of said pipeline for a period of six months or more.~~

3 G. The ~~office of conservation of the~~ Department of Conservation and
4 ~~Energy and Natural Resources~~, through the commissioner secretary, shall
5 implement the provisions of Subsections D, E, and F of this Section as to interstate
6 pipelines insofar as those requirements may be consistent with the regulations for
7 interstate pipelines adopted by the United States Department of Transportation. In
8 such event, the office shall further implement the provisions of Subsections D, E, and
9 F of this Section insofar as those requirements may be consistent with the regulations
10 for interstate pipelines adopted by the United States Department of Energy.

11 H. Any pipeline owner required to construct a levee, dam, or weir in
12 connection with a pipeline, shall maintain that levee, dam, or weir in a condition as
13 near as practicable to its original condition, however, the commissioner secretary
14 may grant such exceptions or variances from this requirement if he determines that
15 maintenance of the dam, levee, or weir no longer serves the purposes intended and
16 will not serve to protect the environment of the area. The commissioner secretary
17 may require the owner to inspect the levee, dam, or weir on a periodic basis and to
18 file reports of such inspections. The commissioner secretary may order the removal
19 or alteration of any such dam, levee, or weir when he determines that such action is
20 necessary to avoid undue interference with persons making other uses of state waters
21 or water bottoms.

22 I. The commissioner secretary shall make, after notice and public hearing
23 as provided in this Chapter, any reasonable rules, regulations, and orders that are
24 necessary to control the offsite disposal at commercial facilities of drilling mud,
25 saltwater and other related nonhazardous wastes generated by the drilling and
26 production of oil and gas wells. Such regulations shall contain provisions identifying
27 the waste materials to be regulated. Such regulations shall at a minimum require:

28 (1) Every person who intends to open and operate a new offsite commercial
29 facility for the disposal of nonhazardous wastes produced in oil and gas drilling
30 operations shall file an application with the ~~office of conservation~~ department for

1 a permit to conduct such operation.

2 * * *

3 (3) Upon notice to the applicant by the ~~office of conservation~~ department
4 that the application is complete, the applicant shall file with the local governing
5 authority of the parish in which the proposed facility is to be located, six copies of
6 the complete application.

7 (4) Upon acceptance of the application as complete, the ~~office of~~
8 conservation department shall publish in the next available issue of the Louisiana
9 Register, a notice of the filing and the location, date and time of a public hearing to
10 be held in the affected parish, which hearing shall not be less than thirty days from
11 the date of notice in the Register. The applicant shall publish a substantially similar
12 notice in the official journal of the parish affected on three separate days at least
13 fifteen days prior to the date set by the ~~office of conservation~~ department for such
14 public hearing. Such notice shall be not less than one quarter page in size in boldface
15 type.

16 (5) The public hearing shall be fact-finding in nature and shall not be subject
17 to the procedural requirements of the Louisiana Administrative Procedure Act
18 relative to rulemaking or adjudication, provided that the ~~office of conservation~~
19 department shall allow any interested person to present testimony, facts or evidence
20 related to the application, and shall make a record of the hearing.

21 * * *

22 (9) The closure of all commercial offsite disposal facilities in a manner
23 approved by the ~~commissioner~~ secretary to insure protection of the public and the
24 environment.

25 * * *

26 (11) Evidence of financial responsibility acceptable to the ~~commissioner~~
27 secretary for any liability for damages which may be caused by the escape or
28 discharge of waste materials from a commercial offsite disposal facility.

29 * * *

30 K. The ~~commissioner~~ secretary shall not authorize or issue any permit which

1 allows the use or withdrawal of three million gallons or more of ground water per
2 day from the Chicot aquifer that shall be injected into the subsurface in a parish
3 whose population is more than seventy thousand and less than seventy-five thousand.

4 L.(1) The ~~commissioner~~ secretary shall make, after notice and hearings as
5 provided in this Chapter, any reasonable rules, regulations, and orders that are
6 necessary to require the operator of a well, which utilizes the application of fluids
7 with force or pressure in order to create artificial fractures in the formation for the
8 purpose of improving the capacity to produce hydrocarbons, to report no later than
9 twenty days following the completion of hydraulic fracturing stimulation operations
10 and in a manner determined by the ~~commissioner~~ secretary the following:

11 * * *

12 M. The ~~commissioner~~ secretary shall make, after notice and hearing as
13 provided in this Chapter, any reasonable rules, regulations, and orders that are
14 necessary to control the drilling, operating, and plugging of solution mining injection
15 wells, the permitting of such wells, and the resulting solution mined cavern. Such
16 rules and regulations shall be adopted pursuant to the Administrative Procedure Act
17 and shall provide for ~~for~~ but not be limited to the following:

18 * * *

19 (3) Notification by the operator to the ~~office of conservation~~ department of
20 a solution mining injection well inactivity or conclusion of mining operations.

21 * * *

22 (6) Permit requirements that include the following:

23 * * *

24 (b) Reimbursement to the state or any political subdivision of the state for
25 reasonable and extraordinary costs incurred in responding to or mitigating a disaster
26 or emergency due to a violation of this Subsection or any rule, regulation, or order
27 promulgated or issued pursuant to this Subsection. The costs shall be subject to
28 approval by the director of the Governor's Office of Homeland Security and
29 Emergency Preparedness prior to being submitted to the ~~permittee~~ permittee for
30 reimbursement. The payments shall not be construed as an admission of

1 responsibility or liability for the emergency or disaster. The Department of
 2 Conservation and Energy and Natural Resources, office of conservation, is hereby
 3 authorized to adopt rules and regulations in accordance with the Administrative
 4 Procedure Act to collect reimbursement under this Section.

5 * * *

6 O.(1) No permit to drill or operate a new solution-mined cavern, or expand
 7 or convert an existing solution-mined cavern in Iberia Parish may be issued until
 8 after a public hearing is held no earlier than August 15, 2015, on the application for
 9 the permit. The ~~commissioner~~ secretary shall promulgate rules and regulations to
 10 provide for such public hearings and shall fix the date, time, and place therefor. The
 11 operator or owner, prior to such a public hearing, shall give public notice on three
 12 separate days within a period of thirty days prior to the public hearing, with at least
 13 five days between each publication notice, both in the official state journal and in the
 14 official journal of the parish in which the well is to be located.

15 (2) At least thirty days prior to such public hearing on a permit to expand or
 16 convert an existing solution-mined cavern or to drill and operate a new
 17 solution-mined cavern in Iberia Parish, the permit applicant shall submit a report to
 18 the ~~commissioner of conservation~~ secretary, to Save Lake Peigneur, Inc., and to the
 19 governing authority of Iberia Parish. The report shall provide a baseline analysis of
 20 groundwater levels and salt content in the nearby groundwater wells that can be
 21 accessed for such analysis; a plan to monitor groundwater levels and salt water
 22 content for the duration of the activity for the creation of cavern storage should a
 23 permit be granted; a geologic analysis by a qualified third party geologist that
 24 examines the integrity of the salt dome; and the results of an analysis of testing that
 25 attempts to determine the source and composition of intermittent foaming or
 26 bubbling appearing in Lake Peigneur.

27 * * *

28 P. The ~~commissioner of conservation~~ secretary has the authority to
 29 promulgate rules and regulations under the Administrative Procedure Act to regulate
 30 the location, construction, operation, and maintenance of a liquefied natural gas

1 facility within the state.

2 Q.(1)(a) The commissioner secretary is authorized to develop and implement
3 a program to ~~expedite the~~ of expedited processing or review of permits,
4 modifications, licenses, registrations, plans, proposals, exceptions, or variances and
5 related correspondence for applicants who may request such services. ~~In addition to~~
6 ~~any applicable fees charged pursuant to this Subtitle, a~~

7 ~~(b) A fee for an expedited review shall be charged to each applicant equal to~~
8 ~~the cost of every overtime hour, or portion thereof, an employee or contractor works~~
9 ~~processing the expedited review and an amount not exceeding twenty percent for~~
10 ~~administrative costs. However, the administrative fee shall not be less than five~~
11 ~~hundred dollars. The overtime rate shall not exceed the maximum per hour overtime~~
12 ~~salary, calculated at one and one-half times the hourly wage and including associated~~
13 ~~related benefits, of a civil service employee of the office of conservation~~
14 ~~department.~~

SEE § 14 OF THIS ACT + ACT 296

15 (2) The commissioner secretary shall adopt rules and regulations in
16 accordance with the Administrative Procedure Act to implement the provisions of
17 this Subsection. The rules shall require the applicant to provide public notice when
18 an expedited review is granted, at a minimum, specify:

19 (a) The procedure for requesting expedited processing.

20 (b) The procedure for the department to approve or deny a request for
21 expedited processing.

22 (c) A timeline for the administrative and technical review portion of the
23 expedited processing.

24 (d) The method of providing public notice of Subparagraphs (a) through
25 (c) of this Paragraph through posting on the department's website.

26 (e) All documentation required to implement this Subsection, including
27 but not limited to necessary forms, costs statements, and schedules.

28 (f) A process for the applicant to claim portions of the records submitted
29 to the department pursuant to this Subsection as confidential, proprietary, or
30 trade secret or otherwise exempt from public disclosure in accordance with the

1 Public Records Law. At least three days prior to their release, the department
 2 shall notify the applicant of any public records request for records submitted
 3 to the department pursuant to this Subsection and claimed by the applicant as
 4 confidential, proprietary, trade secret, or otherwise exempt from public
 5 disclosure in accordance with the Public Records Law.

6 (3) An applicant for the issuance, review, or approval of any permit,
 7 modification, license, registration, plan proposal, exception, or variance under
 8 the jurisdiction of the department may request expedited processing.

9 (4) The secretary may decline, or revoke when previously approved, any
 10 request for expedited processing with written reasons subject to reconsideration
 11 for up to ten calendar days.

12 (5) The expedited processing timeline commences on the date the
 13 secretary grants the request for expedited processing. Expedited processing
 14 shall be deemed complete when the final decision is transmitted in writing or
 15 when the department notifies the applicant that a decision is ready.

16 (6) The First Circuit Court of Appeals shall have jurisdiction over a
 17 request for judicial review of a decision by the department pursuant to this
 18 Subsection. Judicial review pursuant to this Paragraph shall be subject to the
 19 provisions of R.S. 30:12.

20 R. The commissioner secretary shall make, after notice and public hearings
 21 as provided in this Chapter, any rules, regulations, and orders that are necessary to
 22 require reasonable bond with security for the performance of the duty to plug each
 23 dry and abandoned well and the closure and to perform the site cleanup required by
 24 Item (C)(1)(a)(iv) of this Section. The rules, regulations, and orders may classify
 25 based on location of the well and shall provide for the following exceptions from the
 26 reasonable bond and security requirement:

27 * * *

28 T. In addition to the requirements set forth in Subsection R of this Section,
 29 an organization seeking to enter into a cooperative endeavor agreement with the
 30 assistant secretary to assist with plugging orphaned wells, in order to alleviate the

1 five days between each publication of the notice, both in the official state journal and
2 in the official journal of the parish in which the well is to be located, that application
3 for a permit for a new commercial operations' hazardous waste disposal well has
4 been made and that a public hearing on the matter will be held on the date and at the
5 time and place which shall be stated in the public notice. The ~~assistant~~ secretary shall
6 prescribe the form of the advertisement. In addition, the applicant for a permit shall
7 place an advertisement in the same newspapers, but not in the classified
8 advertisement or public notice section of the newspapers, in a form which shall be
9 not less than one-half page in size and printed in bold face type; which shall inform
10 the public that application for a permit has been made for a new commercial
11 operations' hazardous waste disposal well and that a public hearing, at which all
12 interested persons are charged to be present and to present their views and which
13 shall state the date, time, and place at which the meeting will be held. The content
14 of both the public notice and the one-half page announcement or advertisement also
15 shall include the name of the owner or operator, location of the proposed well,
16 materials to be disposed in the well, ^{and} a statement that comments may be sent to the
17 ~~assistant commissioner of the Office of Conservation~~ secretary prior to the public
18 meeting, ~~and the mailing address of the assistant secretary.~~

19
20 C.(1) No person shall inject, pump, dispose, or in any manner allow the
21 escape of any hazardous waste into any well or underground strata by way of an
22 injection well without obtaining a permit from the ~~assistant~~ secretary or in violation
23 of any permit issued by the ~~assistant~~ secretary; or violate any rule, regulation, or
24 order of the ~~assistant~~ secretary issued under the authority of this Section.

25 (2) The ~~assistant~~ secretary shall not issue any new permit for a previously
26 unpermitted Class I well for the disposal of hazardous waste as defined in the
27 comprehensive state hazardous waste control program, provided for in R.S. 30:2175,
28 which previously produced or was drilled for the purpose of producing oil or gas,
29 whether oil or gas was actually produced therein. Where a new permit has been
30 issued for such a Class I well for disposal of hazardous waste, the ~~assistant~~ secretary

1 shall immediately proceed to revoke such permit, giving notice and upon request, an
2 opportunity for the parties to be heard, and set a schedule for the abandonment and
3 closure of the well, in accordance with rules and regulations of the office of
4 conservation. No later than November 15, 1985, the ~~assistant~~ secretary shall order
5 the cessation of injection and issue an order for closure which shall be completed
6 within one hundred twenty days of the order.

7 D. Whenever the ~~assistant~~ secretary or an authorized representative of the
8 ~~assistant~~ secretary determines that a violation of any requirement of this Section has
9 occurred or is about to occur, the ~~assistant~~ secretary or the authorized representative
10 of the ~~assistant~~ secretary shall either issue an order requiring compliance within a
11 specified time period or shall commence a civil action for appropriate relief,
12 including a temporary or permanent injunction.

13 E. Requirements of compliance orders. Any order issued under this Section
14 shall state with reasonable specificity the nature of the violation and specify a time
15 for compliance and, in the event of noncompliance, assess a civil penalty, if any,
16 which the ~~assistant~~ secretary determines is reasonable, taking into account the
17 seriousness of the violation and any good faith efforts to comply with the applicable
18 requirements.

19 F. Penalties. (1) Except as otherwise provided by law, any person to whom
20 a compliance order or a cease and desist order is issued and who fails to take
21 corrective action within the time specified and said order or any person found by the
22 ~~assistant~~ secretary to be in violation of any requirement of this Section, may be liable
23 for a civil penalty, to be assessed by the ~~assistant~~ secretary or court, of not more than
24 twenty-five thousand dollars for each day of the continued noncompliance or
25 violation. The ~~assistant~~ secretary in order to enforce the provisions of this Section
26 may suspend or revoke any permit, compliance order, license, or variance which has
27 been issued to said person.

28 * * *

29 I. Settlement of suits. Except as otherwise provided herein, the ~~assistant~~
30 secretary, with the concurrence of the attorney general, may settle or resolve as he

1 may deem advantageous to the state any suits, disputes, or claims for any penalty
 2 under any provisions of this Section or the regulations or permit license terms and
 3 conditions applicable thereto.

4 * * *

5 K. The ~~commissioner~~ secretary shall not authorize or issue any permit which
 6 allows the use or withdrawal of three million gallons or more of ground water per
 7 day from the Chicot aquifer that shall be injected into the subsurface in a parish
 8 whose population is more than seventy thousand and less than seventy-five thousand.

9 §4.2. Effective enforcement of wildlife and fisheries laws

10 The ~~assistant~~ secretary shall make, after notice and public hearing as provided
 11 in this Chapter, any reasonable rules, regulations, and orders which are necessary to
 12 prohibit the operators of oil and gas wells from performing any acts on lands subject
 13 to a drilling permit which may preclude agents of the Department of Wildlife and
 14 Fisheries from effectively enforcing any of the provisions of Title 56 of the
 15 Louisiana Revised Statutes of 1950. The ~~assistant~~ secretary shall revoke any permit
 16 granted to an operator and deny any application for a permit to drill any well by an
 17 operator found to be in violation of the rules provided for in this Section.

18 §4.3. Financial security

19 A. As required by R.S. 30:4, an applicant for a permit to drill or to amend a
 20 permit to drill for change of operator shall provide financial security as provided in
 21 this Section in a form acceptable to the ~~commissioner~~ secretary. For an application
 22 for a permit to drill, the security shall be provided within thirty days of the
 23 completion date or from the date the operator is notified that financial security is
 24 required. For an application to amend a permit to drill for a change of operator, the
 25 security shall be provided as required by this Section or by establishing a site-
 26 specific trust account in accordance with R.S. 30:88 prior to the operator change.

27 B.(1) Except as provided in Paragraph (2) of this Subsection, the amount of
 28 the financial security shall be provided for in rules and regulations promulgated by
 29 the ~~commissioner~~ secretary in accordance with the Administrative Procedure Act.
 30 The amounts may be on an individual-well or multiple-well basis and may be

1 categorized based on the well's location.

2 (2) For an individual well located on land of a depth equal to or less than
3 three thousand feet, the financial security required shall be two dollars per foot.
4 However, the ~~commissioner~~ secretary may increase the financial security by rules
5 and regulations promulgated after September 1, 2017, in accordance with the
6 Administrative Procedure Act.

7 C. Financial security shall not be required for the following wells:

8 (1) Any well declared to be orphaned by the ~~commissioner~~ secretary and
9 subsequently transferred to another operator.

10 (2) Any well to be drilled by an operator who has an agreement with the
11 ~~office of conservation~~ department to plug a well that has been declared to be
12 orphaned by the ~~commissioner~~ secretary and that orphaned well is similar to the
13 proposed well in terms of depth and location.

14 §5. Permission to convert gas into carbon black; recycling gas; unit operations

15 A. In order to prevent waste of natural gas, the ~~commissioner~~ secretary may
16 grant to bona fide applicants permits for the building and operation of plants and to
17 burn natural gas into carbon black for the period of time fixed by the ~~commissioner~~
18 secretary in the permit, not to exceed twenty-five years and subject to the provisions
19 of the laws of the state and the rules and regulations of the department. It shall be a
20 violation of this Chapter for any person to build or operate a new plant for these
21 purposes without the permit required by this Section.

22 B. In order to prevent waste and to avoid the drilling of unnecessary wells,
23 the ~~commissioner~~ secretary shall, after notice and upon hearing, and his
24 determination of feasibility, require the re-cycling of gas in any pool or portion of
25 a pool productive of gas from which condensate or distillate may be separated or
26 natural gasoline extracted, and promulgate rules to unitize separate ownership and
27 to regulate production of the gas and reintroduction of the gas into productive
28 formations after separation of condensate or distillate, or extraction of natural
29 gasoline, from the gas.

30 C.(1) Without any way modifying the authority granted to the ~~assistant~~

1 secretary of the office of conservation in R.S. 30:9(B) to establish a drilling unit or
2 units for a pool and in addition to the authority conferred in Subsection B of this
3 Section:

4 (a) The assistant secretary of the office of conservation upon the application
5 of any interested party, also is authorized and empowered to enter an order requiring
6 the unit operation of any pool or a combination of two pools in the same field,
7 productive of oil or gas, or both, in connection with the institution and operation of
8 systems of pressure maintenance by the injection of gas, water, or any other
9 extraneous substance, or in connection with any program of secondary or tertiary
10 recovery; and

11 (b) The assistant secretary of the office of conservation is further authorized
12 and empowered to require the unit operation of a single pool in any situation where
13 the ultimate recovery can be increased and waste and the drilling of unnecessary
14 wells can be prevented by such a unit operation.

