

2025 Regular Session

LSLI Disposition Sheet for Title 38

Effective date is August 1, 2025 unless otherwise noted

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<u>LSA-R.S.</u>	<u>Effect</u>	<u>Act No.</u>	<u>Section</u>	<u>Sp. Eff. Dt.</u>
✓ 38:2(A)(2)	Amend	418	1	
✓ 38:2(A)(3)	Amend	418	1	
✓ 38:5.1	Amend	418	1	
✓ 38:6	Amend	418	1	
✓ 38:32(B)(3)	Amend	418	1	
✓ 38:84(A)	Amend	418	1	
✓ 38:84(B)	Amend	418	1	
✓ 38:90.2(D)	Enact	418	1	
✓ 38:111	Amend	418	1	
✓ 38:112	Amend	418	1	
✓ 38:113	Amend	452	2	✓
✓ 38:141	Amend	452	2	✓
✓ 38:142	Amend	452	2	✓
✓ 38:214	Amend	452	2	✓
✓ 38:214(C)	Amend	418	1	
✓ 38:214(D)	Enact	418	1	
✓ 38:330.1(C)(1)(a)(Intro.Par.)	Amend	395	1	06/20/2025 ✓
✓ 38:330.1(C)(1)(a)(i)	Amend	395	1	06/20/2025 ✓
✓ 38:330.1(C)(1)(a)(ii)	Amend	395	1	06/20/2025 ✓
✓ 38:330.1(C)(2)(a)(ii)	Amend	395	1	06/20/2025 ✓
✓ 38:330.1(C)(2)(a)(xii)	Enact	395	1	06/20/2025 ✓
✓ 38:330.1(C)(2)(c)	Amend	395	1	06/20/2025 ✓
✓ 38:330.1(C)(2)(d)	Amend	395	1	06/20/2025 ✓
✓ 38:330.1(C)(2)(e)	Amend	395	1	06/20/2025 ✓
✓ 38:330.1(C)(2)(f)	Enact	395	1	06/20/2025 ✓
✓ 38:330.1(C)(2)(g)	Enact	395	1	06/20/2025 ✓

DUAL PRINT

✓	38:330.1(C)(3)(a)	-----Amend-----	395	-----1-----	06/20/2025 ✓
✓	38:330.1(C)(3)(b)	-----Amend-----	395	-----1-----	06/20/2025 ✓
✓	38:330.1(C)(3)(c)	-----Amend-----	395	-----1-----	06/20/2025 ✓
✓	38:330.1(C)(4)	-----Amend-----	395	-----1-----	06/20/2025 ✓
✓	38:330.1(D)	-----Amend-----	395	-----1-----	06/20/2025 ✓
✓	38:2212(C)(3)	-----Amend-----	117	-----1-----	
✓	38:2212(P)(1)(a)	-----Amend-----	350	-----1-----	
✓	38:2212.1(N)(3)	-----Amend-----	204	-----1-----	
✓	38:2212.1(P)(3)	-----Amend-----	204	-----1-----	
R	✓	38:2225.6	-----Enact-----	88	-----2----- ✓ 06/04/2025 ✓
	✓	38:2225.6 <sup>7</sup>	-----Enact-----	436	-----1----- 06/20/2025 ✓
	✓	38:2241(A)(3)	-----Enact-----	254	-----1-----
	✓	38:2318.1(A)	-----Amend-----	180	-----1-----
	✓	38:2318.1(B)	-----Amend-----	180	-----1-----
	✓	38:2351 thru 2361 (Chpt.11-A)	-----Enact-----	418	-----1-----
	✓	38:3072	-----Amend-----	458	-----5----- ✓ 10/01/2025 ✓
	✓	38:3073(2)	-----Repeal-----	458	-----11----- ✓ 10/01/2025 ✓
	✓	38:3073(8)	-----Amend-----	458	-----5----- ✓ 10/01/2025 ✓
	✓	38:3074	-----Repeal-----	458	-----11----- ✓ 10/01/2025 ✓
	✓	38:3075	-----Repeal-----	458	-----11----- ✓ 10/01/2025 ✓
	✓	38:3076(A)(Intro.Par.)	-----Amend-----	458	-----5----- ✓ 10/01/2025 ✓
	✓	38:3076(A)(3)	-----Amend-----	458	-----5----- ✓ 10/01/2025 ✓
	✓	38:3076(A)(4)	-----Amend-----	458	-----5----- ✓ 10/01/2025 ✓
	✓	38:3076(A)(7)	-----Amend-----	458	-----5----- ✓ 10/01/2025 ✓
	✓	38:3076(A)(8)	-----Amend-----	458	-----5----- ✓ 10/01/2025 ✓
	✓	38:3076(A)(9)	-----Amend-----	458	-----5----- ✓ 10/01/2025 ✓
	✓	38:3076(A)(14)(b)	-----Amend-----	458	-----5----- ✓ 10/01/2025 ✓
	✓	38:3076(A)(24)	-----Amend-----	458	-----5----- ✓ 10/01/2025 ✓
	✓	38:3076(C)	-----Amend-----	458	-----5----- ✓ 10/01/2025 ✓
	✓	38:3076(D)	-----Amend-----	458	-----5----- ✓ 10/01/2025 ✓
	✓	38:3076(E)	-----Amend-----	458	-----5----- ✓ 10/01/2025 ✓