15 (2) In connection with such an order of unit operation, the assistant secretary
16 of the office of conservation shall have the right to unitize, pool, and consolidate all
17 separately owned tracts and other property ownerships. Any order for such a unit
18 operation shall be issued only after notice and hearing and shall be based on all of
19 the following findings:

20 * * *

21 (d) At least three-fourths of the owners and three-fourths of the royalty
22 owners, as to a particular interest, as hereinafter defined, such three-fourths to be in
23 interest as determined under Subparagraph (c) of this Paragraph, shall have approved
24 the plan and terms of unit operation, such approval to be evidenced by a written
25 contract or contracts covering the terms and operation of the unitization signed and
26 executed by the three-fourths in interest of the owners and three-fourths in interest
27 of the royalty owners and filed with the assistant secretary of the office of
28 conservation on or before the day set for the hearing. Notwithstanding any other
29 provision of this Subparagraph to the contrary, with respect to an order for unit
30 operation for the production of brine, such approval shall only be required from at

1 least three-fourths of the owners as to the particular interest, such approval to be
 2 evidenced by a written contract or contracts covering the terms and operation of the
 3 unitization signed and executed by the three-fourths in interest of the owners and
 4 filed with the ~~assistant~~ secretary of the office of conservation on or before the day
 5 set for the hearing.

6 * * *

7 (4) Upon application and after notice and a public hearing and consideration
 8 of all available geological and engineering evidence, the ~~Assistant Secretary of the~~
 9 ~~Office of Conservation~~ secretary, to the extent required by such evidence, may
 10 revise any reservoirwide unit or units heretofore created by the ~~Assistant Secretary~~
 11 ~~of the Office of Conservation~~ secretary.

12 * * *

13 (6) No order of the ~~commissioner~~ secretary entered pursuant hereto shall
 14 have the effect of enlarging, displacing, varying, altering, or in anywise whatsoever
 15 modifying or changing contracts in existence on the effective date of this Act
 16 concerning the unitization of any pool (reservoir) or pools (reservoirs) or field (as
 17 defined in the contract) for the production of oil, gas, brine, or any combination
 18 thereof.

19 D.(1) In order to prevent waste and increase the ultimate recovery of oil or
 20 gas, or both, the ~~assistant~~ secretary of the office of conservation, upon the application
 21 of any interested owner, and only after notice and a public hearing, is authorized to
 22 approve a cyclic injection project for the operation of a well by the method of
 23 enhanced recovery known as cyclic injection, without the formation of a unit under
 24 Subsection C of this Section or under any other provisions of this Chapter. No
 25 operator shall utilize cyclic injection without first securing the ~~assistant~~ secretary's
 26 approval pursuant to this Subsection. For the purposes of this Subsection, "cyclic
 27 injection" is hereby defined as a single-well process in which a production well is
 28 injected with a substance for the purpose of enhanced recovery. After a shut-in
 29 period, the well is returned to production. This procedure may be performed
 30 repeatedly on one or more wells in a reservoir.

1 (2) Prior to approving any cyclic injection project the ~~assistant~~ secretary must
2 find that the project will not drain any area of the reservoir different from that being
3 drained by the project well prior to initiation of the project, and that the project will
4 not otherwise adversely affect other owners having rights in the same reservoir in
5 which the applicant proposed to conduct cyclic injection. If the ~~assistant~~ secretary
6 does not make these findings required in the preceding sentence, he shall not approve
7 the cyclic injection project, and it shall not be conducted, unless:

8 * * *

9 §5.1. Deep pool order; ultra deep structure units; application; procedure; allocation
10 of costs; rules and regulations

11 A. The following shall be applicable to deep pool units:

12 (1) In order to prevent waste and to avoid the drilling of unnecessary wells,
13 and to encourage the development of deep oil and gas pools in Louisiana, the
14 ~~commissioner~~ secretary of conservation is authorized, as provided in this
15 Subsection, to establish a single unit to be served by one or more wells for a deep
16 pool and to adopt a development plan for such deep unit.

17 (2) Without in any way modifying the authority granted to the ~~commissioner~~
18 secretary in R.S. 30:9(B) to establish a drilling unit or units for a pool and in
19 addition to the authority conferred in R.S. 30:5, the ~~commissioner~~ secretary upon
20 the application of any interested party may enter an order requiring the unit operation
21 of any deep pool when such unit operation will promote the development of such
22 deep pools, prevent waste, and avoid the drilling of unnecessary wells.

23 (3) In connection with such order, the ~~commissioner~~ secretary shall have the
24 right to establish a unit for a deep pool and to unitize, force pool, and consolidate all
25 separately owned tracts and other property ownerships within such unit. Any order
26 creating a unit for a deep pool shall be issued only after notice and public hearing
27 and shall be based on findings that:

28 * * *

29 (e) The plan of development for the unit is reasonable. The plan shall be
30 revised only if approved by the ~~commissioner~~ secretary after notice and public

1 hearing.

2 * * *

3 (5) No order shall be issued by the commissioner secretary unless interested
4 parties have been provided a reasonable opportunity to review and evaluate all data
5 submitted by the applicant to the commissioner secretary to establish the limits of
6 the deep pool, including seismic data.

7 (6) The order creating the unit shall designate a unit operator and shall also
8 make provision for the proportionate allocation to the owners (lessees or owners of
9 unleased interests) of the costs and expenses of the unit operation, which allocation
10 shall be in the same proportion that the separately owned tracts share in unit
11 production. The cost of capital investment in wells and physical equipment and
12 intangible drilling costs, in the absence of voluntary agreement among the owners
13 to the contrary, shall be shared in like proportion. However, no such owner who has
14 not consented to the unitization shall be required to contribute to the costs or
15 expenses of the unit operation or to the cost of capital investment in wells and
16 physical equipment and intangible drilling costs except out of the proceeds of
17 production accruing to the interest of such owner out of production from such unit
18 operation. In the event of a dispute relative to the calculation of unit well costs or
19 depreciated unit well costs, the commissioner secretary shall determine the proper
20 costs after notice to all interested owners and public hearing thereon.

21 (7) Upon application and after notice and public hearing and consideration
22 of all available geological and engineering evidence, the commissioner secretary,
23 to the extent required by such evidence, may create, revise, or dissolve any unit
24 provided for under this Subsection or modify any provision of any order issued
25 hereunder. Any such order shall provide for the allocation of unit production on a
26 just and equitable basis to each separately owned tract within the unit.

27 (8) The commissioner secretary shall prescribe, issue, amend, and rescind
28 such orders, rules, and regulations as he may find necessary or appropriate to carry
29 out the provisions of this Subsection.

30 (9) While this Subsection authorizes the initial creation of a single unit to be

1 served by one or more wells, nothing herein shall be construed as limiting the
2 authority of the ~~commissioner~~ secretary to approve the drilling of alternate unit
3 wells on drilling units established pursuant to R.S. 30:9(B).

4 B. The following shall be applicable to ultra deep structure units:

5 (1) In order to prevent waste and to avoid the drilling of unnecessary wells,
6 and to encourage the development of ultra deep oil and gas structures in Louisiana,
7 the ~~commissioner~~ secretary of conservation is authorized, as provided in this
8 Subsection, to establish a single unit to be served by one or more wells for an ultra
9 deep structure and to adopt a plan of development for such ultra deep structure unit.
10 For purposes of this statute, a "structure" is defined as a unique geologic feature that
11 potentially traps hydrocarbons in one or more pools or zones.

12 (2) Without in any way modifying the authority granted to the ~~commissioner~~
13 secretary by R.S. 30:9(B) to establish a drilling unit or units for a pool and in
14 addition to the authority conferred by R.S. 30:5 and 5.2, the ~~commissioner~~ secretary,
15 upon the application of any interested party, may enter an order requiring the unit
16 operation of any ultra deep structure when such unit operation will promote the
17 development of such ultra deep structure, prevent waste, and avoid the drilling of
18 unnecessary wells.

19 (3) In connection with such order, the ~~commissioner~~ secretary shall have the
20 right to establish a unit no greater than nine thousand acres for an ultra deep structure
21 and to unitize, force pool, and consolidate all separately owned tracts and other
22 property ownerships within such unit. Any order creating a unit for an ultra deep
23 structure shall be issued only after notice and public hearing and shall be based on
24 findings that:

25 * * *

26 (5) Upon application of any landowner or other interested party, or at the
27 ~~commissioner's~~ secretary's discretion, the plan of development may be revised by
28 the ~~commissioner~~ secretary after notice and public hearing for good cause.

29 * * *

30 (7) No order creating a unit for an ultra deep structure shall be issued by the

1 commissioner secretary unless interested parties have been provided a reasonable
 2 opportunity to review and evaluate all data, including seismic data, submitted by the
 3 applicant to the commissioner secretary to establish the limits of the deep structure.

4 * * *

5 (9) The initial well and each subsequent well proposed or drilled pursuant to
 6 the plan of development shall be deemed a unit well. The provisions of R.S.
 7 30:10(A)~~(2)~~⁽³⁾ shall be applicable to ultra deep structure units, including the applicable
 8 risk charge. In the event of a dispute relative to the calculation of unit well costs or
 9 depreciated unit well costs, the commissioner secretary shall determine the proper
 10 costs after notice to all interested owners and public hearing thereon.

11 (10) Upon application by any landowner or other interested party, or at the
 12 commissioner's secretary's discretion, and after notice and public hearing and
 13 consideration of available geological, engineering, and other relevant evidence, the
 14 commissioner secretary, to the extent required by such evidence, may by order
 15 create, revise, confirm, or dissolve any unit provided for under this Subsection or
 16 modify any provision of any order issued hereunder. Any such order shall provide
 17 for the allocation of unit production on a just and equitable basis to each separately
 18 owned tract within the unit. The applicant shall, in all cases, have the burden of proof
 19 that the existing unit or order should be revised, confirmed, dissolved, or amended
 20 in the manner proposed in the application. If the commissioner secretary determines
 21 that the unit operator has not substantially complied with the plan of development,
 22 the unit operator shall be required to show cause why the unit should not be reduced
 23 in size.

24 * * *

25 (12) The commissioner secretary shall prescribe, issue, amend, and rescind
 26 such orders, rules, and regulations as he may find necessary or appropriate to carry
 27 out the provisions of this Subsection.

28 (13) While the provisions of this Subsection authorize the initial creation of
 29 a single unit to be served by one or more wells, nothing herein shall be construed as
 30 limiting the authority of the commissioner secretary to approve the drilling of

1 alternate unit wells on drilling units established pursuant to R.S. 30:9(B).

2 §5.2. Coal seam natural gas producing areas order; application; procedure;
3 allocation of costs; rules and regulations

4 A. In order to prevent waste and to avoid the drilling of unnecessary wells
5 and to encourage the development of coal seam natural gas producing areas in
6 Louisiana, the ~~commissioner of conservation~~ secretary is authorized, as provided in
7 this Section, to establish a single unit to be served by one or more wells for a coal
8 seam natural gas producing area.

9 B. Without in any way modifying the authority granted to the ~~commissioner~~
10 secretary in R.S. 30:9(B) to establish a drilling unit or units for a pool and in
11 addition to the authority conferred in R.S. 30:5, the ~~commissioner~~ secretary, upon
12 the application of any interested party, may enter an order requiring the unit
13 operation of any coal seam natural gas producing area when such unit operation will
14 promote the development of such coal seam natural gas producing area, prevent
15 waste, and avoid the drilling of unnecessary wells.

16 C. In connection with such order, the ~~commissioner~~ secretary shall have the
17 right to establish a unit for a coal seam natural gas producing area and to unitize,
18 force pool, and consolidate all separately owned tracts and other property ownerships
19 within such unit. Any order creating a unit for a coal seam natural gas producing area
20 shall be issued only after notice and a public hearing and shall be based on findings
21 that:

22 * * *

23 E. No order shall be issued by the ~~commissioner~~ secretary unless interested
24 parties have been provided a reasonable opportunity to review and evaluate all data
25 submitted by the applicant to the ~~commissioner~~ secretary to establish the limits of
26 the coal seam natural gas producing area.

27 F. The order creating the unit shall designate a unit operator and shall also
28 make provision for the proportionate allocation to the owners (lessees or owners of
29 unleased interests) of the costs and expenses of the unit operation, which allocation
30 shall be in the same proportion that the separately owned tracts share in unit

1 production. The cost of capital investment in wells and physical equipment and
2 intangible drilling costs, in the absence of voluntary agreement among the owners
3 to the contrary, shall be shared in like proportion. However, no such owner who has
4 not consented to the unitization shall be required to contribute to the costs or
5 expenses of the unit operation or to the cost of capital investment in wells and
6 physical equipment and intangible drilling costs except out of the proceeds of
7 production accruing to the interest of such owner out of production from such unit
8 operation. In the event of a dispute relative to the calculation of unit well costs or
9 depreciated unit well costs, the ~~commissioner~~ secretary shall determine the proper
10 costs after notice to all interested owners and a public hearing thereon.

11 G. Upon application and after notice and a public hearing and consideration
12 of all new available geological and engineering evidence, the ~~commissioner~~
13 secretary, to the extent required by such evidence, may create, revise, or dissolve
14 any unit provided for under this Section or modify any provision of any order issued
15 pursuant to this Section. Any such order shall provide for the allocation of unit
16 production on a just and equitable basis to each separately owned tract within the
17 unit.

18 H. The ~~commissioner~~ secretary shall prescribe, issue, amend, and rescind
19 such orders, rules, and regulations as he may find necessary or appropriate to carry
20 out the provisions of the Section.

21 §6. Hearings; notice; rules of procedure; emergency; service of process; public
22 records; request for hearings; orders and compliance orders

23 A. The ~~commissioner~~ secretary shall prescribe the rules of order or
24 procedure in hearings or other proceedings before him under this Chapter.

25 B. No rule, regulation, order, or change, renewal, or extension thereof, shall,
26 in the absence of an emergency, be made by the ~~commissioner~~ secretary under the
27 provisions of this Chapter except after a public hearing upon at least ten days' notice
28 given in the manner and form prescribed by him. This hearing shall be held at a time
29 and place and in the manner prescribed by the ~~commissioner~~ secretary. The
30 ~~commissioner~~ secretary, in his discretion, may designate a member of his staff to

1 conduct public hearings on his behalf. Any person having an interest in the subject
2 matter of the hearing shall be entitled to be heard. Whenever any application shall
3 be made to the ~~commissioner of conservation~~ secretary for creation, revision, or
4 modification of any unit or units for production of oil or gas, or for adoption of any
5 plan for spacing of wells or for cycling of gas, pressure maintenance or restoration,
6 or other plan of secondary recovery, the applicant shall be required to file with the
7 application two copies of a map of such unit or units or well spacing pattern or two
8 explanations of such plan of cycling, pressure maintenance or restoration, or other
9 secondary recovery program and at least thirty days' notice shall be given of the
10 hearings to be held thereon, in the manner prescribed by the ~~commissioner of~~
11 ~~conservation~~ secretary and a copy of such plat or explanation of program shall
12 remain on file in the ~~office of conservation~~ department in Baton Rouge and in the
13 office of the district manager of the conservation district in which the property is
14 located, and be open for public inspection, at least thirty days prior to such hearing.

15 C. If the ~~commissioner~~ secretary finds an existing emergency which in his
16 judgment requires the making, changing, renewal, or extension of a rule, regulation,
17 or order without first having a hearing, the emergency rule, regulation, or order shall
18 have the same validity as if a hearing had been held after due notice. The emergency
19 rule, regulation, or order shall remain in force no longer than fifteen days from its
20 effective date. In any event, it shall expire when the rule, regulation, or order made
21 after notice and hearing with respect to the same subject matter becomes effective.

22 D. Should the ~~commissioner~~ secretary elect to give notice by personal
23 service, it may be made by any officer authorized to serve process or any agent of
24 the ~~commissioner~~ secretary in the same manner as is provided by law for the service
25 of citation in civil actions in the district courts. Proof of the service by an agent shall
26 be by the affidavit of the person making it.

27 E. All rules, regulations, and orders made by the ~~commissioner~~ secretary
28 shall be in writing and shall be entered in full by him in a book kept for that purpose.
29 This book shall be a public record and shall be open for inspection at all times during
30 reasonable office hours. A copy of a rule, regulation, or order, certified by the

1 ~~commissioner~~ secretary, shall be received in evidence in all courts of this state with
2 the same effect as the original.

3 F. Any interested person has the right to have the ~~commissioner~~ secretary
4 call a hearing for the purpose of taking action in respect to a matter within the
5 jurisdiction of the ~~commissioner~~ secretary by making a request therefor in writing.
6 Upon receiving the request the ~~commissioner~~ secretary shall promptly call a
7 hearing. After the hearing, and with all convenient speed and in any event within
8 thirty days after the conclusion of the hearing the ~~commissioner~~ secretary shall take
9 whatever action he deems appropriate with regard to the subject matter. In the event
10 of failure or refusal of the ~~commissioner~~ secretary to issue an order within the
11 period of thirty days, he may be compelled to do so by mandamus at the suit of any
12 interested person.

13 G. Notwithstanding the provisions of Subsections B and C ^{✓ of this Section} to the contrary,
14 the ~~commissioner~~ secretary, upon determining that a violation of this Chapter or the
15 regulations adopted hereunder has occurred, may impose a civil penalty as provided
16 in this Chapter. Additionally, upon determining that a violation of this Chapter or the
17 regulations adopted hereunder has occurred, the ~~commissioner~~ secretary may issue
18 an order requiring compliance. Any such order issued shall state, with reasonable
19 specificity, the nature of the violation, any cessation of activities or affirmative
20 operations required to achieve compliance, and a time limit within which compliance
21 with the order must be achieved. Noncompliance with any such order to comply shall
22 constitute a violation of this Chapter, and the ~~commissioner~~ secretary may impose
23 a civil penalty for such violation. Any person subjected to a civil penalty shall have
24 the right to a public hearing if requested in writing, which written request shall
25 suspend the imposition of the penalty until final action is taken by the ~~commissioner~~
26 secretary after hearing.

27 H. When an application for any permit to construct or drill a Class V or Class
28 VI well related to the geologic sequestration of carbon dioxide becomes complete,
29 the ~~commissioner~~ secretary shall notify the governing authority of any parish
30 included in the permit application. The notice to the governing authority of the parish

1 shall be made no later than the date on which public notice is issued in accordance
2 with applicable law or regulations. Notice may be made by electronic mail to the
3 parish president, police jury president, or mayor-president, depending on the form
4 of parish government.

5 §6.1. Declaration of emergency

6 A. Notwithstanding any other provision of this Title, upon receipt of evidence
7 that there is an incident occurring or threatening to occur imminently at an oilfield
8 site or other facility, structure, or pipeline under the commissioner's department's
9 jurisdiction pursuant to R.S. 30:1 et seq., which is of such magnitude as to require
10 immediate action to prevent substantial or irreparable damage to the environment or
11 a serious threat to life or safety based on recognized criteria, standards or industry
12 practices, the commissioner department may declare in writing that an emergency
13 exists.

14 B. Upon declaration of an emergency, the commissioner department shall
15 notify the operator of record. Notification shall be made by telephone at the
16 emergency number on file in the commissioner department, telegraph, facsimile,
17 or personal appearance. If the operator cannot be contacted for notification within
18 twenty-four hours or if the operator of record fails to begin abatement procedures
19 within twenty-four hours after notice by the commissioner department, the
20 commissioner department shall begin the emergency procedures provided for in this
21 Section. Refusal on the part of the operator to begin abatement procedures after
22 notification by the commissioner department shall constitute a failure or refusal to
23 comply with the provisions of this Title and rules, regulations, and orders issued
24 thereunder.

25 C. When an emergency situation is declared, the commissioner department
26 is authorized to undertake the containment and abatement of the pollution source and
27 pollutants and may retain personnel or contract for these purposes with persons who
28 shall operate under his direction. All contracts let by the commissioner department
29 to respond to a declared emergency shall be exempt from the provisions of Chapter
30 10 of Title 38 of the Louisiana Revised Statutes of 1950 and the Louisiana

1 Procurement Code. However, the commissioner department may employ an
 2 informal bidding procedure by which bids are solicited from at least three bidders.
 3 He and may order the operator of record or owner to undertake the containment,
 4 abatement, or cleanup of such pollution source and pollutants. Failure to comply with
 5 his order shall be a violation of this Title and shall be punishable as provided in this
 6 Title. The commissioner department shall submit an annual report to the House
 7 Committee on Natural Resources and Environment and Senate Committee on
 8 Natural Resources listing the number and type of emergencies declared within the
 9 previous year.

10 D.(1) The commissioner department may issue permits, variances, or other
 11 orders as necessary to respond to the emergency, which shall be effective
 12 immediately upon issuance, and any request for hearing, appeal, or request for
 13 review shall not suspend the implementation of the action ordered. The term of any
 14 such emergency action shall be limited to the time necessary to address the
 15 emergency conditions.

16 * * *

17 F. In responding to an emergency, the commissioner department may utilize
 18 any funds allowable under federal law or state law or any funds which have been
 19 appropriated for such purposes, including but not limited to the Oilfield Site
 20 Restoration Fund pursuant to R.S. 30:80 et seq. Recovery of costs expended shall be
 21 in accordance with the statutes, rules, and regulations applicable to the source of
 22 funds.

23 * * *

24 §8. Subpoenas and production of records; service; excuses for disobedience;
 25 enforcement of subpoenas

26 ⁽¹⁾ A. The commissioner secretary may subpoena witnesses and require their
 27 attendance and the giving of testimony before him. He may require the production
 28 of any books, papers, or records material to the questions lawfully before him.

29 ⁽²⁾~~(1)~~ Subpoenas shall be served by any agent of the department of
 30 conservation, by the sheriff, or by any other officer authorized by law to serve

1 process in this state.

2 (3)(2) No person shall be excused from attending and testifying or producing
3 books, papers, or records, or from obeying the subpoena of the commissioner
4 secretary or of a court of record on the ground that the testimony or evidence
5 required of him may tend to incriminate him or subject him to penalty or forfeiture.

6 (4)(3) Nothing contained in this Subsection shall be construed as requiring any
7 person to produce books, papers, or records, or to testify in response to any inquiry
8 not pertinent to some question lawfully before the commissioner secretary or court
9 for determination.

10 (5)(4) No natural person shall be subjected to criminal prosecution or to any
11 penalty or forfeiture on account of anything concerning which he may be required
12 to testify or produce evidence before the commissioner secretary or a court.

13 (5) → (6) * * *

14 (1)
15 B. In the case of failure or refusal of a person to comply with a subpoena
16 issued by the commissioner secretary, or in the case of the refusal of a witness to
17 testify or answer as to a matter regarding which he may be lawfully interrogated, any
18 district court on the application of the commissioner secretary may, in term time or
19 in vacation, issue an attachment for the person to compel him to comply with the
20 subpoena and to attend before the commissioner secretary with the desired
21 documents and to give his testimony upon whatever matters are lawfully required.

22 (2) The court may punish for contempt those disobeying its orders as in the case
23 of disobedience of a subpoena issued by the court or refusal to testify therein.

24 §9. Production from pool; drilling units; equitable share; rules and regulations

25 A. Whether or not the total production from a pool be limited or prorated, no
26 rule, regulation, or order of the commissioner secretary shall in terms or effect:

27 * * *

28 B. For the prevention of waste and to avoid the drilling of unnecessary wells,
29 the commissioner secretary shall establish a drilling unit or units for each pool,
30 except for those pools which, prior to July 31, 1940, had been developed to an extent
and where conditions exist making it impracticable or unreasonable to use a drilling

1 unit at the present stage of development. A drilling unit, as contemplated herein,
2 means the maximum area which may be efficiently and economically drained by the
3 well or wells designated to serve the drilling unit as the unit well, substitute unit
4 well, or alternate unit well. This unit shall constitute a developed area as long as a
5 well is located thereon which is capable of producing oil, gas, or brine in paying
6 quantities.

7 C. Each well permitted to be drilled upon a drilling unit hereafter established
8 shall be drilled at the location designated by the ~~commissioner of conservation~~
9 secretary, after public hearing, in the order creating the unit. The ~~commissioner of~~
10 ~~conservation~~ secretary shall consider all available geological and engineering
11 evidence and shall provide for the unit well to be located at the optimum position in
12 the drilling unit for the most efficient and economic drainage of such unit with such
13 exceptions as may be reasonably necessary where topographical conditions exist that
14 would make such a location of the unit well unduly burdensome or where the
15 designated unit well was drilled or commenced prior to the creation of the drilling
16 unit; provided, however, the ~~commissioner of conservation~~ secretary shall fix the
17 well location for each drilling unit so that the producer thereof shall be allowed to
18 produce no more than his just and equitable share of the oil and gas in the pool, as
19 this share is set forth in this Section.

20 D. Subject to the reasonable necessities for the prevention of waste, and to
21 reasonable adjustment because of structural position, a producer's just and equitable
22 share of the oil, gas, or brine in the pool, also referred to as a tract's just and equitable
23 share, is that part of the authorized production of the pool, whether it be the total
24 which could be produced without any restriction on the amount of production or
25 whether it be an amount less than that which the pool could produce if no restriction
26 on amount were imposed, which is substantially in the proportion that the quantity
27 of recoverable oil, gas, or brine in the developed area of his tract or tracts in the pool
28 bears to the recoverable oil, gas, or brine in the total developed area of the pool,
29 insofar as these amounts can be practically ascertained. To that end, the rules,
30 regulations, and orders of the ~~commissioner~~ secretary shall be such as will prevent

1 or minimize reasonably avoidable net drainage from each developed area, that is,
 2 drainage not equalized by counter drainage, and will give to each producer the
 3 opportunity to use his just and equitable share of the production. In determining each
 4 producer's just and equitable share of the production authorized for the pool, the
 5 commissioner secretary is authorized to give due consideration to the productivity
 6 of the well or wells located thereon, as determined by flow tests, bottom hole
 7 pressure tests, or any other practical method of testing wells and producing
 8 structures, and to consider other factors and geological and engineering tests and data
 9 as may be determined by the commissioner secretary to be pertinent or relevant to
 10 ascertaining each producer's just and equitable share of the production of the field
 11 or pool.

12 * * *

13 §10. Agreements for drilling units; pooling interests; terms and conditions; expenses

14 ⁽¹⁾
 A. When two or more separately owned tracts of land are embraced within
 15 a drilling unit which has been established by the commissioner secretary as provided
 16 in R.S. 30:9(B), the owners may validly agree by separate contract to pool, drill, and
 17 produce their interests and to develop their lands as a drilling unit.

18 ^{(2)(a)}
~~(2)(1)~~ Where the owners have not agreed by separate contract to pool, drill, and
 19 produce their interests, the commissioner secretary shall require them to do so and
 20 to develop their lands as a drilling unit, if he finds it to be necessary to prevent waste
 21 or to avoid drilling unnecessary wells.

22 ^{(a) → (b)}
^{(b) → (c)}

22 * * *

23 ⁽³⁾⁽²⁾
~~(3)(1)~~ In the event a drilling unit is formed by a pooling order by the
 24 commissioner secretary and absent any agreement or contract between owners as
 25 provided in this Section, then the cost of development and operation of the pooled
 26 unit chargeable to the owners therein shall be determined and recovered as provided

27 herein

28 ^{(a)(i)}
~~(a)(i)~~ Any owner drilling, intending to drill, or who has drilled a unit well, a
 29 substitute unit well, an alternate unit well, or a cross-unit well on any drilling unit
 30 heretofore or hereafter created by the commissioner secretary, may, by registered

1 mail, return receipt requested, or other form of guaranteed delivery and notification
2 method, not including electronic communication or mail, notify all other owners in
3 the unit of the drilling or the intent to drill and give each owner an opportunity to
4 elect to participate in the risk and expense of such well. Such notice shall be called
5 a "risk charge notice" and shall contain:

6 * * *

7 (b)(i) * * *

8 (ii)(aa) * * *

9 (ii) No change or division of the ownership of a nonparticipating owner who
10 is receiving a portion of the proceeds from the sale or other disposition of production
11 from the drilling owner shall be binding upon the drilling owner for the purpose of
12 paying to the nonparticipating owner for the benefit of its lessor royalty owner or
13 overriding royalty owner, under Subitems (aa) and (bb) of this Item, until such new
14 nonparticipating owner acquiring any interest has furnished the drilling owner, at the
15 drilling owner's address as reflected in the records maintained by the ~~office of~~
16 conservation department, with a certified copy of the instrument or instruments,
17 constituting the chain of title from the original nonparticipating owner.

18 * * *

19 (vi) The notice to be provided by the drilling owner to the other owners in the
20 unit pursuant to Item (iv) of this Subparagraph shall contain:

21 * * *

22 (bb) A copy of the order of the ~~commissioner~~ secretary creating the drilling
23 unit to which the subsequent unit operation relates.

24 * * *

25 (c) Should a drilling unit be created by order of the ~~commissioner~~ secretary
26 around a well already drilled or drilling and including one or more tracts as to which
27 the owner or owners thereof had not participated in the risk and expense of drilling
28 such well, then the provisions of this Subsection for notice, election, and
29 participation shall be applicable as if a well were being proposed by the owner who
30 drilled or was drilling such well; however, the cost of drilling, testing, completing,

(NOT AMENDED)

1 equipping, and operating the well allocable to each tract included in the unit shall be
 2 reduced in the same proportion as the recoverable reserves in the unitized pool have
 3 been recovered by prior production, if any, in which said tract or tracts did not
 4 participate prior to determining the share of cost allocable to such tract or tracts.

5 (d)(i) Should a drilling unit be revised by order of the ~~commissioner~~
 6 secretary so as to include an additional tract or tracts, then the provisions of this
 7 Subsection for notice, election, and participation shall be applicable to such added
 8 tract or tracts and the owner thereof as if a well were being proposed by the owner
 9 who had drilled the well; however, the cost of drilling, testing, completing,
 10 equipping, and operating the unit well shall be reduced in the same proportion as the
 11 recoverable reserves in the unitized pool have been recovered by prior production,
 12 if any, in which said tract or tracts did not participate prior to determining the share
 13 of cost allocable to the subsequently included tract or tracts.

14 (ii) Should a drilling unit be revised by order of the ~~commissioner~~ secretary
 15 as to exclude a tract or tracts, the cost of drilling, testing, completing, equipping, and
 16 operating the unit well shall be reduced in the same proportion as the recoverable
 17 reserves in the unitized pool have been recovered by prior production to determine
 18 the share of cost allocable to the subsequently excluded tract or tracts.

19 * * *

20 (f) In the event of a dispute relative to the calculation of unit well costs or
 21 depreciated unit well costs, the ~~commissioner~~ secretary shall determine the proper
 22 costs after notice to all interested owners and a public hearing thereon.

23 * * *

24 ⁽⁴⁾
~~(3)~~ If there is included in any unit created by the ~~commissioner~~ of
 25 conservation secretary one or more unleased interests for which the party or parties
 26 entitled to market production therefrom have not made arrangements to separately
 27 sell or otherwise dispose of the share of such production attributable to such tract,
 28 and the unit operator sells or otherwise disposes of such unit production, then the
 29 unit operator shall pay to such party or parties such tract's pro rata share of the
 30 proceeds of the sale or other disposition of production within one hundred eighty

1 days of such sale or other disposition.

2 B. Should the owners of separate tracts embraced within a drilling unit fail
3 to agree upon the pooling of the tracts and the drilling of a well on the unit, and
4 should it be established by final and unappealable judgment of court that the
5 ~~commissioner~~ secretary is without authority to require pooling as provided for in
6 Subsection A of this Section, then, subject to all other applicable provisions of this
7 Chapter, the owner of each tract embraced within the drilling unit may drill thereon.
8 The allowable production therefrom shall be such proportion of the allowable for the
9 full unit as the area of the separately owned tract bears to the full drilling unit.

10 C. For purposes of this Section, the following definitions shall apply:

11 * * *

12 (7) "Unitized interval" means the subsurface interval defined in the ~~office of~~
13 ~~conservation~~ department order creating the unit or units that the existing wellbore
14 is serving as a unit well, alternate unit well, substitute unit well, or cross-unit well.
15 §10.1. Authority of governor with advice of the ~~commissioner of conservation~~
16 secretary to enter unitization agreements affecting the production
17 from state and federal waterbottoms

18 * * *

19 B. Unit ^aAgreement. (1) In accordance with the terms of such Offshore
20 Production Agreement or any act of the United States Congress providing with
21 respect thereto, the governor or his designee is authorized to enter into agreements
22 for the unit operations of all or any portion or portions of any common potentially
23 hydrocarbon bearing area underlying the federal and state boundary offshore if
24 reasonably necessary to prevent waste, protect correlative rights, or avoid the drilling
25 of unnecessary wells.

(NOT AMENDED)

26 * * *

27 (3) Upon a determination by the governor that a common potentially
28 hydrocarbon bearing area may underlie the federal and state boundary offshore, all
29 or any portion or portions of which the governor has reason to believe may be
30 appropriate for unit operations, the governor shall direct the ~~commissioner of~~

1 conservation secretary to call a hearing for the purpose of receiving evidence from
 2 affected state or federal lessees or from any other interested persons. The
 3 commissioner secretary shall, after a review of all testimony and evidence, transmit
 4 to the governor an advisory opinion containing such information and
 5 recommendations as may be requested by the governor. The advisory opinion shall
 6 be deemed confidential and shall be exempt from the provisions of R.S. 44:1 et seq.,
 7 in accordance with the provisions of R.S. 44:4(8) and 4.1(B).

8 (4) After a final unit agreement by the state of Louisiana and the United
 9 States or by final decision of an arbitrator or court of competent jurisdiction, or
 10 otherwise, the commissioner secretary shall, if directed by the governor, issue an
 11 order ratifying the terms of the agreement or final decision. In the event that a
 12 reservoir-wide unit is created, the commissioner secretary is exempt from the
 13 requirements of R.S. 30:5(B) and (C) in issuing such order. Neither the agreement
 14 nor any order issued pursuant to it shall be subject to the provisions of R.S. 30:12.

15 (5) The commissioner secretary shall have full authority to enforce the unit
 16 agreement and order in the same manner as any other order issued under the
 17 provisions of this Chapter, and to issue such additional rules, regulations, or orders
 18 as may be necessary to accomplish the purposes of this Section.

19 §11.1. Filing and recording of orders creating drilling or production units

20 Within thirty days after the issuance thereof, the ~~commissioner of~~
 21 conservation secretary of the state of Louisiana shall cause to be filed and recorded
 22 in the conveyance records of the parish or parishes in which the immovable property
 23 affected thereby is situated certified copies of all orders and amendments thereof
 24 creating drilling or production units.

25 §12. Court review and injunction; venue; procedure; burden of proof

26 A.(1) A person who is aggrieved by any law of this state with respect to
 27 conservation of oil or gas, or both, or by a provision of this Chapter, or by a rule,
 28 regulation, or order made by the ~~assistant secretary of the office of conservation~~
 29 hereunder, or by an act done or threatened hereunder, and who has exhausted his
 30 administrative remedy, may obtain court review by a suit for injunction or judicial

1 review against the ~~assistant~~ secretary as defendant.

2 (2) Suit for review shall be instituted in the district court of the parish in
3 which the principal office of the ~~assistant~~ secretary is located and must be brought
4 within sixty days of the administrative action that is the subject of the suit. In cases
5 of judicial review of adjudication proceedings, the sixty days shall begin to run after
6 mailing of notice of the final decision or order, or if a rehearing is requested within
7 sixty days after the decision thereon.

8 B.(1) Judicial review of adjudication proceedings before the ~~assistant~~
9 secretary may be obtained whether or not the plaintiff has applied for a rehearing. A
10 preliminary, procedural, or intermediate action or ruling by the ~~assistant~~ secretary is
11 immediately reviewable if review of the final decision of the ~~assistant~~ secretary
12 would not provide an adequate remedy and would inflict irreparable injury.

13 (2) Within thirty days after service of the petition or within further time
14 allowed by the court, the ~~assistant~~ secretary shall transmit to the reviewing court the
15 original or a certified copy of the entire record of the proceeding under review. By
16 stipulation of all parties to the review proceedings, the record may be shortened. A
17 party unreasonably refusing to stipulate to limit the record may be taxed by the court
18 for the additional costs. The court may require or permit subsequent corrections or
19 additions to the record.

20 (3) If, before the date set for hearing, application is made to the court for
21 leave to present additional evidence, and it is shown to the satisfaction of the court
22 that the additional evidence is material and that there were good reasons for failure
23 to present it in the proceeding before the ~~assistant~~ secretary, the court may order that
24 the additional evidence be taken before the ~~assistant~~ secretary upon conditions
25 determined by the court. The ~~assistant~~ secretary may modify his findings and
26 decision by reason of the additional evidence and shall file that evidence and any
27 modifications, new findings, or decisions with the reviewing court.

28 (4) The review shall be conducted by the court without a jury and shall be
29 confined to the record. In cases of alleged irregularities in procedure before the
30 ~~assistant~~ secretary not shown in the record, proof thereon may be taken in the court.

1 The court, upon request, shall hear oral argument and receive written briefs.

2 (5) The court may affirm the decision of the ~~assistant~~ secretary or remand the
3 case for further proceedings. The court may reverse or modify the decision if
4 substantial rights of the appellant have been prejudiced because the administrative
5 findings, inferences, conclusions, or decisions are:

6 * * *

7 (f) Manifestly erroneous in view of the reliable, probative, and substantial
8 evidence on the whole record. In the application of the rule, where the ~~assistant~~
9 secretary has the opportunity to judge the credibility of witnesses by first-hand
10 observation of demeanor on the witness stand and the reviewing court does not, due
11 regard shall be given to the ~~assistant~~ secretary's determination on credibility issues.