✓	38:3076(F)(1)(Intro.Par.)	Amend	458	5	✓	10/01/2025	✓
✓	38:3076(F)(1)(b)	Amend	458	5	✓	10/01/2025	✓
✓	38:3076(F)(2)	Amend	458	5	✓	10/01/2025	✓
✓	38:3077	Amend	458	5	✓	10/01/2025	✓
✓	38:3078	Amend	458	5	✓	10/01/2025	✓
✓	38:3079	Amend	458	5	✓	10/01/2025	✓
✓	38:3080	Repeal	458	11	✓	10/01/2025	✓
✓	38:3081	Amend	458	5	✓	10/01/2025	✓
✓	38:3083	Amend	458	5	✓	10/01/2025	✓
✓	38:3086.24(F)(2)(a)	Amend	415	2	✓		
✓	38:3087.136(4)	Amend	458	5	✓	10/01/2025	✓
✓	38:3087.138	Amend	458	5	✓	10/01/2025	✓
R ✓	38:3092 <sup>(5)</sup> <del>(2)</del>	Amend	458	5	✓	10/01/2025	✓
R ✓	38:3092 <sup>(3)</sup> <del>(4)</del>	Amend	458	5	✓	10/01/2025	✓
✓	38:3093	Amend	458	5	✓	10/01/2025	✓
✓	38:3094(A)(Intro.Par.)	Amend	458	5	✓	10/01/2025	✓
✓	38:3094(A)(1)	Amend	458	5	✓	10/01/2025	✓
✓	38:3094(A)(2)	Amend	458	5	✓	10/01/2025	✓
✓	38:3094(A)(3)	Amend	458	5	✓	10/01/2025	✓
✓	38:3094(A)(4)	Amend	458	5	✓	10/01/2025	✓
✓	38:3094(B)(Intro.Par.)	Amend	458	5	✓	10/01/2025	✓
✓	38:3094(B)(7)	Amend	458	5	✓	10/01/2025	✓
✓	38:3094(C)(Intro.Par.)	Amend	458	5	✓	10/01/2025	✓
✓	38:3094(C)(1)	Amend	458	5	✓	10/01/2025	✓
✓	38:3097.1(C)	Amend	458	5	✓	10/01/2025	✓
✓	38:3097.2(1)	Amend	458	5	✓	10/01/2025	✓
R ✓	38:3097.2 <sup>(11)</sup> <del>(4)</del>	Amend	458	5	✓	10/01/2025	✓
R ✓	38:3097.2 <sup>(6)</sup> <del>(7)</del>	Amend	458	5	✓	10/01/2025	✓
R ✓	38:3097.2 <sup>(8)</sup> <del>(9)</del>	Amend	458	5	✓	10/01/2025	✓
✓	38:3097.3(A)	Amend	458	5	✓	10/01/2025	✓
✓	38:3097.3(B)	Amend	458	5	✓	10/01/2025	✓

✓ 38:3097.3(C)(Intro.Par.)	-----Amend-----	458	-----5✓-----	10/01/2025 ✓
✓ 38:3097.3(C)(4)(a)(Intro.Par.)	-----Amend-----	458	-----5✓-----	10/01/2025 ✓
✓ 38:3097.3(C)(4)(a)(v)	-----Amend-----	458	-----5✓-----	10/01/2025 ✓
✓ 38:3097.3(C)(4)(b)	-----Amend-----	458	-----5✓-----	10/01/2025 ✓
✓ 38:3097.3(C)(8)	-----Amend-----	458	-----5✓-----	10/01/2025 ✓
✓ 38:3097.3(D)	-----Amend-----	458	-----5✓-----	10/01/2025 ✓
✓ 38:3097.3(E)	-----Amend-----	458	-----5✓-----	10/01/2025 ✓
✓ 38:3097.3(F)(1)	-----Amend-----	458	-----5✓-----	10/01/2025 ✓
✓ 38:3097.3(F)(2)(Intro.Par.)	-----Amend-----	458	-----5✓-----	10/01/2025 ✓
✓ 38:3097.3(F)(2)(d)(Intro.Par.)	-----Amend-----	458	-----5✓-----	10/01/2025 ✓
✓ 38:3097.3(F)(2)(f)(Intro.Par.)	-----Amend-----	458	-----5✓-----	10/01/2025 ✓
✓ 38:3097.3(G)	-----Amend-----	458	-----5✓-----	10/01/2025 ✓
✓ 38:3097.4	-----Repeal-----	458	-----11✓-----	10/01/2025 ✓
✓ 38:3097.6(A)	-----Amend-----	458	-----5✓-----	10/01/2025 ✓
✓ 38:3097.6(B)(Intro.Par.)	-----Amend-----	458	-----5✓-----	10/01/2025 ✓
✓ 38:3097.6(B)(3)(Intro.Par.)	-----Amend-----	458	-----5✓-----	10/01/2025 ✓
✓ 38:3097.7	-----Repeal-----	458	-----11✓-----	10/01/2025 ✓
✓ 38:3097.8(A)	-----Amend-----	458	-----5✓-----	10/01/2025 ✓
✓ 38:3097.8(C)	-----Amend-----	458	-----5✓-----	10/01/2025 ✓
✓ 38:3098(A)(Intro.Par.)	-----Amend-----	458	-----5✓-----	10/01/2025 ✓
✓ 38:3098(B)	-----Amend-----	458	-----5✓-----	10/01/2025 ✓
✓ 38:3098(E)	-----Amend-----	458	-----5✓-----	10/01/2025 ✓
✓ 38:3098(G)	-----Enact-----	458	-----5✓-----	10/01/2025 ✓
✓ 38:3098.1(4)	-----Amend-----	458	-----5✓-----	10/01/2025 ✓
✓ 38:3098.6(A)(1)	-----Repeal-----	458	-----11✓-----	10/01/2025 ✓
✓ 38:3306(A)(2)(Intro.Par.)	-----Amend-----	247	-----1	

Approved by W on 7/30/25  
(Attorney)

W on 10/29/2025  
(Revisor)

# ACT 418

2025 Regular Session

ENROLLED

SENATE BILL NO. 97

BY SENATORS PRESSLY, BASS, CATHEY, HENRY, HODGES, JACKSON-ANDREWS, JENKINS AND MORRIS

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

L.A. State Law Institute  
PRINTER'S COPY

Edits To: RS 38 Pgs. 2, 4, 6, 8, 19-20

Note: - NOTE § 3

- DUAL PRINT w/ACT 452

\* COPY ATTACHMENT

AN ACT

L.A. State Law Institute  
PRINTER'S COPY  
NO EDITS

Classification RS 49

- NOTE § 3

- COPY PGS. 1, 26-29

1  
2 To amend and reenact R.S. 38:2(A)(2) and (3), 5.1, 6, 32(B)(3), 84(A) and (B), 111, 112,  
3 214(C) and the introductory paragraph of R.S. 49:214.6.6(A) and (C), 220.41(D),  
4 220.42(B)(5) and (7) and to enact R.S. 38:90.2(D), 214(D), and Chapter 11-A of  
5 Title 38 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 38:2351  
6 through 2361, and R.S. 49:214.6.3(A)(5), 214.6.6(A)(5), 220.42(B)(9) and (10),  
7 relative to flood control, risk reduction, navigation, and water resource management;  
8 to provide for the Department of Transportation and Development; to provide for the  
9 office of public works; to create the Coordinated Use of Resources for Recreation,  
10 Economy, Navigation, and Transportation Authority; to provide for purpose and  
11 intent; to provide for the development and implementation of an integrated plan for  
12 the upland area; to provide for definitions; to create the Coordinated Use of  
13 Resources for Recreation, Economy, Navigation, and Transportation Authority  
14 Board; to provide for members, powers, duties, and functions of the board; to  
15 provide for master and annual plans; to provide for public meetings and notices; to  
16 provide for legislative approval; to provide for the executive director; to provide for  
17 infrastructure programs; to provide for exclusions, exemptions, terms, and  
18 conditions; to provide for appeals; to provide for emergencies; to provide for the  
19 Coastal Protection and Restoration Authority; to provide for the chief resilience  
20 officer; and to provide for related matters.