12 C.(1) Any suit for an injunction brought under this Section shall be tried
13 summarily, and the attorney representing the ~~assistant~~ secretary may have the case
14 set for trial after ten days' notice to the plaintiff or his attorney of record.

15 (2) The burden of proof shall be upon the plaintiff, and all pertinent evidence
16 with respect to the validity or reasonableness of the order of the ~~assistant~~ secretary
17 complained of shall be admissible. The law, the provision of this Chapter, or the rule,
18 regulation, or order complained of shall be taken as prima facie valid. This
19 presumption shall not be overcome in connection with any application for injunctive
20 relief, including a temporary restraining order, by verified petition or affidavit of or
21 in behalf of the applicant.

22 * * *

23 §13. Temporary restraining order or injunction; notice and hearing; bond

24 A. No temporary restraining order or injunction shall be granted against the
25 ~~commissioner of conservation~~ secretary, the attorney general, or any agent,
26 employee, or representative of the ~~commissioner~~ secretary restraining the
27 ~~commissioner~~ secretary, or any of his agents, employees, or representatives, or the
28 attorney general, from enforcing a statute of this state relating to conservation of oil
29 and gas, or any of the provisions of this Chapter, or any rule, regulation, or order
30 made hereunder, except after due notice to the ~~commissioner~~ secretary, and to all

1 other defendants, and after a hearing. It shall be clearly shown to the court that the
2 act done or threatened is without sanction of law, or that the provisions of this
3 Chapter, or the rule, regulation, or order complained of, is invalid, and that, if
4 enforced against the complaining party, will cause an irreparable injury. The nature
5 and extent of the probable invalidity of the law, or provision of this Chapter, or of
6 any rule, regulation, or order thereunder involved in the suit, shall be recited in the
7 order or decree granting the temporary relief, as well as a clear statement of the
8 probable damage relied upon by the court as justifying temporary injunctive relief.

9 B. No temporary injunction against the ~~commissioner~~ secretary, or the
10 department ~~of conservation~~, or its agents, employees, or representatives, or the
11 attorney general, shall become effective until the plaintiff shall execute a bond in an
12 amount and upon such conditions as the court directs.

13 §14. Suit by ~~commissioner~~ secretary for violation of law; venue; relief obtainable

14 A. Whenever it appears that a person is violating or is threatening to violate
15 a law of this state with respect to the conservation of oil or gas, or both, or a
16 provision of this Chapter, or a rule, regulation, or order made thereunder, the
17 ~~commissioner~~ secretary shall bring suit to restrain that person from continuing the
18 violation or from carrying out the threat.

19 B. Venue shall be in the district court in the parish of the residence of any one
20 of the defendants or in the parish where the violation is alleged to have occurred or
21 is threatened.

22 C. In this suit, the ~~commissioner~~ secretary may obtain injunctions,
23 prohibitory and mandatory, including temporary restraining orders and preliminary
24 injunctions, as the facts warrant, including, when appropriate, injunctions restraining
25 a person from moving or disposing of illegal oil, illegal gas, or an illegal product.
26 Any or all of these illegal commodities may, in the court's discretion, be ordered
27 impounded or placed under the control of an agent appointed by the court.

28 §15. Appeal

29 In proceedings brought under authority of, or for the purpose of contesting
30 the validity of, a provision of this Chapter, or of an oil or gas conservation law of this

1 state, or of a rule, regulation, or order issued thereunder, appeals may be taken in
 2 accordance with the general laws relating to appeals. In appeals from judgments or
 3 decrees in suits to contest the validity of a provision of this Chapter, or a rule or
 4 regulation of the ~~commissioner~~ secretary hereunder, the appeals when docketed in
 5 the proper appellate court shall be placed on the preference docket of the court and
 6 may be advanced as the court directs.

7 * * *

8 §18. Penalties for violation ~~of Chapter~~; venue

9 A.(1) Whoever violates a provision of this ~~Chapter~~ Title, or a rule, regulation,
 10 or order of the ~~commissioner~~ department made hereunder, shall be subject to a civil
 11 penalty of not more than five thousand dollars a day for each day of violation and for
 12 each act of violation.

13 (2) Whoever knowingly and willfully violates a provision of this ~~Chapter~~
 14 Subtitle, or a rule, regulation, or order of the ~~commissioner~~ department made
 15 hereunder pursuant to this Subtitle, shall be deemed guilty of a misdemeanor and,
 16 upon conviction by a court of competent jurisdiction, shall be fined not more than
 17 five thousand dollars for each day of violation and for each act of violation, if a
 18 penalty for the violation is not otherwise provided in this ~~Chapter~~ Subtitle.

19 (3) Notwithstanding any provisions of this ~~Section~~ to the contrary, whoever
 20 violates the provisions of R.S. 30:4(C)(16) or the rules, regulations or orders of the
 21 ~~commissioner~~ department made thereunder, and who is disposing or has disposed
 22 of hazardous wastes identified and designated as such by the department under the
 23 provisions of R.S. 30:2173 may be liable for a civil penalty of not more than twenty-
 24 five thousand dollars for each day of violation and for each act of violation.

25 (4) Whoever willfully and knowingly violates the provisions of R.S.
 26 30:4(C)(16) or the rules, regulations and orders of the ~~commissioner~~ department
 27 made thereunder in the disposal of hazardous wastes identified and designated as
 28 such by the department under the provisions of R.S. 30:2173 shall be fined not more
 29 than twenty-five thousand dollars per day of violation and costs of prosecution or
 30 imprisoned for not more than one year, or both, and in such instances the prosecution

1 may be instituted by the district attorney having criminal jurisdiction.

2 (5) Any purchaser of oil and gas from any owner who violates a provision of
3 this Chapter Subtitle, or a rule, regulation, or order of the ~~commissioner~~
4 department, may be ordered by the ~~commissioner~~ department to hold in escrow
5 any monies allocated to such owners. Monies allocated to royalty owners and
6 overriding royalty owners shall not be affected by this Paragraph.

7 (6)(a)(i) Notwithstanding any provision of this Section to the contrary, any
8 person found to be in violation of any provision of this Chapter Subtitle related to
9 the drilling or use of underground caverns for hydrocarbon storage or solution
10 mining, or any requirement, rule, regulation, or order related thereto, may be liable
11 for a civil penalty, to be assessed by the ~~commissioner~~ department or the court, of
12 not more than the cost to the state of any response action made necessary by such
13 violation that is not voluntarily paid by the violator, and a penalty of not more than
14 thirty-two thousand five hundred dollars for each day of violation. However, such
15 person may be liable for an additional penalty of not more than one million dollars
16 when any such violation is done intentionally, willfully, or knowingly and either
17 results in a discharge or disposal that causes irreparable or severe damage to the
18 environment or involves the discharge of a substance which endangers human life
19 or health.

20 (ii) If the penalty assessed by the ~~commissioner~~ department is upheld in full
21 or in part, the ~~commissioner~~ department shall be entitled to legal interest as
22 provided in R.S. 9:3500 from the date of imposition of the penalty until paid.

23 * * *

24 (b) Any person to whom a compliance order or a cease and desist order is
25 issued pursuant to this Chapter Subtitle who fails to take corrective action within the
26 time specified in said order shall be liable for a civil penalty to be assessed by the
27 ~~commissioner~~ department or the court of not more than fifty thousand dollars for
28 each day of continued violation or noncompliance.

29 (c)(i) In determining whether or not a civil penalty is to be assessed and in
30 determining the amount of the penalty or the amount agreed upon in compromise,

1 the following factors shall be considered:

2 * * *

3 (ff) Whether the noncompliance or violation and the surrounding
4 circumstances were immediately reported to the commissioner department and
5 whether the violation or noncompliance was concealed or if there was an attempt to
6 conceal by the person charged.

7 * * *

8 (ii) The commissioner department may supplement such criteria by rule. In
9 the event that the order with which the person failed to comply was an emergency
10 cease and desist order, no penalty shall be assessed if it appears upon later hearing
11 that said order was issued without reasonable cause.

12 (iii) The commissioner department by rule may establish classifications or
13 levels of violations and the appropriate enforcement response.

14 (d) After submission for a penalty determination at a hearing, the
15 commissioner department shall provide an opportunity for relevant and material
16 public comment relative to any penalty that may be imposed.

17 (e) If the penalty assessed by the commissioner department is upheld in full
18 or in part, the commissioner department shall be entitled to legal interest as
19 provided in R.S. 9:3500 from the date of imposition of the penalty until paid. If any
20 penalty assessed by the commissioner department under the provisions of this
21 Paragraph is vacated or reduced as the result of an appeal of the assessment, the court
22 shall award to the respondent legal interest as provided in R.S. 9:3500 on the amount
23 required to be refunded by the commissioner department.

24 B. Whoever knowingly and willfully aids or abets a person in the violation
25 of a law of this state relating to the conservation of oil or gas, or the violation of a
26 provision of this Chapter Subtitle, or any rule, regulation, or order made thereunder,
27 shall be subject to the same penalties provided herein in this Section for the
28 principal violator.

29 * * *

30 §20. Illegal gas, etc., contraband; seizure and sale; procedure; disposition of
proceeds

1 A. In addition to other remedies and penalties, all illegal oil, illegal gas, or
 2 illegal products, shall, except under the circumstances stated herein, be contraband
 3 and shall be seized and sold, and the proceeds applied as herein provided. The sale
 4 shall not take place unless the court shall find, in the proceeding provided for in this
 5 Subsection, that the commodity is contraband. Whenever the ~~commissioner~~
 6 secretary believes that illegal oil, illegal gas, or illegal product is subject to seizure
 7 and sale, he shall, through the attorney general, bring a civil action in rem in the
 8 district court of the parish where the commodity is found. Or the action may be
 9 maintained in connection with any suit or reconventional demand for injunction or
 10 for penalty relating to any prohibited transaction involving the illegal oil, illegal gas,
 11 or illegal product. Any person in interest who shows himself to be adversely affected
 12 by the seizure and sale shall have the right to intervene in the suit to protect his
 13 rights.

14 * * *

15 D. The court may direct the sheriff to deliver the custody of any contraband
 16 seized by him to a sequestrator who shall act as the agent of the court and shall give
 17 bond with surety as the court directs conditioned that he will faithfully conserve the
 18 contraband which comes into his custody and possession in accordance with the
 19 orders of the court. The court may appoint an agent of the ~~commissioner~~ secretary
 20 as sequestrator.

21 * * *

22 §21. Fees and charges of the ~~commissioner of conservation~~ secretary; revisions;
 23 exceptions; collections; Oil and Gas Regulatory Dedicated Fund
 24 Account; creation; amounts; requirements

25 A. The ~~commissioner of conservation of the office of conservation~~ secretary
 26 shall periodically review the fees collected by his ~~office~~ the department, and, in
 27 addition to other statutory authorization, may revise such fees pursuant to the
 28 rulemaking provisions of the Administrative Procedure Act.

29 B.(1)(a) There shall be an annual fee payable to the ~~office of conservation~~
 30 department, in a form and schedule prescribed by the ~~office of conservation~~

1 department, by oil and gas operators on capable oil wells and capable gas wells
2 based on a tiered system to establish parity on a dollar amount between the wells.
3 The tiered system shall be established annually by rule on capable oil and capable
4 gas production, including nonexempt wells reporting zero production during the
5 annual base period, such that the amount generated does not exceed three million six
6 hundred seventy-five thousand dollars for each fiscal year beginning with Fiscal
7 Year 2015-2016. Incapable oil, stripper oil, incapable gas well gas, and incapable oil
8 well gas shall be exempt from the fee. For the purposes of this Subsection, "capable
9 oil" means crude oil and condensate not classified as incapable oil or stripper oil by
10 the Department of Revenue. "Capable gas" means natural and casing head gas not
11 classified as incapable gas well gas or incapable oil well gas by the Department of
12 Revenue.

13 (b) There shall be an annual fee payable to the ~~office of conservation~~
14 department, in a form and schedule prescribed by the ~~office of conservation~~
15 department, on Class I wells in an amount not to exceed one million dollars for
16 Fiscal Year 2015-2016 and thereafter.

17 (c) There shall be an annual regulatory fee payable to the ~~office of~~
18 ~~conservation~~ department, in a form and schedule prescribed by the ~~office of~~
19 ~~conservation~~ department, on Class II wells, Class III wells, storage wells, Type A
20 facilities, and Type B facilities in an amount not to exceed two million one hundred
21 eighty-seven thousand five hundred dollars for Fiscal Year 2015-2016 and thereafter.
22 No fee shall be imposed on a Class II well of an operator who is also an operator of
23 a stripper crude oil well or incapable gas well certified pursuant to R.S. 47:633 by
24 the severance tax division of the Department of Revenue and located in the same
25 field as such Class II well.

26 (d) There shall be an application fee payable to the ~~office of conservation~~
27 department, in a form and schedule prescribed by the ~~office of conservation~~
28 department, by industries under the jurisdiction of the ~~office of conservation~~
29 department. In addition to any other fee that is on the schedule on July 1, 2015, the
30 ~~commissioner~~ secretary may collect the following fees:

* * *

1
2 (e) For the purposes of this Paragraph, exploration and production waste shall
3 not include produced brine, produced water, or salvageable hydrocarbons bound for
4 permitted salvage oil operators. There shall be a monthly fee payable to the ~~office~~
5 ~~of conservation~~ **department** of two cents per barrel of exploration and production
6 waste delivered, as reported on a form prescribed by the department to collect
7 commercial facilities monthly report of waste receipts, from the original generator
8 of the waste to the following facilities:

9 (i) ~~office of conservation~~ **Department**-permitted off-site commercial
10 facilities.

11 (ii) Transfer stations permitted by the ~~office of conservation~~ **department** for
12 waste transfer to out-of-state treatment or disposal facilities.

13 (iii) Any other legally permitted Louisiana off-site waste storage, treatment,
14 or disposal facilities also approved by the ~~office of conservation~~ **department** for the
15 receipt of exploration and production waste.

16 (2)(a) There is hereby established a special statutorily dedicated fund account
17 in the state treasury to be known as the Oil and Gas Regulatory Dedicated Fund
18 Account, hereafter referred to as the "account". After deposit in the Bond Security
19 and Redemption Fund and after a sufficient amount is allocated from that fund to pay
20 all the obligations secured by the full faith and credit of the state that become due
21 and payable within each fiscal year, the treasurer shall pay into the account an
22 amount equal to the monies generated from collection of the fees provided for in this
23 Title, R.S. 40:1749.11 et seq., or Title 47 of the Louisiana Revised Statutes of 1950,
24 the rules and regulations promulgated thereunder, any fines and civil penalties or any
25 other provision of law relative to fees, fines, or civil penalties attributable to the
26 ~~office of conservation~~ **department**, and fifty percent of any annual assessment paid
27 by an operator who chooses not to plug a well classified as inactive with the
28 remainder being deposited into the Oilfield Site Restoration Fund.

29 (b) Monies deposited into the account shall be categorized as fees and
30 self-generated revenue for the sole purpose of reporting related to the executive

1 budget, supporting documents, and general appropriation bills. The monies credited
 2 to the account shall be appropriated by the legislature and dedicated solely to the use
 3 of the ~~office of conservation~~ department for the regulation of the oil and gas
 4 industry and other industries under the jurisdiction of the ~~office of conservation~~
 5 department and shall be used solely for the purposes of that program. Any monies
 6 remaining in the account at the end of any fiscal year shall remain with the account
 7 and shall not revert to the state general fund. All interest or earnings of the account
 8 shall be credited to the account. All fees and self-generated revenue remaining on
 9 deposit for the ~~office of conservation~~ department at the end of any fiscal year shall
 10 be deposited into the account. The amount appropriated from the account to the
 11 ~~office of conservation~~ department shall be subject to appropriation by the
 12 legislature.

13 * * *

14 §21.1. Natural Resources Financial Security Fund

15 A.(1) There is hereby created, in the state treasury, a special fund to be
 16 known as the Natural Resources Financial Security Fund, hereinafter referred
 17 to as the "fund". The fund shall be used exclusively to support the Department
 18 of Conservation and Energy in administering, managing, and responding to
 19 financial security obligations related to oil and gas, injection and mining,
 20 surface mining, solar, wind, or any other natural resource or energy-related
 21 regulatory program for which financial security or financial assurance are
 22 required by law or regulation.

23 (2) Out of the funds remaining in the Bond Security and Redemption
 24 Fund, after a sufficient amount is allocated from that fund to pay all the
 25 obligations secured by the full faith and credit of the state that become due and
 26 payable within each fiscal year, the treasurer shall pay into Natural Resources
 27 Financial Security Fund an amount equal to the revenues generated from
 28 collection of the payments provided for in Subsection C of the Section.

29 (3) The funds received shall be placed in the Natural Resources Financial
 30 Security Fund in the custody of the state treasurer to be used only in accordance

1 with this Part and shall not be placed in the general fund. The funds provided
2 to the trust authority pursuant to this Section shall at all times be and remain
3 the property of the trust authority. The monies in this fund shall be used solely
4 as provided in this Section and only in the amount appropriated by the
5 legislature. All unexpended and unencumbered monies remaining in this fund
6 at the end of the fiscal year shall remain in the fund. Except for the pledge of the
7 revenues provided in R.S. 30:83.1, it is the intent of the legislature that this fund
8 and its increments shall remain intact and inviolate. Monies in the fund shall be
9 invested by the state treasurer in the same manner as monies in the state
10 general fund. At the request of the Natural Resources Trust Authority, the state
11 treasurer may invest monies in the fund, or any portion thereof, in accordance
12 with the provisions of R.S. 33:2955, including the use of the Louisiana Asset
13 Management Pool, and any interest earned on such investments shall be
14 credited to the fund.

15 B. The fund shall be administered by the Natural Resources Trust
16 Authority in consultation with the Mineral and Energy Board.

17 C. The fund shall consist of:

18 (1) Annual payments, premiums, or fees collected from operators
19 participating in financial security programs administered by the Natural
20 Resources Trust Authority.

21 (2) Appropriations, donations, grants, or other public or private sources
22 received for the purposes of the fund.

23 (3) Investment earnings on monies in the fund.

24 (4) Any other funds lawfully designated for deposit into the fund.

25 D. Monies in the fund shall be used solely for the following purposes:

26 (1) To restore regulated sites for which financial security payments have
27 been collected under programs administered by the department.

28 (2) To provide a financial backstop for unfunded or underfunded
29 regulatory obligations related to covered operators.

30 (3) To cover custodial services, investment, and disbursement costs

directly attributable to the investment of the fund and administrative and program costs associated with managing financial security instruments, including but not limited to risk assessment, compliance monitoring, rulemaking, legal services, actuarial evaluations, and reporting.

(4) Upon certification by the Natural Resources Trust Authority that plugging or remediation has occurred for a site covered for which the department has collected financial security, the state treasurer is authorized and directed to transfer from the Natural Resources Financial Security Fund to the Oilfield Site Restoration Fund the amount necessary to reimburse related expenditures.

(5) Upon request by the Natural Resources Trust Authority and with the approval of the Mineral and Energy Board, the state treasurer is hereby authorized and directed to transfer from the Natural Resources Financial Security Fund to the Mineral and Energy Operations Fund such amounts as are approved by the board and deemed necessary to implement any purpose for which monies in the Mineral and Operations Fund may be used, subject to the availability of funds and in accordance with applicable law.

E. By July 1, 2026, excluding the proceeds from the oilfield site restoration fees collected pursuant to R.S. 30:87 and any interest thereon, all cash deposits held or managed under the Oilfield Site Restoration Fund pursuant to R.S. 30:86 or any related provision, shall be transferred to and administered under the Natural Resources Financial Security Fund. The Natural Resources Trust Authority, in consultation with the state treasurer, shall implement the transfer, including the transfer of associated records, in a manner that preserves financial integrity and ensures continuity of obligations.

* * *

§22. Underground storage of natural gas, liquid hydrocarbons, and carbon dioxide

* * *

B. Prior to the use of any underground reservoir for the storage of natural gas and prior to the exercise of eminent domain by any person, firm, or corporation

1 having such right under laws of the state of Louisiana, and as a condition precedent
2 to such use or to the exercise of such rights of eminent domain, the ~~commissioner~~
3 secretary, after public hearing pursuant to the provisions of R.S. 30:6, shall have
4 found all of the following:

5 * * *

6 C. Prior to the use of any underground reservoir for the storage of liquid
7 hydrocarbons or carbon dioxide, the ~~commissioner~~ secretary, after public hearing
8 pursuant to the provisions of R.S. 30:6, shall have found all of the following:

9 * * *

10 D. The ~~commissioner~~ secretary shall determine with respect to any such
11 underground reservoir proposed to be used as a storage reservoir, whether or not
12 such reservoir is fully depleted of the original commercially recoverable natural gas,
13 condensate, or liquid hydrocarbon content therein. If the ~~commissioner~~ secretary
14 finds that such reservoir has not been fully depleted, the ~~commissioner~~ secretary
15 shall determine the amount of the remaining commercially recoverable natural gas,
16 condensate, or liquid hydrocarbon content of such reservoir.

17 E. The ~~commissioner~~ secretary may issue any necessary order providing that
18 all natural gas, liquid hydrocarbons, or carbon dioxide which has previously been
19 reduced to possession and which is subsequently injected into an underground
20 storage reservoir shall at all times be deemed the property of the injector, his
21 successors and assigns; and in no event shall such gas, liquid hydrocarbons, or
22 carbon dioxide be subject to the right of the owner of the surface of the lands or of
23 any mineral interest therein under which such underground storage reservoir shall
24 lie or be adjacent to or of any person other than the injector, his successors, and
25 assigns to produce, take, reduce to possession, waste, or otherwise interfere with or
26 exercise any control thereover, provided that the injector, his successors, and assigns
27 shall have no right to gas or liquid hydrocarbons in any stratum or portion thereof not
28 determined by the ~~commissioner~~ secretary to constitute an approved underground
29 storage reservoir. The ~~commissioner~~ secretary shall issue such orders, rules, and
30 regulations as may be necessary for the purpose of protecting any such underground

1 storage reservoir, strata, or formations against pollution or against the escape of
 2 natural gas, liquid hydrocarbons, or carbon dioxide therefrom, including such
 3 necessary rules and regulations as may pertain to the drilling into or through such
 4 underground storage reservoir.

5 §23. Underground storage of liquid or gaseous hydrocarbons or both, carbon
 6 dioxide, hydrogen, nitrogen, ammonia, compressed air, or noble
 7 gases not otherwise prohibited by law

8 * * *

9 B. Except as to liquid or gas hydrocarbon, carbon dioxide, hydrogen,
 10 nitrogen, ammonia, compressed air, or noble gas storage projects begun before the
 11 effective date of this Section, and prior to authorizing the use of any salt dome cavity
 12 for the storage of liquid or gaseous hydrocarbons or carbon dioxide, the ~~assistant~~
 13 secretary, after public hearing pursuant to the provisions of R.S. 30:6, shall have
 14 found all of the following:

15 * * *

16 C. After having made the findings required in Subsection B of this Section,
 17 the ~~commissioner~~ secretary shall transmit a copy of the application, together with
 18 his findings, to the natural resources committees of the Senate and House of
 19 Representatives. These committees, meeting jointly, shall consider the facts
 20 surrounding the application and the findings of the ~~commissioner~~ secretary and may
 21 hold public hearings thereon. Based upon its deliberations, the committees, acting
 22 jointly, may submit a report and recommendations to the ~~commissioner~~ secretary
 23 within fifteen days after receipt of the application. After consideration of any
 24 recommendations so made, the ~~commissioner~~ secretary may issue all necessary
 25 orders providing that liquid or gaseous hydrocarbons, carbon dioxide, hydrogen,
 26 nitrogen, ammonia, compressed air, or noble gases not otherwise prohibited by law,
 27 previously reduced to possession and which are subsequently injected and stored in
 28 a salt dome cavity, shall at all times be deemed the property of the injector, his
 29 successors, or assigns, subject to the provisions of any contract between the owner
 30 or owners of the solid mineral or land overlying the area affected as determined by

1 the ~~commissioner of conservation~~ secretary; and providing further that in no event
2 shall the owner of the surface of the lands or water bottoms or of any mineral interest
3 under or adjacent to which such salt dome cavity may lie, or any other person, be
4 entitled to any right or claim in or to such liquid or gaseous hydrocarbons, carbon
5 dioxide, hydrogen, nitrogen, ammonia, compressed air, or noble gases not otherwise
6 prohibited by law stored therein, including the right to produce, take, reduce to
7 possession, waste, or otherwise interfere with or exercise any control thereover. The
8 ~~commissioner~~ secretary shall issue necessary orders, rules, and regulations for the
9 protection from pollution of any salt dome cavity used for storage of liquid or
10 gaseous hydrocarbons, carbon dioxide, hydrogen, nitrogen, ammonia, compressed
11 air, or noble gases not otherwise prohibited by law, or any adjacent strata or
12 formation; and such rules and regulations as may be necessary pertaining to surface
13 storage facilities for the protection of the environment, drilling into any salt dome
14 for the creation of cavities, and equipping of same for the injection, storage, and
15 withdrawal of liquid or gaseous hydrocarbons, carbon dioxide, hydrogen, nitrogen,
16 ammonia, compressed air, or noble gases not otherwise prohibited by law. Subject
17 to the exception provided in Subsection B of this Section, the ~~commissioner~~
18 secretary shall not allow the use of any salt dome in the state of Louisiana for the
19 purposes mentioned herein until such time as he has prepared and promulgated the
20 regulations required herein according to the Administrative Procedure Act, R.S.
21 49:950 et seq. In addition, the ~~commissioner~~ secretary shall issue necessary orders,
22 rules, and regulations for the protection of the rights of owners of parts of the salt
23 dome which are adjacent to any part thereof sought to be used for the storage of
24 liquid or gaseous hydrocarbons, carbon dioxide, hydrogen, nitrogen, ammonia,
25 compressed air, or noble gases not otherwise prohibited by law.

26 D.(1) In furtherance of the development of comprehensive energy policy for
27 the state, the secretary of the Department of Conservation and Energy and Natural
28 Resources shall determine the feasibility of initiating projects, by the state or by
29 contract on behalf of the state, for the storage of emergency supplies of state-owned
30 oil and gas, carbon dioxide, hydrogen, nitrogen, ammonia, compressed air, or noble

1 gas not otherwise prohibited by law. The determination shall include consideration
2 of the techniques, costs, quantities of oil and gas, carbon dioxide, hydrogen, nitrogen,
3 ammonia, compressed air, or noble gas not otherwise prohibited by law available for
4 such purpose and priorities for allocation in time of emergency.

5 (2) Upon presentation of the findings and determination by the secretary to
6 the committees on natural resources of the Senate and House of Representatives and
7 approval by said committees of any such projects, the secretary shall authorize the
8 ~~commissioner of conservation~~ secretary to initiate such procedures as the
9 ~~commissioner~~ secretary deems necessary within the scope of his authority under
10 Chapter 7 of this Title and the constraints of this Section to accomplish the purposes
11 hereof.

12 §23.1. Recordation of notice of solution mined cavern

13 A. The owner or operator of a solution mined cavern shall record the survey
14 plat of the well location for the solution mining injection well in the mortgage and
15 conveyance records of the parish in which the property is located. Such notice shall
16 be made in a form approved by the ~~commissioner~~ secretary and within the time
17 specified by the ~~commissioner~~ secretary. If an owner or operator fails or refuses to
18 record such notice, the ~~commissioner~~ secretary may, if he determines that the public
19 interest requires, and after due notice and an opportunity for a hearing has been given
20 to the owner and operator, cause such notice to be recorded. The clerk of court shall
21 forward to the ~~office of conservation~~ department a copy of each notice recorded by
22 an owner or operator in accordance with this Subsection.

23 * * *

24 §25. Closure of production pits in the wetlands

25 A.(1) * * *

26 (2) Each production pit located within the inland tidal waters, lakes bounded
27 by the Gulf of ^{America} ~~Mexico~~, and saltwater marshes shall be closed by January 1, 1993.
28 The Department of Conservation and Energy and ~~Natural Resources~~ through the
29 ~~office of conservation~~ shall adopt rules to enforce the provisions of this Section and
30 may issue compliance orders, cease and desist orders, and other orders as are

1 necessary to enforce the requirements of this Section and the rules of the department.

2 (3) The exemptions and exceptions for production pits located within the
 3 inland tidal waters, lakes bounded by the Gulf of ^{America} ~~Mexico~~, and saltwater marshes
 4 provided for by the rules of the Department of Conservation and Energy and
 5 ~~Natural Resources, office of conservation~~ in Statewide Order No. 29-B, Section XV,
 6 Paragraph 2.2(K) and (M) are hereby declared null, void, and without effect. After
 7 June 30, 1989, no new production pits shall be constructed within the inland tidal
 8 waters, lakes bounded by the Gulf of ^{America} ~~Mexico~~, and saltwater marshes.

9 * * *

10 (5) The ~~commissioner of conservation~~ secretary may grant an extension of
 11 time within which to close production pits, not to exceed two years from January 1,
 12 1993, provided that there is a clear showing that the production pit for which the
 13 extension is sought is being operated in such a manner so as to assure the protection
 14 of soil, surface water, wildlife, aquatic life, and vegetation. The department ~~through~~
 15 ~~the office of conservation~~ in consultation with the Department of Environmental
 16 Quality shall adopt rules and regulations regarding the operating standards which
 17 must be followed in order to qualify for such extension of time to close said
 18 production pit in accordance with the provisions of this Section no later than April
 19 1, 1990.

20 (6) The ~~commissioner~~ secretary may grant an exemption from the closure
 21 requirements of this Section for any onshore terminal pit in existence on June 30,
 22 1989, provided that there is a clear showing that such pit is being operated in such
 23 a manner so as to assure the protection of soil, surface water, wildlife, aquatic life,
 24 and vegetation. The ~~commissioner~~ secretary in consultation with the Department of
 25 Environmental Quality shall adopt rules and regulations regarding the operating
 26 standards of such onshore terminal pits which must be followed in order to qualify
 27 for such exemption no later than April 1, 1990.

28 (7) No permit or approval from any agency, department, or authority other
 29 than the Department of Conservation and Energy and Natural Resources, ~~office of~~
 30 ~~conservation~~ shall be required or sought in connection with any activity mandated

1 by, arising out of, or resulting from the requirements of this Section.

2 * * *

3 D. Civil penalties may be imposed only by a ruling of the ~~commissioner~~
 4 secretary pursuant to an adjudicatory hearing held in accordance with the
 5 Administrative Procedure Act, R.S. 49:950 et seq. In determining the amount of the
 6 fine to be imposed upon a violator, the ~~commissioner~~ secretary may consider the
 7 nature of the violation, the economic benefit of the violation to the violator, previous
 8 violations, any damage or harm caused by the violation, the degree of compliance,
 9 and whether the violator has acted in good faith.

10 E. The ~~commissioner~~ secretary may institute civil proceedings in the
 11 Nineteenth Judicial District Court to enforce its rulings. In the event judgment is
 12 rendered in said court affirming the civil penalties assessed, the court shall also
 13 award to the department reasonable attorney fees and judicial interest on said civil
 14 penalties from the date of its assessment by the department until paid and all costs.

15 F. The ~~commissioner~~ secretary may institute civil proceedings in the
 16 Nineteenth Judicial District Court seeking injunctive relief to restrain and prevent
 17 violations of the provisions of this Part or of the rules and regulations adopted under
 18 the provisions of this Part. If the court grants the injunctive relief sought by the
 19 department it shall also award reasonable attorney fees and costs to the department.

20 * * *

21 §26. Applications and notification of completeness

22 A. Notwithstanding any other law to the contrary, the secretary of the
 23 Department of Conservation and Energy and Natural Resources and the
 24 ~~commissioner of conservation~~ shall, after notification by the department to the
 25 applicant that the application is complete, grant or deny all applications for all
 26 permits, licenses, registrations, or compliance in this or any other Title within sixty
 27 days. The notification of completeness shall be issued within fourteen days,
 28 exclusive of holidays, by the department. If the application is not complete the
 29 department shall notify the applicant in writing of the deficiencies which cause the
 30 application not to be complete. If the secretary or the commissioner secretary does

1 not grant the application, the secretary or the commissioner secretary shall provide
2 written reasons for his decision to deny, and copies of the decision shall be provided
3 to all parties. The secretary and the commissioner secretary may delegate the power
4 to grant permits, licenses, registrations, variances, or compliance schedules to an
5 assistant.

6 * * *

7 §27. Authorization to enter lands of another

8 A. When the consent of a property owner has not been otherwise obtained,
9 the issuance of a work order or compliance order by the ~~commissioner of~~
10 ~~conservation~~ secretary or his agents shall constitute sufficient authorization for the
11 operator, agents of the operator, or persons acting on behalf of the operator to enter
12 the lands of another person, whether or not such operator or persons hold a valid
13 lease regarding such property, for the purposes of conducting site assessments, site
14 restoration, pit closure, plugging and abandonment operations, or any other matter
15 covered by said work order or compliance order issued under the provisions of ^{this} Title
16 ~~30 of the Louisiana Revised Statutes of 1950~~, or regulations adopted thereunder. The
17 entering of the lands of another under the provisions of this Section shall be subject
18 to the following:

19 * * *

20 D. Failure of the holder of the work order or compliance order to seek relief
21 before a court of competent jurisdiction shall not affect that parties' duties and
22 obligations under ^{this} ~~said~~ Title 30 or the rules, regulations, and orders of the ~~office of~~
23 ~~conservation~~ department, nor shall it constitute a defense to any civil penalty issued
24 due to noncompliance with the orders of the ~~commissioner of conservation~~
25 secretary.

26 * * *

27 F. No party to whom a work order or compliance order is issued shall be
28 deemed to be a public employee or an agent of the ~~office of conservation~~
29 department.

30 * * *

1 §28. Drilling permits; issuance; fees; location plat; notice and hearing; funds from
2 drilling permit fees

3 A. No well or test well may be drilled in search of minerals without first
4 obtaining a permit from the ~~commissioner of conservation~~ secretary, and the
5 ~~commissioner~~ secretary shall collect for each such well or test well a drilling permit
6 fee. The ~~commissioner~~ secretary shall periodically review the fees collected by his
7 office for drilling permits and may revise such fees pursuant to the rulemaking
8 provisions of the Administrative Procedure Act.

9 * * *

10 C. For each drilling permit that must be altered, amended, or changed after
11 its initial issuance, the ~~commissioner~~ secretary shall collect an amendment fee
12 which shall be set pursuant to the Administrative Procedure Act, except for unit well
13 nomenclature. An assignment or contract of sale that reflects an assumption of
14 liability for oil and gas wells requires an amended permit. Any person who assumes
15 such liability shall apply for an amended permit within thirty days of the assumption
16 of liability.

17 D. The ~~commissioner of conservation~~ secretary shall not issue a permit to
18 drill a well or a test well pursuant to Subsection A, B, or C of this Section until the
19 provisions of this Subsection have been satisfied:

20 * * *

21 (2) The ~~commissioner of conservation~~ secretary shall review the location
22 plat and make a determination as to whether any residential or commercial structure
23 or area of review for a carbon dioxide storage facility not owned by the applicant, his
24 lessor, or other predecessor in interest is situated within a five-hundred-foot radius
25 of the proposed drilling site. For purposes of this Section, "carbon dioxide storage
26 facility" shall include any current or proposed project for which a Class VI permit
27 has been applied or issued, and "area of review" shall have the same meaning as that
28 term is defined in administrative rules regarding Class VI injection wells.

29 (3) Upon a determination by the ~~commissioner~~ secretary that a residential
30 or commercial structure or area of review for a carbon dioxide storage facility is

1 located within five hundred feet of the proposed drilling site, the ~~commissioner~~
 2 secretary shall convey that information, together with written notice of a public
 3 hearing thereon, by means of an official notice delivered by first class mail to any
 4 person owning a residential or commercial structure within a five-hundred-foot
 5 radius of the proposed site, to the operator of a carbon dioxide storage facility whose
 6 area of review is within a five-hundred-foot radius of the proposed site, and to the
 7 local governing authority in whose jurisdiction the property is located.

8 * * *

9 (5) The ~~commissioner~~ secretary shall hold a public hearing, if one is
 10 requested, on the issues concerning the proposed drilling, affording residential and
 11 commercial property owners and local government representatives the opportunity
 12 to be heard in regard thereto.

13 (6) No permit for drilling a well or test well shall be issued by the
 14 ~~commissioner~~ secretary until after the conclusion of the public hearing and after
 15 consideration by the ~~commissioner~~ secretary of the comments and information
 16 presented at that hearing.

17 (7) If the ~~commissioner~~ secretary, in his review of the location plat required
 18 by Paragraph (2) of this Subsection, determines that no residential or commercial
 19 structure or area of review for a carbon dioxide storage facility not owned by the
 20 applicant, his lessor, or other predecessor in interest falls within five hundred feet of
 21 the proposed well site, the ~~commissioner~~ secretary shall issue the permit required
 22 for such drilling in accordance with the provisions of Subsections A, B, C, and F of
 23 this Section and any rules and regulations issued thereunder.

24 * * *

25 F. The issuance of the permit by the ~~commissioner of conservation~~ secretary
 26 shall be sufficient authorization to the holder of the permit to enter upon the property
 27 covered by the permit and to drill in search of minerals thereon. No other agency or
 28 political subdivision of the state shall have the authority, and they are hereby
 29 expressly forbidden, to prohibit or in any way interfere with the drilling of a well or
 30 test well in search of minerals by the holder of such a permit.