21 Be it enacted by the Legislature of Louisiana:

22 Section 1. R.S. 38:2(A)(2) and (3), 5.1, 6, 32(B)(3), 84(A) and (B), 111, 112, 214(C)  
23 are hereby amended and reenacted and R.S. 38:90.2(D), 214(D), and Chapter 11-A of Title

38 of the Louisiana Revised Statutes of 1950, comprised of R.S. 38:2351 through 2361, are hereby enacted to read as follows:

§2. Functions of department

A. \* \* \*

(2)(a) The Coastal Protection and Restoration Authority Board shall have superseding jurisdiction over all integrated coastal protection, as defined in R.S. 49:214.2(10), in the coastal area, as defined in R.S. 49:214.2(3).

(b) The Coordinated Use of Resources for Recreation, Economy, Navigation, and Transportation Authority Board shall have superseding jurisdiction over all integrated projects in the upland area, as provided in R.S. 38:2351 et seq.

(3)(a) Subject to the right to be reimbursed for reasonable costs associated with such service, the Coastal Protection and Restoration Authority Board shall render to local governmental subdivisions, levee districts, levee and conservation districts, flood authorities, and any other special district all engineering, economic, and other advisory services within the scope of its functions and jurisdiction as defined in R.S. 49:214.2(3) and (10) which its facilities allow.

(b) Subject to the right to be reimbursed for reasonable costs associated with such service, the Coordinated Use of Resources for Recreation, Economy, Navigation, and Transportation Authority Board shall render to local governmental subdivisions, levee districts, ports, navigation districts and commissions, levee and conservation districts, and any other special district all engineering, economic, and other advisory services within the scope of its functions and jurisdiction as provided in R.S. 38:2351 et seq., which its facilities allow.

\* \* \*

§5.1. Planning assistance to municipal and other planning agencies; federal grants

A. For the purpose of providing planning assistance to municipal, parish, regional and other planning agencies of the state of Louisiana in the solution of their planning problems, the Department of Public Works, State of Louisiana, be and is

1 authorized to apply for and accept grants of money from the government of the  
2 United States or any federal agencies in connection with such assistance and, to this  
3 end, the said department may contract with the United States or such federal agencies  
4 for the acceptance of such grants including any requirement for matching said grants  
5 in whole or in part.

6 **B. For the purpose of providing planning assistance to municipal, parish,**  
7 **regional, and other agencies of the state of Louisiana, within the statutory**  
8 **mission as provided in R.S. 38:2351 et seq., the Coordinated Use of Resources**  
9 **for Recreation, Economy, Navigation, and Transportation Authority is hereby**  
10 **authorized to apply for and accept grants of money from the government of the**  
11 **United States or any federal agencies in connection with such assistance and, to**  
12 **this end, the authority may contract with the United States or such federal**  
13 **agencies for the acceptance of such grants including any requirement for**  
14 **matching said grants in whole or in part.**

15 §6. Cooperation with drainage districts, levee boards, and political subdivisions

16 The Department of Transportation and Development may also cooperate with  
17 any drainage or subdrainage district, any gravity drainage or gravity subdrainage  
18 district, any levee board, or any political subdivision, now or hereafter organized in  
19 accordance with law, upon any terms and conditions prescribed by the department.  
20 **For all upland areas as defined in R.S. 38:2352, the Coordinated Use of**  
21 **Resources for Recreation, Economy, Navigation, and Transportation Authority**  
22 **shall serve as the coordinating entity consistent with this Title.** The department  
23 shall assess and collect fees for the engineering services it provides to drainage  
24 districts, levee boards, and political subdivisions, other than state or federally funded  
25 projects.

26 \* \* \*

27 §32. Louisiana Water Resources Program; powers, duties, and functions

28 \* \* \*

29 B. The office of engineering shall be authorized to engage in the following  
30 activities:

\* \* \*

(3) To develop statewide water resources plans to assure the availability, safe use, and wise management of the state's water resources in both the short and long terms. All plans shall be developed in coordination with the Coordinated Use of Resources for Recreation, Economy, Navigation, and Transportation Authority for the noncoastal area of the state.

\* \* \*

§84. Parishes and municipalities authorized to comply with federal flood insurance act

A. In order to secure for the citizens of the state of Louisiana the flood insurance coverage provided for by the National Flood Insurance Act of 1968, 42 U.S.C. USC 4001 et seq., all of the parishes and municipalities of the state may adopt, in coordination with the chief resilience officer such ordinances, rules, and regulations, including zoning and land use regulations, as are necessary to comply with the requirements of said Act and the regulations adopted pursuant thereto by the Federal Emergency Management Agency. For upland areas of the state as defined in R.S. 38:2352, said ordinances, rules and regulations shall also comply with any statewide floodplain management standards which may be established by the Coordinated Use of Resources for Recreation, Economy, Navigation, and Transportation Authority.

B. The ~~office of engineering~~ chief resilience officer shall cooperate with the Federal Insurance Administrator of the Federal Emergency Management Agency in the planning and carrying out of state participation in the National Flood Insurance Program and shall aid, advise, and cooperate with parishes and municipalities endeavoring to qualify for participation in said program.

\* \* \*

§90.2. Revision of flood information database by the Floodplain Evaluation and Management Commission

\* \* \*

D. The commission shall collaborate with the Coordinated Use of

1 Resources for Recreation, Economy, Navigation, and Transportation Authority  
 2 to manage statewide flood risk data for all areas within the authority's  
 3 jurisdiction.

4 \* \* \*

5 §111. Contracts by drainage districts, levee boards, and political subdivisions with  
 6 Department of Transportation and Development or the Coastal  
 7 Protection and Restoration Authority

8 Any drainage or subdrainage district, gravity drainage, or gravity subdrainage  
 9 district, levee board, or political subdivision may contract with the Department of  
 10 Transportation and Development or, for projects in the coastal area as defined in R.S.  
 11 49:214.2, the Coastal Protection and Restoration Authority, or for projects in the  
 12 upland area as defined in R.S. 38:2352, the Coordinated Use of Resources for  
 13 Recreation, Economy, Navigation, and Transportation Authority, upon any  
 14 terms for the payment of the cost of the drainage and reclamation projects within the  
 15 confines of the district or districts involved proportionately by the Department of  
 16 Transportation and Development, the Coordinated Use of Resources for  
 17 Recreation, Economy, Navigation, and Transportation Authority, or the Coastal  
 18 Protection and Restoration Authority, and the districts as may be agreed upon  
 19 between the Department of Transportation and Development, the Coordinated Use  
 20 of Resources for Recreation, Economy, Navigation, and Transportation  
 21 Authority, or the Coastal Protection and Restoration Authority, and the governing  
 22 authorities of the districts entering into any contract.