1 G. The commissioner secretary shall promulgate rules, regulations, and
2 orders necessary to require certification of water quality by the operator for surface
3 water used in conjunction with oil and gas drilling operations before drilling begins
4 which ensure ground water aquifer safety.

5 H. Subject to the provisions contained in Article VII, Section 9 of the
6 Constitution of Louisiana, all funds collected under the provisions of this Section
7 shall be paid by the ~~office of conservation~~ department into the state treasury and
8 shall be credited to the Bond Security and Redemption Fund.

9 I.(1) The commissioner secretary, in accordance with the Administrative
10 Procedure Act, shall promulgate rules, regulations, and orders necessary to require
11 an operator, agent, or assigns, to provide a single notice to the surface owner of lands
12 on which drilling operations are to be conducted. For the purposes of this Subsection,
13 such notice shall be referred to as the "pre-entry notice". The rules, regulations, and
14 orders to be promulgated pursuant to this Subsection shall include the following:

15 (a) The pre-entry notice shall be sent to the surface owner no less than thirty
16 days prior to construction operations of a drilling location on the property by the
17 operator for the purpose of commencing drilling operations on the well described in
18 the pre-entry notice. Such notice shall be provided in the form required by the
19 commissioner secretary. No subsequent notice to the surface owner shall be
20 required.

21 * * *

22 (d) Upon application, the commissioner secretary may, without notice or
23 hearing, waive the pre-entry notice or reduce the thirty-day requirement for such
24 notice in the event the thirty-day delay would result in the loss or termination of a
25 mineral lease, or in the event of such other emergency circumstances as the
26 commissioner secretary may deem appropriate for such waiver.

27 * * *

28 (g) Such other matters as the commissioner secretary may deem necessary
29 or appropriate to implement the one time pre-entry notice required by this
30 Subsection.

* * *

J. No later than thirty days after the issuance of an amended permit to transfer a well to another operator, the ~~commissioner~~ secretary shall require that the operator identify on a form approved by the ~~commissioner~~ secretary the surface owner of lands on which the well site is located. "Surface owner" shall mean the person shown in the assessor's rolls of the parish as the current owner of the surface rights for the land on which the well site is located.

* * *

§41. Production of gas in excess of market demands/ proportionate production

In order to conserve the natural gas in the state, whenever the full production from any common source of supply of natural gas is in excess of the market demand, then any person having the right to produce gas from the common source of supply, may take therefrom only such proportion of the natural gas that may be marketed without waste, as the natural flow of the well or wells owned or controlled by the person bears to the total natural flow of the common source of supply having due regard to the acreage drained by each well, so as to prevent the person from securing an unfair proportion of the gas therefrom. The ~~commissioner of conservation of Louisiana~~ secretary of the Department of Conservation and Energy may by proper order, permit the taking of a greater amount whenever he deems it reasonable or equitable.

§42. Right to purchase gas

Every person engaged in the business of purchasing and selling natural gas in this state, shall be a common purchaser thereof, and shall purchase all of the natural gas which may be offered for sale which may be brought in pipes and connecting lines by the owner or proposed seller to its trunk lines, at the sellers' expense, or to its gathering lines, without discrimination in favor of one producer as against another, or in favor of any one source of supply as against another save as authorized by the ~~commissioner of conservation~~ secretary after due notice and hearing. If a person is unable to purchase all the gas offered, then he shall purchase natural gas from each producer ratably, and each common purchaser of gas shall

1 have the same right to purchase the production of a gas well that is not being utilized
 2 under the conditions of this Section. In the event the owner of the well refuses to sell,
 3 the common purchaser shall have the same rights of action against the owner as the
 4 seller has against the common purchaser who refuses to buy, and the seller refusing
 5 to sell shall be subject to the same penalties as are provided against the common
 6 purchaser who refuses to buy. This Section shall not affect in any way a municipal
 7 corporation engaged in buying and selling natural gas.

8 * * *

9 §44. Gas to be measured by meter

10 All gas produced from the deposits of this state when sold shall be measured
 11 by meter and the ~~commissioner of conservation~~ secretary shall, upon notice and
 12 hearing, relieve any common purchaser from purchasing gas of an inferior quality
 13 or grade, and the ~~commissioner~~ secretary shall from time to time make such
 14 regulations for delivery, metering and equitable purchase and taking as conditions
 15 may necessitate.

16 §45. ~~Commissioner of conservation~~ Secretary to enforce Part

17 The ~~commissioner of conservation~~ secretary shall see that the provisions of
 18 this Part are fully and properly complied with and the district attorney in whose
 19 district a violation takes place shall, on application, bring suit if necessary to enforce
 20 the provisions of this Part. Any injunction which may be necessary shall be furnished
 21 without bond.

22 * * *

23 §48. Average specific gravity; average flowing temperature; field rules

24 A. The ~~commissioner of conservation~~ secretary is hereby authorized and
 25 empowered, in the absence of the availability of satisfactory actual ~~data~~ ^{data} based upon
 26 observed or recorded specific gravity and flowing temperature determinations, to
 27 determine the average specific gravity, and average flowing temperature of the gas
 28 at the point of measurement, as produced in each oil or gas field or pool in Louisiana,
 29 which after being so determined shall be used to calculate the standard cubic foot.

30 B. If for any reason the ~~commissioner of conservation~~ secretary has not so

1 determined such average specific gravity and average flowing temperature of the gas
 2 produced in any oil or gas field or pool in Louisiana, the average specific gravity
 3 shall be assumed to be six-tenths and the average flowing temperature shall be
 4 assumed to be sixty degrees Fahrenheit.

5 C. In the event that the ~~commissioner of conservation~~ secretary finds the
 6 necessity therefor upon the request of any interested party, the ~~commissioner of~~
 7 ~~conservation~~ secretary shall give notice and hold a public hearing before making
 8 such determinations. Promptly upon such determination the ~~commissioner of~~
 9 ~~conservation~~ secretary shall make and publish such finding and promulgate such
 10 reasonable field rules as may be necessary to effectuate the provisions of this Part.

11 D. Any person, association of persons, or corporation shall be permitted to
 12 use the findings and field rules of the ~~commissioner of conservation~~ secretary for
 13 all purposes under this Part, but if such findings or field rules are not so used in
 14 determining volumes under this Part, the volumes so otherwise determined shall be
 15 corrected to the basis of the "standard cubic foot of gas" as defined in R.S. 30:47.
 16 Nothing herein shall ever prevent the use of actual recorded values and actual test
 17 data where available, for all purposes under this Part, and the ~~commissioner of~~
 18 ~~conservation~~ secretary has been informed in writing of the intent so to use actual
 19 recorded values and actual test ^{data} ~~data~~.

20 * * *

21 §61. Exploitation of natural resources by ~~commissioner~~ secretary or employees
 22 prohibited

23 A. Neither the ~~commissioner of conservation~~ secretary nor any salaried officer
 24 or employee of the department shall be or become:

25 (1) Actively... (2) Employed... (3) An officer...

26 B. Violation of this Section...

27 §73. Definitions

28 As used in this Part, the following terms shall have the meaning ascribed to
 29 them in this Section, unless the context or use clearly indicates otherwise:

30 (1) "C ~~ommissioner"~~ means the ~~commissioner of the office of conservation~~
 within secretary of the Department of Conservation and Energy and Natural

1 Resources or his authorized representatives from the injection and mining division
2 of that office.

3 * * *

4 §74. Abandoned oilfield waste sites; notification; clean up

5 A.(1) Whenever any responsible person, owner, or operator of any abandoned
6 waste site obtains information that indicates that oilfield waste is spilling,
7 discharging, or otherwise escaping into, or on any land or water without appropriate
8 authorization or permit, or is being treated, stored, handled, or disposed of in a
9 manner contrary to applicable regulations of the ~~commissioner~~ secretary, such
10 person shall notify the ~~office of conservation~~ department in accordance with
11 regulations to be adopted.

12 (2) Upon receipt of the information required to be provided in Paragraph (1)
13 of this Subsection, the ~~commissioner~~ secretary may order any responsible owner,
14 operator, or person to take samples, monitor, or take action at the abandoned waste
15 site to ascertain the nature and extent of any waste or discharge, or hazard. The
16 ~~commissioner~~ secretary, upon failure or refusal by the responsible person, operator,
17 or owner to comply with the orders, may undertake such activities and investigate
18 the abandoned waste site, take samples to be analyzed, and may expend monies
19 available for these purposes.

20 (3)(a) Prior to any sheriff's sale or public auction of any property related to
21 the operation of oil and gas wells, the person seeking such sale shall notify the
22 ~~commissioner~~ secretary of such sale not less than thirty days prior to such sale. Such
23 sale shall not occur unless the ~~commissioner~~ secretary consents thereto in writing,
24 and the sale shall include the wellbore unless specifically excluded from the sale. In
25 the event the wellbore is not specifically excluded from the sale as provided herein,
26 the sheriff or person seeking such a sale shall cause to be included in the notice of
27 the sale and in the sale instrument a statement or notice that the purchaser shall be
28 required to file the appropriate documents with the ~~office of conservation~~
29 department to become operator of record of the subject well pursuant to the
30 provisions of REPEALED (R.S. 30:204).

1 (b) The ~~commissioner~~ secretary may, if he deems it appropriate to insure the
 2 proper plugging and abandonment of the wells and closure of the associated oilfield
 3 pits, retain a first lien and privilege on such property, which lien and privilege shall
 4 follow such property into the hands of third persons whether such persons are in
 5 good or bad faith. The ~~commissioner~~ secretary shall record a notice of such lien
 6 with the clerk of court in the parish in which the property is located and in which the
 7 sale is to occur. The lien and privilege may be enforced against any person in
 8 possession of the property in the same manner as a lien provided under the Louisiana
 9 Oil Well Lien Act.

10 (4) Failure to notify the ~~commissioner~~ secretary as provided in Paragraph (3)
 11 of this Subsection shall render the person seeking such a sale and the purchaser
 12 liable, in solido, to the ~~office of conservation~~ department for the fair market value
 13 of the property at the time of such seizure and sale.

14 B. Any failure or refusal by an owner or operator or responsible person to
 15 undertake such action as ordered by the ~~commissioner~~ secretary to take samples,
 16 monitor, contain, or clean up an abandoned oilfield waste site shall be a violation of
 17 this Chapter, and the commission, in order to prevent damage to public health, the
 18 environment, or an oil or gas strata, may immediately declare the site abandoned,
 19 notwithstanding the provisions of R.S. 30:75, and commence appropriate
 20 proceedings under this Chapter, including the recovery of penalties, revocation of
 21 any permit, closure of the site, or any combination thereof.

22 * * *

23 §79. Recordation of notice of abandoned oilfield waste sites by landowner

24 A. In addition to the notice required under R.S. 30:74, any landowner who
 25 has notified the ~~office of conservation~~ department that his property contains an
 26 abandoned oilfield waste site or who owns property which has been identified by the
 27 ~~commissioner~~ secretary as an abandoned oilfield waste site pursuant to R.S. 30:75
 28 shall cause notice of the identification of the location of the abandoned oilfield waste
 29 site to be recorded in the mortgage and conveyance records of the parish in which
 30 the property is located. Such notice shall be made in a form approved by the

1 commissioner secretary and within the time specified by the commissioner
 2 secretary. If a landowner fails or refuses to record such notice, the commissioner
 3 secretary may, if he determines that the public interest requires, and after due notice
 4 and an opportunity for a hearing has been given to a landowner, cause such notice
 5 to be recorded.

6 B.(1) If any person wishes to remove such notice, he shall notify the
 7 commissioner secretary prior to requesting the removal from the clerk of court in
 8 the parish where the property is located. The request shall specify the facts
 9 supporting removal of the notice, including any evidence that the oilfield waste no
 10 longer poses a potential threat to health or the environment. Upon finding that the
 11 oilfield waste no longer poses a potential threat to health or the environment, the
 12 commissioner secretary shall approve removal of the notice.

13 (2) If approval is granted by the commissioner secretary, the request may be
 14 made by affidavit to the clerk of court for the removal of the notice and it shall be
 15 removed. Within ten days after removal, the clerk of court shall send a notice of the
 16 removal to the commissioner secretary. If the commissioner secretary objects to the
 17 removal of such notice, or fails to make a final determination upon the request within
 18 ninety days, the person desiring to have the notice removed may petition the court
 19 in the parish where the property is located for removal of the notice and after a
 20 contradictory hearing between the landowner, the clerk of court, and the
 21 commissioner secretary or his designee, the court may grant such relief upon
 22 adequate proof by the petitioner that the property no longer contains the oilfield
 23 waste which may pose a potential threat to health or to the environment.

24 C. This Section shall not apply to any commercial operation which is
 25 operating under a permit issued by the commissioner secretary until such time as
 26 such notice is required by an order of the commissioner secretary, by a permit, or
 27 by rule or regulation applicable to such operation.

28 * * *

29 §82. Definitions

30 As used in this Part, the following terms shall have the meanings ascribed to

ALPHABETIZE them in this Section, unless the context or use clearly indicates otherwise:

(1) -> (11) PRINT 2 (11) PRINT 2 AS AMENDED BY ACT 458: "Assistant secretary Secretary" means the assistant secretary of the office

(2) -> (1) of conservation within the Department of Conservation and Energy and Natural

(3) REPEALED Resources or his authorized representatives.

(4) - (12) -> (2) - (10) * * *

(13) -> (11) PRINT 1 (14) - (16) -> (12) - (14) (4) (8) "Issuer" means a public trust and public corporation organized and

existing by, under, and pursuant to the provisions of R.S. 9:2341 through 2347, whose beneficiary is the state of Louisiana, and who is authorized to issue revenue bonds on behalf of the state of Louisiana or the Louisiana Local Government Environmental Facilities and Community Development Authority, pursuant to the provisions of R.S. 33:4548.1 et seq.

(5) (7) "Nonproducing oilfield site" means an oilfield site which is not a producing oilfield site and which has not been declared an orphaned oilfield site by the assistant secretary.

(9) (11) "Responsible party" means the operator of record according to the office of conservation department records, who last operated the property on which the oilfield site is located at the time the site is about to be abandoned, ceases operation, or becomes an unusable oilfield site, and that operator's partners and working interest owners of that oilfield site. A working interest owner is the owner of a mineral right who is under an obligation to share in the costs of drilling or producing a well on the oilfield site. PRINT 1 FROM EXISTING LAW:

(11) (13) "Secretary" means the secretary of the Department of Conservation and Energy and Natural Resources.

(12) (14) "Site restoration" means any and all oilfield site restoration activities required of a responsible party of an oil or gas property by regulations adopted by the office of conservation department pursuant to this Subtitle, including without limitation plugging of oil and gas wells, pit closure, site remediation, and removal of oilfield equipment.

* * * §83. Oilfield site restoration; administration by the Department of Conservation

(DUAL PRINT W/ EXISTING LAW - PRINT 1 (P13) -> P (11) FROM EXISTING LAW W/ DEPT. NAME CHANGE; PRINT 2 AS AMENDED BY THIS ACT)

and Energy and Natural Resources

A. The Natural Resources Trust Authority, under the direction of the secretary and subject to oversight by the State Mineral and Energy Board pursuant to R.S. 36:356.1, is authorized to perform the following functions related to oilfield site restoration:

* * *

(5) Review administration of site restoration activities and review the adequacy of site restoration assessments and reopen the funding needs and arrangements for site-specific trust accounts every four years. However, unless the oilfield site is transferred from one party to another after the adoption of a standard for evaluation, site-specific trust accounts established prior to the adoption of a standard for evaluation by the Department of Conservation and ~~Energy and Natural Resources, office of conservation~~ shall not be reassessed if the operator of record provides to the office on an annual basis, utilizing the methodology in use at the time that the site-specific trust account was established, proof that the security is adequate to ensure proper closure of the wells upon completion of activity.

* * *

(7) Perform any function authorized by this Part or which is consistent with its purpose and not otherwise assigned by this Part to the secretary ~~or assistant secretary~~.

* * *

§83.1. Authorization of bonds

* * *

B.(1)

* * *

(3) The secretary, the undersecretary, and the Natural Resources Trust Authority are hereby authorized to execute loan, reimbursement, investment, and bond purchase agreements, and all documents as may be necessary or desirable to carry out the provisions of this Section and are further authorized to take any and all further actions and execute and deliver all other documents as may be necessary in connection with the issuance of any bonds, notes, certificates, reimbursement

obligations, or other evidences of indebtedness referred to in this Section. The provisions of R.S. 9:2347(J) and R.S. 39:112(G) shall not apply to bonds or any contractual obligation, including the pledge of state funds, to be undertaken or incurred in connection therewith.

* * *

§85. Powers of the assistant secretary

A. The powers of the assistant secretary shall include without limitation the power to do the following, subject to the supervision of the secretary:

* * *

(3) The assistant secretary shall perform all regulatory functions imposed by this Part.

* * *

C. The aforementioned powers shall be in addition to and shall not limit the powers conferred on the assistant secretary in other provisions in this Title or any other pertinent provision of any state or federal law or regulation.

§86. Oilfield Site Restoration Fund

A.(1) * * *

* * *

(2) Out of the funds remaining in the Bond Security and Redemption Fund, after a sufficient amount is allocated from that fund to pay all the obligations secured by the full faith and credit of the state that become due and payable within each fiscal year, the treasurer shall pay into the Oilfield Site Restoration Fund an amount equal to the revenues generated from collection of the fees provided for in Subsection D of this Section. ~~The treasurer shall also transfer into the Oilfield Site Restoration Fund the amount of thirty million dollars in federal funding from the first federal funds received by the state for which oilfield site restoration or plugging orphan wells is an allowable use, as determined by the Joint Legislative Committee on the Budget.~~ Such funds shall constitute a special custodial trust fund which shall be administered by the Natural Resources Trust Authority, which shall make disbursements from the fund solely in accordance with the purposes and uses

1 authorized by this Part.

2 * * *

3 D. The following monies shall be placed into the Oilfield Site Restoration
4 Fund:

5 * * *

6 (8) Any sums collected from financial security instruments required by rules
7 and regulations adopted by the assistant secretary pursuant to R.S. 30:4(R) and 4.3.
8 However, the monies collected from each financial security instrument tied to a
9 specific well or wells shall not be used for any oilfield sites other than those for
10 which the financial security was provided.

11 ~~(9) The sum of thirty million dollars from the first federal funds received by~~
12 ~~the state for which oilfield site restoration or plugging orphan wells is an allowable~~
13 ~~use, as determined by the Joint Legislative Committee on the Budget~~ **Monies paid**
14 **to the department pursuant to a site restoration contribution agreement entered**
15 **into pursuant to R.S. 30:93(C).**

16 ~~(10) Monies from federal appropriations or any federal grant program~~
17 ~~established by the United States Congress for the purpose of restoring orphan oilfield~~
18 ~~sites.~~

19 ~~(11)~~ Any other source of funding for which restoring orphan oilfield sites is
20 an allowable use, as determined by the Joint Legislative Committee on the Budget.