23 §112. Cooperation with federal government and state of Mississippi in building  
 24 levees

25 By and with the concurrence and approval of the local levee authorities in  
 26 interest in Louisiana, and of the Department of Transportation and Development, or  
 27 for levees in the upland area as defined in R.S. 38:2352, the Coordinated Use of  
 28 Resources for Recreation, Economy, Navigation, and Transportation Authority,  
 29 or, for levees in the coastal area as defined in R.S. 49:214.2, the Coastal Protection  
 30 and Restoration Authority, the state of Mississippi and the United States

ACT 418

SB NO. 97

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Government, or either any of them, jointly or severally, may construct and have entire charge and control of, both in construction and maintenance, and for protection and preservation, all levees which may be deemed necessary by the grantees, or by either of them, for protection against overflow from the Mississippi River, through and over all parts of the state of Louisiana which by the changes of the channel of the Mississippi River have been separated from other parts of the state of Louisiana, and which are now on the east side of the present channel of the river, and attached to the mainland of the state of Mississippi. The levees shall be of the dimensions and shall be located, and built from adjacent soil, along the lines, and for the distances, determined by the engineers in charge of levee construction either for the United States or for the state of Mississippi, or for both.

\* \* \*

§214. Interference with drainage prohibited

[PRINT SUBSECTIONS A & B FROM EXISTING LAW]

C. Upon the request of the Department of Transportation and Development, the Coordinated Use of Resources for Recreation, Economy, Navigation, and Transportation Authority, or the Coordinated Use of Resources for Recreation, Economy, Navigation, and Transportation Authority Board, if the area is located within the upland area, as defined in R.S. 38:2352, and involves integrated upland projects, the local governing authority shall issue a citation to any person who is in violation of this Section. Every person convicted of a violation of this Section shall be subject to a criminal fine of not less than twenty-five dollars nor more than three hundred dollars.

D. Each fine imposed pursuant to the provisions of this Section shall be collected by the court and forwarded to the state treasurer for deposit in the state treasury.

\* \* \*

CHAPTER 11-A COORDINATED USE OF RESOURCES FOR RECREATION, ECONOMY, NAVIGATION, AND TRANSPORTATION AUTHORITY

PRINT 2 OF DUAL PRINT w/ ACT 452; SEE ATTACHMENT



1 authority of any political subdivision, port, navigation district, or levee district  
 2 designated as a local sponsor pursuant to an act of Congress, a federal  
 3 authorization, or a cooperative agreement with the United States Army Corps  
 4 of Engineers.

5 **§2352. Definitions**

6 As used in this Chapter, the following terms shall have the meanings  
 7 ascribed to them:

8 (2) "Upland area" means all land in the state of Louisiana that is not  
 9 included within the coastal area as defined in R.S. 49:214.2(4).

10 (3) "Upland parishes" means all parishes of the state, in whole or in part,  
 11 that are not included within the coastal area as defined in R.S. 49:214.2(4).

12 These areas are primarily affected by riverine flooding, watershed management,  
 13 inland navigation, and flood control infrastructure rather than coastal erosion  
 14 or sea level rise.

15 (1) "Integrated" means the coordinated planning, funding, construction,  
 16 and operation of flood control, navigation, recreation, water management, and  
 17 economic development projects to ensure efficient use of resources, minimize  
 18 conflicts, and promote sustainable development.

19 **§2353. Coordinated Use of Resources for Recreation, Economy, Navigation,**  
 20 **and Transportation Authority Board**

21 A. The Coordinated Use of Resources for Recreation, Economy,  
 22 Navigation, and Transportation Authority Board is hereby created within the  
 23 Department of Transportation and Development. The board is hereby  
 24 established and shall exercise the powers and duties set forth in this Chapter  
 25 or otherwise provided by law. The department shall provide any necessary  
 26 staffing for the board. The provisions of R.S. 44:5(A) shall not be applicable to  
 27 any activities or records of or pertaining to the authority.

28 B.(1) The Coordinated Use of Resources for Recreation, Economy,  
 29 Navigation, and Transportation Authority Board shall consist of no more than  
 30 sixteen members, selected by the governor, representing the following:

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(a) The Red River Waterway District, nominated by the commission.

(b) The office of multimodal commerce. The commissioner shall serve until, or without, express gubernatorial designation of an alternative.

(c) Statewide flood protection. The chief resiliency officer shall serve until, or without, express gubernatorial designation of an alternative.

(d) Louisiana Economic Development. The secretary of the department shall serve until, or without, express gubernatorial designation of an alternative.

(e) The North Louisiana Economic Partnership. The executive director shall serve until, or without, express gubernatorial designation of an alternative.

(f) The Department of Culture, Recreation and Tourism. The lieutenant governor shall serve until, or without, express gubernatorial designation of an alternative.

(g) Ports, located within the upland parishes, whole or in part.

(h) A levee board located within the upland parishes, whole or in part.

(i) Duly elected members of the executive branch of local government located within the upland parishes, whole or in part.

(j) The Department of Agriculture and Forestry. The commissioner shall serve until, or without, express gubernatorial designation of an alternative.

(k) Industry operating and located within the upland parishes, whole or in part. The executive directors of the Red River Valley Association and Ouachita River Valley Association, shall serve until, or without, express gubernatorial designation of an alternative.

(l) The Tensas Basin Levee District, nominated by the Tensas Basin Levee District.

(2) The board shall not consist of more than two port directors and no more than two levee boards.

C. Any member of the board who represents a political subdivision shall recuse himself from deliberations and from voting on any matter concerning the taking of action against that political subdivision for lack of compliance with the master or annual plan.

1 D. The chair of the board shall be appointed by the governor.

2 §2354. Master and annual plans; development; priorities

3 A.(1) The board shall, in accordance with the procedures set forth in this  
4 Section, develop a master plan and an annual plan for protecting, conserving,  
5 enhancing, and developing the area outside the coastal zone through the  
6 construction and management of integrated projects and programs, including  
7 privately funded projects or plans, and addressing those activities that  
8 significantly affect such projects, all consistent with the legislative intent as  
9 expressed in this Chapter, and which plan shall be subject to the approval of the  
10 legislature as provided in Subsections B and E of this Section. In addition, the  
11 board, in accordance with the procedures set forth in this Section including  
12 legislative approval, shall review, revise, and amend the master plan when  
13 necessary or, at a minimum, every six years.

14 (2) The master plan and the annual plan shall include requests for  
15 funding of projects and programs related to the authority's mission. The annual  
16 plan shall include at least a three-year projection of funding of projects and  
17 programs related to the authority's mission, including but not limited to  
18 relevant public or private funding sources.

19 B. The board shall develop the master and annual plans in accordance  
20 with the following procedure:

21 (1) The board shall conduct not less than three public hearings in  
22 separate locations in the upland parishes for the purpose of receiving comments  
23 and recommendations from the public and elected officials. All public hearings  
24 must be held at least sixty days prior to the submission of the plans to the  
25 legislature.

26 (2) At least two weeks prior to each public hearing the board shall  
27 contact the parish governing authorities, regional flood protection authorities,  
28 levee districts, and the state legislators of the parishes in the area for the  
29 purpose of soliciting their comments and recommendations and notifying them  
30 of the public hearing to be held in their area.

1           (3) Ten days prior to the first such public hearing the board shall publish  
2           in the Louisiana Register and the official state journal the schedule of public  
3           hearings setting out the location, place, and time of all the hearings.

4           (4) At least seven days prior to each hearing the board shall publish a  
5           notice of the hearing in the official journal of each parish within the area of the  
6           hearing. The notice of a hearing shall have been published in the official journal  
7           of each parish in the upland area prior to the final scheduled public hearing.  
8           The board may provide for additional public hearings when necessary upon at  
9           least three days notice published in the official journal of the parishes in the  
10          area of the hearing and written notice to the parish governing authorities.

11          (5) The board shall receive written comments and recommendations  
12          until thirty days prior to the submission of the master and annual plans to the  
13          legislative committees.

14          C. The master plan shall address the authority's efforts from both  
15          short-term and long-range perspectives and shall incorporate structural,  
16          management, and institutional components of both efforts. The plan shall  
17          include but not be limited to the following:

18               (1) A list of projects and programs required for the protection,  
19               conservation, enhancement, and development of the noncoastal area and the  
20               action required of each state agency to implement said project or program.

21               (2) A schedule and estimated cost for the implementation of each project  
22               or program included in the master plan.

23               D.(1) Where feasible, the master plan shall include scientific data and  
24               other reasons, including but not limited to the social, geographic, economic,  
25               engineering, and biological considerations as to why each project or program  
26               was selected for inclusion. Specifically, an explanation shall be included as to  
27               how each project or program advances the plan objectives with respect to the  
28               protection, conservation, enhancement, and development of the upland area.

29               (2) Prior to recommending any project for inclusion in the master plan,  
30               the board shall identify and declare in writing:

1           **(a) The public use benefits intended to be derived from the project that**  
2           **justify the project.**

3           **(b) The use benefits that private landowners are expected to derive from**  
4           **the project.**

5           **(c) The manner in which the benefits will be realized over the life of the**  
6           **project.**

7           **(d) The entities or persons who will be responsible for the long-term**  
8           **operation and maintenance of the project both in terms of manpower and cost.**

9           **(e) The entities or persons who will be responsible for monitoring the**  
10           **project to ensure that it is functioning properly and realizing the intended**  
11           **public and private benefits.**

12           **E.(1) After adoption by the board, the master plan shall be submitted to**  
13           **the House Committee on Natural Resources and Environment and the Senate**  
14           **Committee on Natural Resources and the House Committee on Transportation,**  
15           **Highways and Public Works and the Senate Committee on Transportation,**  
16           **Highways and Public Works for approval. In addition, the annual plan shall be**  
17           **submitted to the House Committee on Natural Resources and Environment and**  
18           **the Senate Committee on Natural Resources and the House Committee on**  
19           **Transportation, Highways and Public Works and the Senate Committee on**  
20           **Transportation, Highways and Public Works on or before the fifteenth day of**  
21           **the regular legislative session of each year. The committees shall take action on**  
22           **the annual plan on or before June first of each calendar year.**

23           **(2) If any committee disapproves a plan, it shall send the plan back to the**  
24           **authority together with a brief summary of the reasons for disapproval and may**  
25           **make recommendations concerning changes it deems necessary or appropriate**  
26           **to remedy any deficiencies in the plan.**

27           **(3) The legislature may approve or disapprove a plan by resolution**  
28           **adopted by a majority vote of the members of each house of the legislature. If**  
29           **the legislature disapproves a plan, it shall include in the resolution a brief**  
30           **summary of the reasons for disapproval and may make recommendations**

1 concerning any changes it deems necessary or appropriate to remedy any  
2 deficiencies in the plan.

3 (4) If the legislature approves the master plan, or if the legislature fails  
4 to take action on the master plan within sixty days after the plan is submitted,  
5 the board shall provide for implementation of the plan as submitted. If the  
6 legislature approves the annual plan, or if the legislature fails to disapprove the  
7 annual plan by July first, the board shall provide for implementation of the plan  
8 as submitted. The projects and programs provided for in the annual plan shall  
9 be undertaken in conformity with the order of priority as contained in the  
10 annual plan.

11 (5) At any time subsequent to the adoption or implementation of a plan  
12 in accordance with the procedure set forth in this Section, the board may amend  
13 or supplement the plan to add or delete projects and programs. No project shall  
14 be added or deleted unless and until the amendment to the plan is approved as  
15 provided in this Section. Any such amendment to the plan submitted to the  
16 legislature shall conform to the requirements specified in Subsections B and D  
17 of this Section.

18 §2355. Functions and responsibilities; Coordinated Use of Resources for  
19 Recreation, Economy, Navigation, and Transportation Authority  
20 Board

21 A. The board shall:

22 (1) Represent the state's position on policy relative to the protection,  
23 conservation, enhancement, and management of the upland area of the state  
24 through oversight of integrated projects and programs and by addressing  
25 activities which could significantly affect integrated projects and programs, all  
26 consistent with the legislative intent as expressed in this Title.

27 (2) Develop, coordinate, make reports on, and provide oversight for a  
28 comprehensive upland area master plan and annual plans, working in  
29 conjunction with state agencies, political subdivisions, including flood protection  
30 authorities, levee districts, and federal agencies. The master plan shall include

1 a comprehensive strategy addressing the protection, conservation,  
2 enhancement, and management of the upland area through the construction  
3 and management of integrated projects and programs, all consistent with the  
4 legislative intent as expressed in this Chapter. The annual plan shall be  
5 developed as the annual implementation of the comprehensive master plan and  
6 shall be submitted to the legislature for approval as set forth in R.S. 38:2354.  
7 The annual plan shall include a description and status of all projects and  
8 programs pertaining to the authority's mission, including privately funded  
9 projects or plans, and addressing those activities which significantly affect  
10 projects set forth in the plan, all consistent with the legislative intent as  
11 expressed in this Title.