21 E. Except as otherwise provided in this Section, the monies in the fund may
22 be disbursed and expended pursuant to the authority and direction of the secretary
23 or the Natural Resources Trust Authority for the following purposes and uses:

24 * * *

25 (2) Upon approval of the trust authority, the administration of this Part by the
26 department in an amount not to exceed ~~nine hundred fifty thousand dollars~~ **the**
27 **department's federal approved indirect cost rate or, if no such rate exists, the**
28 **de minimis rate of fifteen percent of all direct costs**, each fiscal year. Amounts
29 expended pursuant to Paragraph (4) of this Subsection shall not count towards the
30 administrative expenditure limitation.

* * *

(6) Upon approval of the trust authority, up to five hundred thousand dollars per fiscal year for the ~~office of conservation~~ **department** to act alone, or in conjunction with the voluntarily participating parties, for the assessment and restoration of commercial oilfield waste disposal facilities used for the storage, treatment, or disposal of ^{nonhazardous} ~~non-hazardous~~ oilfield waste for a fee or other consideration, which were abandoned, leaving no financially responsible owner, operator, or bonding company, in accordance with the plan of closure as required in the permit, or if the permit did not provide a plan of closure, a plan approved by the trust authority; however, a responsible person shall not be released from his duty or liability, if any, imposed by this Section.

(7) ~~Except for the costs of administration of this Part by the Department of Energy and Natural Resources not exceeding the limitations set by the United States Congress or administering federal agency for the federal funds appropriated or granted, the monies deposited into the fund pursuant to Paragraphs (D)(9), (10), and (11) of this Section shall be used only for the purposes of assessing and restoring orphan oilfield sites. Notwithstanding any other requirements in this Part, the monies may be expended by the secretary through a contract entered into under any competitive process authorized by Title 38 or 39 of the Louisiana Revised Statutes of 1950. The contract may be awarded to any qualified party whether or not the party is on the approved list of contractors acceptable to conduct site assessment and restoration by the trust authority~~ **Upon approval of the trust authority, expenditures consistent with a site restoration contribution agreement entered into pursuant to R.S. 30:93(C).**

* * *

G. Upon declaration of an emergency as defined in R.S. 30:6.1, the assistant secretary shall notify the trust authority and the State Mineral and Energy Board of the declared emergency. Upon notification, the trust authority, in consultation with the State Mineral and Energy Board, may direct that no monies in the fund be disbursed or spent for response activity related to the emergency declaration.

1 H. At the direction of the secretary or the Natural Resources Trust Authority,
 2 ~~federal monies dedicated pursuant to Paragraph (D)(9) or (10) of this Section~~ monies
 3 from federal appropriations or any federal grant program established by the
 4 United States Congress for the purpose of restoring orphan oilfield sites shall be
 5 placed into the department's federal funds account instead of the Oilfield Site
 6 Restoration Fund, ~~but such money shall otherwise be subject to the same~~
 7 ~~requirements applicable to money identified in Paragraph (D)(9) or (10) of this~~
 8 ~~Section.~~ Except for administrative costs not exceeding federal limits as set by
 9 Congress or the administering federal agency, all such federal monies shall be
 10 used exclusively for orphan oilfield site assessment and restoration, including
 11 plugging of orphan wells.

12 I. Notwithstanding any other provision of this Part, such monies from the
 13 Oilfield Site Restoration Fund may be expended by the secretary through
 14 contracts entered into under any competitive process authorized by Title 38 or
 15 39 of the Louisiana Revised Statutes of 1950.

16 J. Notwithstanding any provision of law to the contrary, for any oilfield
 17 site restoration project funded in whole or in part with monies from the Oilfield
 18 Site Restoration Fund, federal funds, or a combination of such funds, and
 19 delivered using the construction management at risk method as authorized in
 20 R.S. 38:2225.2.4, the contractor selected under the construction management
 21 at risk process shall not be required to be included on any pre-approved list of
 22 contractors acceptable to conduct site assessment and site restoration.

23 * * *

24 §88. Oilfield site trust accounts

25 * * *

26 B. In the event the parties to a transfer elect to establish a site-specific trust
 27 account under this Section, the ~~assistant~~ secretary shall require an oilfield site
 28 restoration assessment to be made to determine the site restoration requirements
 29 existing at the time of the transfer, or at the time the site-specific trust account is
 30 established. The oilfield site restoration assessment shall be conducted by approved

1 site assessment contractors appearing on a list approved by the trust authority or
2 acceptable to the trust authority. The oilfield site restoration assessment shall
3 specifically detail site restoration needs and shall provide an estimate of the site
4 restoration costs needed to restore the oilfield site based on the conditions existing
5 at the time of transfer, or at the time the site-specific trust account is established.

6 C. The party or parties to the transfer shall, based upon the site restoration
7 assessment, propose a funding schedule which will provide for the site-specific trust
8 account. The funding schedule shall consider the uniqueness of each transfer,
9 acquiring party, and oilfield site. Funding of the site-specific trust account shall
10 include some contribution to the account at the time of transfer and at least quarterly
11 payments to the account. Cash or bonds in a form and of a type acceptable to the
12 assistant secretary, or any combination thereof, may also be considered for funding.
13 The assistant secretary shall monitor each trust account to assure that it is being
14 properly funded. The funds in each trust account shall remain the property of the
15 trust authority.

16 D. The assistant secretary may approve the site-specific trust account for an
17 oilfield site upon review of the assessment and the site-specific trust account that has
18 been proposed for that oilfield site as provided in the regulations. Such approval shall
19 not be unreasonably withheld.

20 E. When transfers of oilfield sites occur subsequent to the formation of
21 site-specific trust accounts but prior to the end of their economic life, the assistant
22 secretary and the acquiring party shall, in the manner provided for in this Section,
23 again redetermine cost and agree upon a funding schedule. The balance of any
24 site-specific trust account at the time of subsequent transfer shall remain with the
25 oilfield site and shall be a factor in the redetermination.

26 F. Once the assistant secretary has approved the site-specific trust account,
27 and the account is fully funded, the party transferring the oilfield site and all prior
28 owners, operators, and working interest owners shall not thereafter be held liable by
29 the state for any site restoration costs or actions associated with the transferred
30 oilfield site. The party acquiring the oilfield site shall thereafter be the responsible

1 party for the purposes of this Part.

2 * * *

3 I. Subject to agreement between the assistant secretary, the seller and the
4 purchaser of an oilfield site sold prior to August 15, 1993, a site-specific trust
5 account can be established or transferred to the state.

6 J. For unusable oilfield sites, after site restoration has been completed and
7 approved by the assistant secretary, funds from a site-specific trust account shall be
8 disbursed as follows:

9 * * *

10 §88.1. Oilfield site trust accounts for orphaned wells

11 A. Orphan wells. (1) * * *

12 * * *

13 (3) Upon full funding of the associated site-specific trust account in
14 accordance with a plan approved by the assistant secretary as provided in this
15 Section, all monies remaining in the account shall be credited in full to the state
16 treasury as provided by R.S. 47:645(B).

17 (4) When the conditions of this Subsection are met relative to the funding of
18 the site-specific trust account, the assistant secretary shall not require additional
19 financial security for the well associated with that site-specific trust account.

19 * * *

20 C. Site restoration assessment. When establishing a site-specific trust account
21 under this Section, the assistant secretary shall require an oilfield site restoration
22 assessment to be made to determine the site restoration requirements existing at the
23 time the site-specific trust account is established. The oilfield site restoration
24 assessment shall be conducted by approved site assessment contractors appearing on
25 a list approved by the trust authority or acceptable to the trust authority. The oilfield
26 site restoration assessment shall specifically detail the site's restoration needs and
27 shall provide an estimate of the restoration costs needed to restore the oilfield site
28 based on the conditions existing at the time the site-specific trust account is
29 established.

30 D. Trust account monitoring. The assistant secretary shall monitor each trust

1 account to assure that it is being properly funded. The funds in each trust account
 2 shall remain the property of the trust authority. In the event that the site-specific trust
 3 account is not funded through the payment of the severance tax due the state for a
 4 period of greater than six months from the date of first production following
 5 designation of the well as part of an orphaned oilfield site, the ~~assistant~~ secretary
 6 shall require financial security in accordance with the ~~office of conservation's~~
 7 department's rules and regulations.

8 E. Transfers of oilfield sites. When transfers of oilfield sites occur subsequent
 9 to the formation of site-specific trust accounts pursuant to this Section but prior to
 10 the end of the oilfield site's economic life, the ~~assistant~~ secretary and the acquiring
 11 party shall, in the manner provided in this Section, redetermine cost. The balance of
 12 any site-specific trust account at the time of transfer shall remain associated with the
 13 oilfield site and shall be a factor in the redetermination.

14 * * *

15 G. Unusable oilfield sites. For unusable oilfield sites, after site restoration has
 16 been completed and approved by the ~~assistant~~ secretary, funds from a site-specific
 17 trust account shall be disbursed as follows:

18 * * *

19 H. Rules, regulations, and orders. The ~~assistant~~ secretary shall make, after
 20 notice and public hearings as provided in this Chapter, any reasonable rules,
 21 regulations, and orders that are necessary to implement this Section.

22 §88.2. Orphan well rework program

23 * * *

24 C. Trust account monitoring. The ~~assistant~~ secretary shall monitor each trust
 25 account to assure that it is being properly funded. The funds in each trust account
 26 shall remain the property of the trust authority. If the site-specific trust account is not
 27 funded through the payment of amounts equal to the severance tax that would
 28 otherwise be due the state for a period of greater than six months from the date of
 29 first production following designation of the well as part of an orphaned oilfield site,
 30 the ~~assistant~~ secretary shall require financial security in accordance with this Subtitle

1 and the rules and regulations adopted pursuant to this Subtitle including the
2 exceptions provided in R.S. 30:4(R).

3 * * *

4 E. Unusable oilfield sites. For unusable oilfield sites, after site restoration has
5 been completed and approved by the ~~assistant~~ secretary, funds from a site-specific
6 trust account shall be disbursed as follows:

7 (1) If the site restoration has been completed by the operator of record on file
8 with the ~~assistant~~ secretary, the balance of the funds existing in the site-specific trust
9 account shall be remitted to that operator of record.

10 * * *

11 F. Rules, regulations, and orders. The ~~assistant~~ secretary shall promulgate,
12 after notice and public hearings as provided in this Chapter, any reasonable rules,
13 regulations, and orders that are necessary to implement this Section.

14 §89. Non-orphan site restoration

15 A. After due notice and hearing and upon certification from the ~~assistant~~
16 secretary that a responsible party has failed to undertake site restoration of an
17 unusable oilfield site, the secretary or ~~assistant secretary~~ is authorized to disburse
18 such funds as are necessary for site restoration from the site-specific trust account.

19 B. The ~~assistant~~ secretary, upon notice and hearing, pursuant to rules adopted
20 by the ~~assistant~~ secretary in accordance with the Administrative Procedure Act, may
21 declare an oilfield site to be an unusable oilfield site. Upon failure of a responsible
22 party to undertake site restoration as ordered by the ~~assistant~~ secretary, the secretary
23 or ~~assistant secretary~~ is authorized to disburse such funds as are necessary for site
24 restoration from the site-specific trust account.

25 C. For sites restored pursuant to Subsections A and B of this Section, after
26 site restoration has been completed and approved by the ~~assistant~~ secretary, funds
27 from the site-specific trust account will be disbursed as follows:

28 * * *

29 (2) If the funds in the site-specific trust account are depleted prior to the
30 payment of all site restoration costs, the department is authorized to collect the

1 remainder of site restoration costs from the responsible party or ensure that the
2 responsible party completes the site restoration to the satisfaction of the **assistant**
3 secretary.

4 (3) If the funds in the site-specific trust account are depleted prior to the
5 payment of all site restoration costs, and if the **assistant** secretary subsequently
6 declares that oilfield site to be an orphaned oilfield site and upon approval of the
7 trust authority, the Oilfield Site Restoration Fund shall contribute the balance of the
8 restoration costs for that orphaned oilfield site.

9 D. If a responsible party fails or is unable to restore a site and there is no
10 site-specific trust account, the **assistant** secretary shall declare the site orphaned in
11 accordance with R.S. 30:91(B).

12 §90. Natural Resources Trust Authority annual report to the legislature

13 * * *

14 C. The **assistant** secretary shall furnish the trust authority with semiannual
15 reports that review the efforts of the **assistant** secretary to assure proper and timely
16 cleanup, closure, and restoration of oilfield sites.

17 D. The **assistant** secretary's semiannual reports shall include:

18 (1) The number of wells plugged by the **assistant** secretary.

19 * * *

20 (4) The status of enforcement proceedings for all sites in violation of the
21 **assistant** secretary's rules and the time period during which the sites have been in
22 violation, including the status of the **assistant** secretary's attempts to recover
23 reimbursement for restoration costs.

24 E. The trust authority's annual report to the legislature shall include:

25 * * *

26 (4) The status of enforcement proceedings for all sites in violation of the
27 **assistant** secretary's rules and the time period during which the sites have been in
28 violation, including the status of the **assistant** secretary's attempts to recover
29 reimbursement for restoration costs.

30 * * *

1 §91. Orphaned oilfield sites

2 A. A site may be declared to be an orphaned oilfield site by the ~~assistant~~
3 secretary upon a finding that:

4 (1) No responsible party can be located, or such party has failed or is
5 financially unable to undertake actions ordered by the ~~assistant secretary~~, and

6 * * *

7 B.(1) Prior to declaring a site to be an orphaned oilfield site, the ~~assistant~~
8 secretary shall seek to notify the last operator of record, at his last known address
9 contained in the department records, of the site that is to be declared orphaned and
10 shall publish a notice in the Louisiana Register that the oilfield site is to be declared
11 orphaned. Additionally, the ~~assistant~~ secretary shall seek to notify the surface owner
12 of the site, at the address provided by the operator pursuant to R.S. 30:28(J), that the
13 site is to be declared orphaned. Failure of the ~~assistant~~ secretary to notify the surface
14 owner of the site shall not invalidate the decision to declare a site orphaned. If
15 resolution of a factual dispute is requested by any owner or operator, the ~~assistant~~
16 secretary shall hold a fact-finding hearing prior to declaring the site orphaned and the
17 ~~assistant~~ secretary shall make any fact determination necessary to resolve the
18 dispute.

19 (2)(a) In the event that a site is being declared orphaned, the ~~assistant~~
20 secretary shall retain a first lien and privilege upon such property superior to any
21 existing mortgages, privileges, or liens of any kind, type, or nature whatsoever. The
22 ~~assistant~~ secretary shall record a notice of such lien with the clerk of court in the
23 parish where the site is located. The ~~assistant~~ secretary shall notify all other
24 lienholders of record who have acquired a privilege, lien, or mortgage upon the
25 property contained within a well site, in writing by registered mail, return receipt
26 requested, that he is declaring the site orphaned. If the salvage value of property at
27 the site exceeds the cost of plugging and abandoning the well site in accordance with
28 this Part, any excess funds shall be paid to other lienholders by rank. Any other
29 excess funds from salvage shall be paid into the fund.

30 * * *

1 (c) In the event that a lienholder is not properly notified as provided in this
 2 Paragraph, any claim by the holder or holders against the trust authority, Department
 3 of Conservation and Energy and Natural Resources, ~~office of conservation~~; or the
 4 contractors for the value of the salvaged property shall be limited to the actual cash
 5 value of the salvaged property at the time of salvage.

6 (3) Sale or removal of property from an oilfield site which has been declared
 7 orphaned without the written consent of the ~~assistant~~ secretary is prohibited. The
 8 secretary shall have a claim against the person or persons who have sold or removed
 9 such property for the fair market value of the property sold or removed, and the lien
 10 and privilege provided herein shall follow such property into the hands of third
 11 persons whether such persons are in good or bad faith.

12 (4) Conducting operations on an oilfield site which has been declared
 13 orphaned without the written consent of the ~~assistant~~ secretary is prohibited.

14 * * *

15 D. In the event that the ~~commissioner~~ secretary declares an emergency as
 16 provided in R.S. 30:6.1, the provisions regarding notice to the operator as provided
 17 therein shall be applicable to declaring the site orphaned.

18 §92. Orphan site restoration

19 A. The secretary is hereby authorized to expend sums from the fund and enter
 20 into contracts for the purpose of site restoration on any site declared to be an
 21 orphaned oilfield site. The ~~assistant~~ secretary may conduct site restoration, expend
 22 sums from the fund, and enter into contracts for the purpose of site restoration to
 23 respond to an emergency as provided in R.S. 30:6.1.

24 * * *

25 C. A contract for site assessment or site restoration shall require a formal bid
 26 process. All contracts shall be exempt from the provisions of the Public Bid Law and
 27 the Louisiana Procurement Code; however, before this exemption from the Public
 28 Bid Law and the Louisiana Procurement Code can be effective, the ~~assistant~~
 29 secretary shall promulgate rules in accordance with the Administrative Procedure
 30 Act to set forth the procedures, which, to the extent practicable, shall be in

1 substantial compliance with the Public Bid Law and shall require a formal bid
 2 process. A project which the ~~assistant~~ secretary has declared in writing to be an
 3 emergency may employ a written and thoroughly documented informal bidding
 4 procedure in which bids are solicited from at least three bidders. All such contracts
 5 shall be reviewed prior to execution by the ~~assistant~~ secretary, and all informally bid
 6 contracts shall be reviewed by the secretary. Notwithstanding any other requirements
 7 in this Part, any monies deposited pursuant to R.S. 30:86(D)(9) or (10) may be
 8 expended by the secretary through a contract entered into under any competitive
 9 process authorized by Title 38 or 39 of the Louisiana Revised Statutes of 1950.

10 §93. Recovery of site restoration costs; emergency costs

11 A. If the ~~assistant secretary~~ department undertakes restoration of an
 12 orphaned oilfield site under this Part or responds to any emergency as provided in
 13 R.S. 30:6.1, the secretary shall seek to recover all costs incurred by the secretary,
 14 ~~assistant secretary~~, penalties, and other relief from any party who has operated or
 15 held a working interest in such site, or who is required by law, rules adopted by the
 16 department, or a valid order of the ~~assistant secretary~~ department to control, clean
 17 up, close, or restore the oilfield sites or other facilities, structures, or pipelines under
 18 the commissioner's secretary's jurisdiction pursuant to R.S. 30:1 et seq. in
 19 accordance with the following:

20 * * *

21 C. The secretary may enter into a site restoration contribution
 22 agreement prior to undertaking restoration of an orphaned oilfield site under
 23 this Part. In such agreement the secretary shall accept and agree to specific
 24 levels of monetary or other contribution towards the cost of restoring an
 25 orphaned oilfield site by a party or parties who have operated or held a working
 26 interest in such orphaned oilfield site. Upon entering into a site restoration
 27 contribution agreement and following final payment by a party to the
 28 department of the contribution amount agreed to therein, the party shall be
 29 deemed to have met their obligations under this Part and the secretary shall
 30 have no right to recover costs incurred by the secretary, penalties, or other

1 relief as contemplated in this Section. Any party who has operated or held a
 2 working interest in an orphaned oilfield site covered by a site restoration
 3 contribution agreement but has either failed to enter into such agreement or
 4 failed to pay the department the agreed upon amount shall be liable for cost
 5 recovery pursuant to this Section. The secretary shall have no right of action to
 6 seek recovery of the costs contributed to restoration of an orphaned oilfield site
 7 by another party pursuant to a site restoration contribution agreement. Site
 8 restoration contribution agreements may include provisions resolving
 9 regulatory compliance and compliance with obligations set forth in a state lease,
 10 operating agreement, right of way, servitude or other contract associated with
 11 the orphaned oilfield site at issue.

12
 13 §94. Penalties

14 A. Failure of a responsible party to comply with its obligation under this Part
 15 may cause that responsible party to lose all rights of an operator under this Subtitle
 16 in the state of Louisiana. The assistant secretary may cancel forthwith any allowables
 17 and deny any permits until restitution is received by cashier's check for costs
 18 incurred by the assistant secretary under this Part. Costs shall include without
 19 limitation restoration costs, legal expenses, and interest. The fund shall be
 20 reimbursed for any expenditures made on behalf of the oilfield site.

21 B.(1) The assistant secretary may withhold any permit application under this
 22 Subtitle to the following:

23 * * *

24 (2) An individual or entity has committed a violation of Statewide Order
 25 29-B if any one of the following has occurred:

26 * * *

27 (b) The assistant secretary and the individual or entity have entered into an
 28 agreed order relating to the alleged violation and the individual or entity is not in
 29 compliance or on a schedule for compliance with such order.

30 (3) The assistant secretary shall not deny the permit application if:

* * *

C. In addition to the foregoing, any person found by the assistant secretary to be in violation of any requirement of this Part, may be liable for a civil penalty, to be assessed by the assistant secretary or court, of not more than twenty-five thousand dollars for each day of the continued noncompliance.

* * *

§95. No inference of liability on the part of the state

* * *

B. The secretary, ~~assistant secretary~~, the trust authority, or their agents, on proper identification, may enter the land of another for purposes of site assessment or restoration.

C. The trust authority, the secretary, ~~and the assistant secretary~~, and their agents, are not liable for any damages arising from an act or omission if the act or omission is part of a good faith effort to carry out the purpose of this Part.

D. No party contracting with the Department of Conservation and Energy and Natural Resources, ~~office of conservation~~, or the trust authority under the provisions of this Part shall be deemed to be a public employee or an employee otherwise subject to the provisions of Parts I through IV of Chapter 15 of Title 42 of the Louisiana Revised Statutes of 1950.

* * *

PART

Part VIII. WATER RESOURCE MANAGEMENT

§98.1. Legislative ^dDeclaration; ^pPurpose

A. The legislature declares that the management, protection, and development of water resources in the state are essential for public welfare, economic prosperity, and environmental sustainability. To fulfill these objectives, it is necessary to provide a framework for comprehensive water resource management, balancing environmental needs with human and economic activities. Accordingly, the legislature grants broad authority to the Department of Conservation and Energy ^{to} establish a comprehensive water resource management program taking into consideration the requirements,

1 needs, and obligations of all stakeholders of water in the state of Louisiana. The
2 program shall be based on good management practices, sound science, and
3 economics according to generally accepted principles in those disciplines. It
4 shall include as a goal the long-term sustainability of the state's water resources
5 and of the state's ecological welfare, while considering the economic value of the
6 state's role in interstate commerce and the economic welfare of its citizens.
7 Further, it shall provide for the efficient administration in the utilization and
8 management of water resources, including the gathering of data related to the
9 state's water resources. Thus, the state's water resources shall be protected,
10 conserved, managed, and replenished in an effective manner with due regard
11 for the foregoing considerations and the best interest of all the citizens of the
12 state.

13 B. The legislature hereby recognizes the need for uniformity in the
14 establishment of a comprehensive water resource management program.
15 Therefore, the state shall have exclusive jurisdiction over the management of
16 water resources and this Part shall supersede and preempt any rule, regulation,
17 code, statute, or ordinance of any political subdivision or other unit of local
18 government. However, nothing contained in this Part shall be construed to deny
19 such local government the authority over siting facilities pursuant to any
20 general land use planning or zoning ordinance or to deny soil and water
21 conservation districts powers granted pursuant to R.S. 3:1208.

22 C. In accordance with the legislative intent provided in this Section, the
23 statewide water resource management program and any rule, regulation, or
24 order of the secretary shall recognize historic use of water resources in the state
25 and may incorporate the use of appropriate incentives to encourage
26 conservation of water resources and the appropriate utilization of alternate
27 water supplies where appropriate. Consistent with the provisions of this
28 Chapter and in consultation with the secretary, the incentives and provisions of
29 alternate water resources may be provided by the state, or any local subdivision
30 thereof, by virtue of tax incentives, tax credits, and physical projects

1 transporting or providing alternate water resources to existing water users and
2 by any private person with an interest in conserving such water resources for
3 public use.

4 §98.2. Definitions

5 The department shall define through rules adopted in accordance with
6 the Administrative Procedure Act necessary terms relevant to the
7 comprehensive water resource management program.

8 §98.3. Powers of the Department of Conservation and Energy

9 A. Notwithstanding any other provision of law to the contrary, in
10 carrying out the provisions of this Part, the Department of Conservation and
11 Energy is exclusively empowered to do the following:

12 (1) Prepare required forms and establish other procedures to govern the
13 submission of applications, reports, and other information authorized to be sent
14 to the office as required by this Part.

15 (2) Upon presenting valid identification as an inspector for the
16 department, enter upon and be given access at reasonable times and under
17 reasonable conditions to any premises for the purposes of inspecting water wells
18 or surface water withdrawals under the jurisdiction of the department.

19 B. If the office finds that compliance with all the requirements of this
20 Part would result in undue hardship, an exemption from any one or more of
21 such requirements may be granted by the office to the extent necessary to
22 ameliorate such undue hardship and to the extent such exemption can be
23 granted without impairing the intent and purpose of this Part.

24 §98.4. Regional districts; water resource management

25 A. The secretary may in consultation with the Natural Resources
26 Commission promulgate rules and regulations for the appointment or
27 designation of regional water districts, which when so appointed may be
28 delegated the powers, authorities, and duties of the department for groundwater
29 or surface water resource management within the regional district.

30 B. In addition to its other powers and authorities established in law, the

1 department is authorized to:

2 (1) Receive and collect water resource data and water use data
3 throughout the state.

4 (2) Cooperate with and enter into contracts or cooperative agreements
5 with other governmental units and agencies of this state, with governments and
6 agencies of other states and of the United States, and with private agencies or
7 other water conservation districts as necessary to fulfill the provisions of this
8 Part.

9 (3) Conduct studies and investigations of all problems concerning water
10 resources in the state.

11 (4) Identify and protect water recharge areas.

12 (5) Monitor and evaluate water resources including current and
13 projected demands, inventory the state's water resources, identify technical
14 research and previously developed information on water, identify future
15 potential deficit areas, study alternatives to surface water use including
16 treatment, transmission systems, and reclamation, and investigate incentives for
17 conservation and the use of alternative technologies including public education
18 and conservation programs.

19 (6) Promote water conservation measures and best practices for water
20 resource sustainability.

21 §98.5. Comprehensive water resource plan

22 A. The department, utilizing the Natural Resources Commission, shall
23 develop, implement, and periodically update a comprehensive statewide water
24 resource management plan, addressing current and future water demands,
25 conservation strategies, infrastructure needs, environmental impacts, and
26 sustainable water management practices.

27 B. The comprehensive plan shall be developed through a transparent
28 public process, including stakeholder input, interagency collaboration, and
29 review by the Natural Resources Commission.

30 §98.6. Enforcement and compliance

1 A. The department shall have the exclusive authority to enforce the
2 provisions of this Part consistent with its authority under law.

3 B. The department shall have the authority to collaborate with federal,
4 state, and local agencies to ensure coordinated enforcement efforts.

5 §98.7. Administrative review and appeals

6 Any party adversely affected by a decision or action of the department
7 under this Part shall be entitled to an administrative hearing in accordance with
8 rules adopted pursuant to the Administrative Procedure Act. Judicial review
9 shall be available following the exhaustion of administrative remedies as
10 provided by law.

11 §98.8. Immunity from liability

12 The department and its officers, employees, agents, and designated
13 representatives acting in the discharge of their duties under this Chapter shall
14 be immune from civil liability for actions taken in good faith in compliance with
15 established rules and regulations.

16 §98.9. Cooperation with other agencies

17 The department is authorized to collaborate and enter into agreements
18 with local, state, federal, and private entities to facilitate efficient and effective
19 water resource management and conservation efforts.

20 §98.10. Funding and financial assistance

21 The department may seek, receive, and administer funding, grants, and
22 financial assistance from federal, state, local, and private sources to implement
23 the objectives of this Chapter.

24 §98.11. Agricultural use exemption

25 Notwithstanding any other provision of law to the contrary, nothing in
26 this Part shall be construed to impact, burden, or impose regulatory
27 requirements or fees upon agricultural water users. Agricultural water use,
28 including but not limited to irrigation, livestock watering, and other customary
29 agricultural and horticultural purposes, shall be explicitly exempt from any
30 regulatory or administrative oversight established pursuant to this Part.

Participation in programs or initiatives established in this Part by agricultural users shall be strictly voluntary and without a fee.

§98.12. Public water supply prioritization

Notwithstanding any other provision of law to the contrary, in carrying out its authorities established by this Part the department shall prioritize and protect the sustainability of public water supplies in its management and regulatory decisions, consistent with the policy established in R.S. 38:3097.6. In exercising its authority under this Part, the department shall ensure that no regulatory or permitting action undermines or adversely impacts the availability or quality of water necessary for public water supply systems.

§98.13. Severability

If any provision of this Chapter or its application is held invalid, the invalidity shall not affect other provisions or applications that can be given effect without the invalid provision or application, and to this end, the provisions of this Chapter are severable.

PART ~~III~~ IX. LOUISIANA FISHERMEN'S GEAR COMPENSATION AND UNDERWATER OBSTRUCTION REMOVAL PROGRAM

§101.2. Policy and purpose

A. The legislature finds and declares that it is in the public interest and within the police power of this state to establish a fishermen's gear compensation and underwater obstruction removal program and a fishermen's gear compensation and underwater obstruction removal dedicated fund account to provide for the proper and timely identification, inventory, and removal of underwater obstructions that are a hazard to navigation and commercial fishing in the state, and to compensate commercial fishermen for damage to their fishing gear from the underwater obstructions. The program and fund account shall be administered, for purposes of fishermen's gear compensation, by the assistant secretary of the office of coastal management and, for purposes of underwater obstruction, by the assistant secretary of the office of conservation, both with the Department of Conservation and Energy and Natural Resources.

* * *

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§101.3. Definitions

ALPHABETIZE ✓

(1) = (1) As used in this Part, the following terms shall have the meanings ascribed to
(2) → (6)* them in this Section, unless the context or use clearly indicates otherwise:

(3) - (6) → (2) - (5)

(7) → (6)*

(6)

* * *

(8) → (7)

(2) "assistant secretary Secretary" means the assistant secretary of the office of conservation within the Department of Conservation and Energy and Natural Resources or his authorized representatives.

* * *

§101.4. Fishermen's Gear Compensation and Underwater Obstruction Removal Program

A. The Fishermen's Gear Compensation and Underwater Obstruction Removal Program is hereby created within the office of the secretary of the Department of Conservation and Energy and ~~Natural Resources~~ and shall be administered, for purposes of fishermen's gear compensation, by the assistant secretary of the office of coastal management and, for purposes of underwater obstruction, by the assistant secretary of the office of conservation.

B. The assistant secretary shall adopt rules and regulations, in accordance with the Administrative Procedure Act, to implement the provisions of this Part and to provide for procedures for the identification, inventory, and removal of underwater obstructions to navigation and commercial fishing.

§101.5. Powers of the secretary

A. The powers of the secretary shall include without limitation the power to do the following:

* * *

(2) Maintain all supervisory and fiscal responsibility imposed under the provisions of this Part which are not specifically conferred upon the assistant secretary.

* * *

§101.6. Powers of the assistant secretary

A. The powers of the assistant secretary shall include without limitation the

[MERGE w/ EXISTING DEF. IDENT. UPON DEPT. NAME CHANGE PER. § 12]

1 power to do the following:

2 * * *

3 B. The aforementioned powers shall be in addition to and shall not limit the
4 powers conferred on the assistant secretary in other provisions in this Title or any
5 other pertinent provision of any state or federal law or regulation.

6 §101.7. Contracts; parties

7 A. A contract for obstruction removal shall require a cash bond, performance
8 bond, or other equivalent surety instrument approved by the assistant secretary, and
9 shall require a formal bid process. A project which the assistant secretary has
10 declared in writing to be an emergency may employ a written and thoroughly
11 documented informal bidding procedure in which bids are received from at least
12 three bidders. All such contracts shall be reviewed prior to execution by the
13 secretary, and all informally bid contracts shall be reviewed by the ~~commissioner~~
14 secretary of the division of administration.

15 * * *

16 §101.8. Liability

17 The secretary ~~or the assistant secretary~~ shall not be liable for any damages
18 arising from an act or omission if the act or omission is part of a good faith effort to
19 carry out the purpose of this Part.

20 §101.9. Fishermen's Gear Compensation and Underwater Obstruction Removal

21 Dedicated Fund Account

22 * * *

23 D. The monies in the account may be disbursed and expended pursuant to the
24 authority and direction of the assistant secretary for the following purposes and uses:

25 (1) Any underwater obstruction identification, inventory, or removal
26 conducted by the ~~office of conservation~~ department pursuant to this Part.

27 (2) The administration of this Part by the ~~office of conservation~~ department
28 in an amount not to exceed two hundred thousand dollars in any fiscal year.

29 * * *

30 §101.10. ^A ~~assistant secretary's~~ Secretary annual report to the legislature

1 A. The assistant secretary shall submit to the Senate Committee on Natural
 2 Resources and the House Committee on Natural Resources and Environment before
 3 March first an annual report that reviews the extent to which the program has
 4 enabled the assistant secretary to better protect the navigable waters and commercial
 5 fishing of the state and enhance the income of the fund.

6 B. The assistant secretary's annual reports shall include:

7 * * *

8 §101.13. Disbursement of funds; eligibility; hearings

9 A. Payments may be disbursed by the assistant secretary from the dedicated
 10 fund account to compensate commercial fishermen for actual property damage
 11 suffered as a result of hitting or snagging an obstruction or hazard in the territorial
 12 waters of the state within the boundaries established for the fund but shall not be
 13 extended to speculative loss such as anticipated profit or income.

14 B. In order to be eligible to receive reimbursement from the account, a
 15 commercial fisherman shall show that the commercial fisherman has a valid claim.
 16 A valid claim shall be established by the hearing examiner, based on evidence that
 17 the following conditions have been met:

18 * * *

19 (2) The fisherman made a report to the assistant secretary on the location of
 20 the obstruction postmarked within ninety days of the loss. If good cause is shown,
 21 the secretary, when there are extenuating circumstances, may waive the ninety-day
 22 limit on the reporting period, such waiver period not to exceed forty-five days.

23 * * *

24 C. Notwithstanding the provisions of Subsections A and B of this Section, no
 25 payment:

26 * * *

27 (4) Shall be made for any claim at a site that has been certified by the
 28 assistant secretary of ~~the office of conservation~~ for the Department of Conservation
 29 and Energy and Natural Resources as having been cleared under the provisions of
 30 this Part. Once a site has been cleared under the Louisiana Fishermen's Gear

1 Compensation and Underwater Obstruction Removal Program, the assistant secretary
 2 shall certify that the site of at least two hundred yards in diameter is free of
 3 obstructions, and future claims at a site so certified shall be denied. Whenever four
 4 or more claims are reported after a site has been certified as clear, the site shall be
 5 revisited and the new or leftover obstruction shall be located and, if the department
 6 determines it is feasible, removed.

7 * * *

8 §101.14. Facilities reports; survey of obstruction; labeling

9 A. The assistant secretary shall prepare a detailed file of all structures and
 10 facilities located on state waterbottoms within the boundaries of the dedicated fund
 11 account. In developing the file, the secretary may require the owners and operators
 12 of state mineral leases and pipeline rights-of-way to furnish information relative to
 13 the location, description, and nature of facilities, both active and abandoned, on and
 14 beneath the state's waterbottoms.

15 B. The assistant secretary shall establish and classify all potential hazards to
 16 commercial fishing caused by oil and gas exploration, development, and production
 17 activities in Louisiana waters, including all obstructions on the bottom, throughout
 18 the water column, and on the surface.

19 * * *

20 §103.1. Operators and producers to report to owners of unleased oil, gas or brine
 21 interests

22 A. Whenever there is included within a drilling unit, as authorized by the
 23 ~~commissioner of conservation~~ secretary, lands producing oil, gas, brine, or any
 24 combination thereof upon which the operator or producer has no valid oil, gas, or
 25 mineral lease, the operator or producer shall issue the following reports to the owners
 26 of the interests by a sworn, detailed, itemized statement:

27 * * *

28 §121. State Mineral and Energy Board created; composition and powers

29 A. The State Mineral and Energy Board, as created by Act No. 93 of the 1936
 30 Regular Session of the Legislature, is hereby continued. The board shall be

1 composed of the governor and the ~~secretary~~ undersecretary of the Department of
 2 Conservation and Energy and Natural Resources, ex officio, and nine members
 3 appointed by the governor. Each appointment by the governor shall be submitted to
 4 the Senate for confirmation. Six members shall constitute a quorum.

5 * * *

6 C. The governor shall be ex officio chairman or may designate the board to
 7 elect its chairman to serve for two years. The board shall be a body corporate with
 8 power to sue and be sued. The domicile of the board shall be in Baton Rouge and it
 9 shall possess, in addition to the powers herein granted, all of the usual powers
 10 incident to corporations. If the governor serves as ex officio chairman, in case of a
 11 tie, the vote of the governor shall determine the issue. If the governor has designated
 12 the board to elect its chairman, the chairman may vote only once on any motion. The
 13 deputy secretary or the ~~undersecretary of the Department of Energy and Natural~~
 14 ~~Resources~~ director of the office of state resources may serve as a proxy member
 15 of the board in the absence of the ~~secretary~~ undersecretary with full authority to act
 16 for the ~~secretary~~ undersecretary as a member of the board.

17 D. The board shall administer the state's proprietary interest in minerals and
 18 water resources as herein provided. The governor may appoint to the board
 19 members engaged in the industry and related business activity which members and
 20 which board shall be subject to the provisions of R.S. 42:1101 through ~~R.S. 42:1168~~.

21 * * *

22 §124.1. Confidential information

23 A. Information submitted to the board, the office of mineral resources,
 24 or the office of state resources as part of a bid or proposal for the right to
 25 explore, develop, or utilize public property may be deemed confidential and
 26 withheld from public disclosure by the board or office if disclosure of such
 27 information would be reasonably likely to:

- 28 (1) Reveal technical, operational, or financial details to be used in the bid
 29 or proposal; and
 30 (2) Give any advantage to a competitor.