12 (3) Submit to the House Committee on Natural Resources and  
13 Environment and the Senate Committee on Natural Resources and the House  
14 Committee on Transportation, Highways and Public Works and the Senate  
15 Committee on Transportation, Highways and Public Works the integrated  
16 plans developed pursuant to R.S. 38:2354. Upon approval of the plans by the  
17 legislative committees and prior to implementation of the plans, in whole or in  
18 part, the plans shall be approved by the legislature as provided in R.S.  
19 38:2354(E).

20 (4) Develop procedures in accordance with the Administrative Procedure  
21 Act and take actions against any entity, including political subdivisions, to  
22 enforce compliance with the comprehensive master upland area plan. Such  
23 procedures and actions may include but are not limited to determinations of  
24 noncompliance; appeal from such determinations; the taking of administrative  
25 action, including the withholding of funds; and civil action, including the  
26 seeking of injunctive relief, or any other remedy necessary to ensure compliance  
27 with the plan.

28 (5) Develop guidelines for cost-sharing agreements with public and  
29 private entities participating in approved projects within the authority's  
30 jurisdiction.

1            **B. The board may:**

2            **(1) Accept and use, in accordance with law, gifts, grants, bequests,**  
3            **endowments, or funds from any public or private source for purposes consistent**  
4            **with responsibilities and functions of the board and take such actions as are**  
5            **necessary to comply with any conditions required for such acceptance.**

6            **(2) Utilize the services of other executive departments of state**  
7            **government upon mutually agreeable terms and conditions.**

8            **(3) Take such other actions not inconsistent with law as are necessary to**  
9            **perform properly the functions of the board.**

10           **(4) Adopt rules and regulations to implement the provisions of this**  
11           **Section. Such rules and regulations shall be adopted in accordance with the**  
12           **Administrative Procedure Act.**

13           **(5) Delegate signing authority for contracts to the chairman of the board,**  
14           **the executive director of the Coordinated Use of Resources for Recreation,**  
15           **Economy, Navigation, and Transportation Authority, or an authorized designee**  
16           **of either. Such designation by the chairman or the director shall be by authentic**  
17           **act.**

18           **(6) Approve all requests for programs and projects in the upland area,**  
19           **insofar as such requests are for funds to be appropriated from the funds**  
20           **available to the authority.**

21           **(7) Delegate any of its powers, duties, and functions to the chairman of**  
22           **the board, to the executive director of the Coordinated Use of Resources for**  
23           **Recreation, Economy, Navigation, and Transportation Authority, or to state**  
24           **agencies, political subdivisions, including flood protection authorities, or levee**  
25           **districts.**

26           **(8) Enter into any contract with the federal government or any federal**  
27           **agency or any political subdivision of the state or private individual for the**  
28           **study, planning, engineering, design, construction, operation, maintenance,**  
29           **repair, rehabilitation, or replacement of any integrated project within the**  
30           **authority's jurisdiction and to this end, may contract for the acceptance of any**

1 grant of money upon the terms and conditions, including any requirement of  
2 matching the grants in whole or part, which may be necessary.

3 (9) Maximize the use of nonfederal funds and in-kind donations to  
4 provide for the costs associated with nonfederal cost-share requirements  
5 associated with integrated projects within the authority's jurisdiction.

6 (10) Enter into any agreement with a parish governing authority located  
7 wholly or partially within the coastal area but which is not part of a levee  
8 district for the construction, operation, maintenance, repair, rehabilitation, or  
9 replacement of any upland protection, conservation and restoration, hurricane  
10 protection, infrastructure, storm damage reduction, integrated coastal  
11 protection, or flood control project. The board shall have the power to provide  
12 in the agreement for the use and exercise by the parish governing authority of  
13 all powers of levee districts or levee and drainage districts.

14 C. Approval by the board shall be required for any request by a state  
15 agency or department for any funds to finance research, programs, mitigation,  
16 or projects involving integrated protection, including hurricane protection or  
17 the conservation and restoration, of upland areas. However, this Subsection  
18 shall not affect self-generated or dedicated funds.

19 D. No state agency or entity shall enter into a contract with the United  
20 States Army Corps of Engineers which would require the state to assume  
21 liability for or provide the cost of operations and maintenance for a protection  
22 project unless the contract provides for independent third-party review and  
23 evaluation in accordance with the best available science and technical  
24 capabilities to confirm the project's anticipated level of protection against  
25 flooding prior to the state or political subdivision assuming liability and  
26 operations and maintenance obligations. The independent third-party reviewer  
27 and evaluator provided for in the contract shall be approved by both the United  
28 States Army Corps of Engineers and the nonfederal sponsor. However, the  
29 provisions of this Subsection shall not apply to contracts for routine  
30 maintenance or other minor construction or repairs, or in cases where there is

1 imminent threat to life or property, or when the chairman of the Coordinated  
2 Use of Resources for Recreation, Economy, Navigation, and Transportation  
3 Authority Board, with the approval of the board, determines that an emergency  
4 exists whereby compliance with the provisions of this Subsection would create  
5 an unreasonable hardship.

6 E. Notwithstanding any other provision of law to the contrary, the  
7 Department of Wildlife and Fisheries may enter into a cooperative endeavor  
8 agreement with the authority, board, or a levee district to allow the use of the  
9 department's personnel, equipment, or lands owned or leased by the state to  
10 satisfy mitigation requirements imposed upon the authority or levee district by  
11 federal, state, or local law.

12 F. Upon the approval by the board, and notwithstanding any law to the  
13 contrary, the authority, the state, or any political subdivision thereof, may use  
14 its own resources for satisfying any mitigation requirements resulting from or  
15 related to an integrated noncoastal project within the authority's jurisdiction.

16 G. Notwithstanding any law to the contrary, the Coordinated Use of  
17 Resources for Recreation, Economy, Navigation, and Transportation Authority,  
18 upon approval by the board, may enter into a contract for the study,  
19 investigation, and cleanup of, or response to, hazardous substances directly with  
20 any person or entity who has entered into a contract with the United States  
21 Army Corps of Engineers for an integrated protection program or project  
22 within the authority's jurisdiction where the hazardous substance is located and  
23 if federal law, rules, regulations, guidance, or the terms of a cooperative,  
24 partnership, or other agreement for the program or project require the state of  
25 Louisiana to directly take action with regard to the study, investigation, and  
26 cleanup of, or response to, the hazardous substance. Nothing in this Section  
27 shall prevent the authority from contracting with any person or entity in any  
28 other manner permitted by law. In approving the contract with the United  
29 States Army Corps of Engineers contracting entity or person, the board shall  
30 do all of the following:

1           **(1) Make a determination that the United States Army Corps of**  
2           **Engineers entered into the contract with its contractor through a public bid**  
3           **process.**

4           **(2) Obtain from contractors other than the one under contract with the**  
5           **United States Army Corps of Engineers, at least two estimates for the needed**  
6           **work to be conducted under the contract for study, investigation, and cleanup**  
7           **of, or response to, hazardous substances from persons or entities qualified to**  
8           **conduct such work, as determined by the board.**

9           **(3) Obtain an estimate for the needed work from the United States Army**  
10           **Corps of Engineers contractor.**

11           **(4) Make a determination that contracting directly with the United States**  
12           **Army Corps of Engineers contractor is economical, feasible, and in the best**  
13           **interest of the health, safety, and welfare of the citizens of the state of Louisiana.**

14           **H.(1) The board shall broadcast over the internet live audio and video**  
15           **streams of all its board meetings in which votes are scheduled to occur.**

16           **(2) All meetings broadcast in accordance with Paragraph (1) of this**  
17           **Subsection shall be recorded, archived, and made accessible to the public for at**  
18           **least six years after the date of the meeting.**

19           **(3) The provisions of this Subsection shall not apply to executive sessions**  
20           **held in accordance with the Open Meetings Law as provided in R.S. 42:11 et**  
21           **seq.**

22           **(4) The audio and video records created pursuant to this Subsection shall**  
23           **not be construed in a manner to be the official record, or any part of the official**  
24           **record, of the proceedings of a meeting of the board.**

25           **(5) If the board is precluded from fulfilling the requirements of this**  
26           **Subsection due to a technical problem beyond its control, or when the only**  
27           **meeting room available lacks the equipment necessary to facilitate internet**  
28           **broadcast, the failure to broadcast or record the proceedings of a meeting of the**  
29           **board shall not be construed to be a violation of the provisions of this**  
30           **Subsection. However, the board shall take no votes at this meeting.**

1 I. Nothing in this Chapter shall apply to projects wholly funded and  
 2 constructed by private entities on private property that do not utilize public  
 3 funds, require inclusion in the annual plan, or require use of public  
 4 infrastructure subject to authority's jurisdiction.

5 J. Nothing in this Chapter shall supersede, nullify, or otherwise diminish  
 6 the ability of any political subdivision, levee district, drainage district,  
 7 navigation district, or port authority to pursue or implement projects  
 8 independently of the annual plan, provided such projects are consistent with the  
 9 master plan. Entities not seeking funding assistance from the authority may  
 10 proceed with projects pursuant to other applicable laws and regulations.

11 §2356. Coordinated Use of Resources for Recreation, Economy, Navigation,  
 12 and Transportation Authority

13 A. The Coordinated Use of Resources for Recreation, Economy,  
 14 Navigation, and Transportation Authority is hereby created within the office of  
 15 public works. The authority shall:

16 (1) Have the right to acquire, own, administer, alienate, and otherwise  
 17 dispose of all kinds of property, movable and immovable, corporeal and  
 18 incorporeal; contract, adopt, alter, or destroy an official seal. Except as  
 19 otherwise expressly provided by this Chapter, the authority may perform every  
 20 act necessary, convenient, or incidental to the exercise of its power and  
 21 authority, the discharge of its duties, or the performance of its functions.

22 (2) Serve as the implementation arm of the Statewide Flood Control  
 23 Program in R.S. 38:90.1 et seq., and for other functions of the department  
 24 outside of the coastal area. The authority shall be directed by the policy set by  
 25 the Coordinated Use of Resources for Recreation, Economy, Navigation, and  
 26 Transportation Authority Board.

27 (3) Through its offices and officers, be responsible for the  
 28 implementation and enforcement of the authority's master plan and annual  
 29 plan. The authority shall implement the integration of storm damage reduction,  
 30 restoration, flood control, infrastructure, and navigation in <sup>noncoastal</sup> ~~non-coastal~~ areas

1 in accordance with the master plans and annual plans, as well as perform other  
2 functions as directed by the board.

3 B. Executive <sup>d</sup>Director.

4 (1) There shall be an executive director of the Coordinated Use of  
5 Resources for Recreation, Economy, Navigation, and Transportation Authority.  
6 He shall report to the Coordinated Use of Resources for Recreation, Economy,  
7 Navigation, and Transportation Authority Board for all matters within the  
8 jurisdiction and purview of the board, and shall work in coordination and  
9 collaboration with the chief resilience officer.

10 (2) The governor may appoint an executive director of the Coordinated  
11 Use of Resources for Recreation, Economy, Navigation, and Transportation  
12 Authority. In the event an executive director is not appointed, the director of  
13 public works may serve as the executive director of the Coordinated Use of  
14 Resources for Recreation, Economy, Navigation, and Transportation Authority.

15 (3) The executive director or his designee shall have authority, in  
16 accordance with applicable rules and regulations of the civil service commission  
17 to employ, appoint, transfer, assign, terminate, and promote such personnel as  
18 is necessary for the efficient administration of the Coordinated Use of Resources  
19 for Recreation, Economy, Navigation, and Transportation Authority.

20 (4) The executive director, or his designee, shall approve all plans,  
21 specifications, and estimates for the construction of all projects for which the  
22 authority is responsible. He also shall have such other duties as may be assigned  
23 to him by the Coordinated Use of Resources for Recreation, Economy,  
24 Navigation, and Transportation Authority Board, by the provisions of this  
25 Chapter, or by the laws of this state. He shall report the proceedings of his office  
26 annually to the Coordinated Use of Resources for Recreation, Economy,  
27 Navigation, and Transportation Authority Board and at such other times as the  
28 board may designate, and he shall make any additional reports as are required  
29 by the board.

30 (5) The executive director, or in his discretion a subordinate or

1 subordinates, shall administer the programs, projects, and activities approved  
2 for funding by the Coordinated Use of Resources for Recreation, Economy,  
3 Navigation, and Transportation Authority Board relating to and affecting an  
4 integrated upland system, including conservation, restoration, creation, and  
5 enhancement of upland areas, storm damage reduction, flood control,  
6 infrastructure, economic development, and navigation in Louisiana's uplands  
7 area as provided by law and as provided in the master and annual plans, and  
8 other special programs as may be directed by the board.

9 (6) The executive director shall report annually to the legislature as to  
10 the progress of the projects and programs enumerated in the master plan or  
11 annual plans or any component thereof. For each project or program, estimated  
12 construction and maintenance costs, progress reports, and estimated completion  
13 timetables shall be provided.

14 (7) The executive director is granted full power and authority to  
15 delegate, assign, or appoint in his discretion any subordinate to perform any  
16 function or duties required by law to be performed by the authority, except as  
17 specifically provided in this Title. This grant of power and authority shall be  
18 liberally construed to effectuate the purposes of this Chapter.

19 (8) The executive director shall provide the necessary reports, staff,  
20 assistance, and support to the Coordinated Use of Resources for Recreation,  
21 Economy, Navigation, and Transportation Authority Board in order to assist  
22 in the development of the master plan and annual plan.

23 (9) The executive director may appoint ex officio notaries in accordance  
24 with the provisions of R.S. 35:411.

25 C. Nothing in this Chapter shall be construed to diminish or impair the  
26 constitutional, statutory, or contractual authority of any levee district, drainage  
27 district, navigation district, or port commission operating within the upland  
28 area. The authority shall coordinate with such entities to the greatest extent  
29 practicable.

30 §2357. Appeals

1           **A. Any project sponsor whose project is denied inclusion in the annual**  
2           **plan may request reconsideration by submitting a written appeal to the**  
3           **authority within thirty days of the notice of the initial determination.**

4           **B. The authority shall render a final decision on the appeal within sixty**  
5           **days of submission. Exhaustion of this administrative remedy shall be required**  
6           **before seeking judicial review.**

7           **§2358. Interaction with Coastal Protection and Restoration Authority**

8           **The Coastal Protection and Restoration Authority and the Coordinated**  
9           **Use of Resources for Recreation, Economy, Navigation, and Transportation**  
10           **Authority shall jointly develop integrated flood protection strategies. The**  
11           **Coastal Protection and Restoration Authority shall remain responsible for its**  
12           **functions and responsibilities as defined in R.S. 49:214.5.1 et seq. The**  
13           **Coordinated Use of Resources for Recreation, Economy, Navigation, and**  
14           **Transportation Authority shall oversee riverine flood management, inland**  
15           **navigation, and water resource infrastructure within the upland area as defined**  
16           **in R.S. 38:2352 and as consistent with this Chapter.**

17           **§2359. Functions and responsibilities; Coordinated Use of Resources for**  
18           **Recreation, Economy, Navigation, and Transportation Authority**

19           **A. The authority shall administer the programs of the Coordinated Use**  
20           **of Resources for Recreation, Economy, Navigation, and Transportation**  
21           **Authority Board. The executive director may use his contracting authority, or**  
22           **the contracting authority of any state department or agency, to implement the**  
23           **provisions of this Chapter. His contracting authority shall include construction**  
24           **management at risk, operation and maintenance, design-build,**  
25           **design-build-operate and maintain, design-build-finance-operate and maintain,**  
26           **outcome-based performance contracts, or any combination of design,**  
27           **construction, finance, and services for operation and maintenance of any**  
28           **project authorized by the board, where appropriate. The Coordinated Use of**  
29           **Resources for Recreation, Economy, Navigation, and Transportation Authority**  
30           **shall promulgate, through the Administrative Procedure Act, rules, regulations,**

1 or guidelines for the implementation of the contracting authority granted by the  
2 provisions of this Section. The Coordinated Use of Resources for Recreation,  
3 Economy, Navigation, and Transportation Authority shall have the authority  
4 to execute and implement contracts entered into by the board.

5 B. The authority shall implement projects in the upland area as  
6 approved by the board and consistent with the legislative intent of this Chapter.  
7 However, no project shall be undertaken except those included in an annual  
8 plan finally approved by the legislature in accordance with the provisions of  
9 R.S. 38:2354, regardless of the source of funds for the project, except in cases  
10 of projects undertaken and financed out of the emergency fund, established in  
11 the annual plan. An emergency for which such fund shall be used shall be  
12 defined by the Coordinated Use of Resources for Recreation, Economy,  
13 Navigation, and Transportation Authority Board and all funds shall be spent  
14 only in accord with procedures established by the authority board for such  
15 fund. All projects undertaken pursuant to the provisions of this Chapter shall  
16 be either funded through the Statewide Flood Program, the state general fund,  
17 or other sources of funding available to the authority, including but not limited  
18 to direct federal aid, grants, gifts, and other donations received by the state for  
19 the purposes of this Chapter.

20 C. The authority shall:

21 (1) Have oversight over the administration of all matters related to the  
22 study, planning, engineering, design, construction, extension, improvement,  
23 repair, and regulation of projects within its jurisdiction.

24 (2) Take such other actions not inconsistent with law as are necessary to  
25 perform the functions of the authority.

26 D. The authority may:

27 (1) Negotiate and execute contracts, upon such terms as the authority  
28 may agree, for legal, financial, consulting, or other professional services or  
29 personal services necessary to the conduct of the authority. In addition, the  
30 authority may enter into contracts for engineering and construction services or

1 agreements with the federal government, local governing authorities, political  
2 subdivisions, or with other public or private entities for the administration,  
3 implementation, or enforcement of integrated noncoastal projects, programs,  
4 or activities as directed by the Coordinated Use of Resources for Recreation,  
5 Economy, Navigation, and Transportation Authority Board.

6 (2) Acquire by purchase, donation, or otherwise any land rights needed  
7 for integrated upland area projects and other property required for the  
8 operation of the projects that are to be owned and operated by the office or  
9 political subdivision of the state; provided, that any property acquired for any  
10 project may reserve the minerals to the landowners, whether private or public,  
11 in accordance with the provisions of R.S. 31:149.

12 (3) Develop procedures to evaluate new and improved flood protection  
13 technologies.

14 (4) Perform pre-construction and post-construction monitoring of  
15 projects that will be implemented or have been implemented by the office.

16 (5) Coordinate its efforts with local governments, political subdivisions,  
17 interest groups, and the public.

18 (6) Develop, implement, operate, maintain, and monitor plans and  
19 projects within its jurisdiction and consistent with the legislative intent of this  
20 Title.

21 (7) Take any other action necessary to administer any plans, projects,  
22 policies, or programs consistent with the master plan or any annual plan,  
23 including but not limited to issuing bonds or incurring other debt obligations,  
24 provided that such bonds or other debt obligations shall be subject to the  
25 approval of and sold by the State Bond Commission in accordance with the  
26 provisions of R.S. 39:1403.

27 (8) Utilize the services of the Natural Resources Trust Authority for  
28 funding support.

29 E.(1) The board or the authority shall be authorized to solely utilize the  
30 science and technology capacity of Louisiana universities, the water institute,

1 and other institutes within the state to enhance programs, projects, and  
 2 activities for the following purposes:

3 (a) To identify any uncertainty related to the physical, chemical,  
 4 geological, biological, or cultural baseline conditions in the upland area.

5 (b) To improve the knowledge of the physical, chemical, geological,  
 6 biological, or cultural baseline conditions in the noncoastal area.

7 (c) To identify and develop technologies, models, methods, and  
 8 demonstrations to carry out the purposes of this Subsection.

9 (2) In carrying out the provisions of this Subsection, the Coordinated Use  
 10 of Resources for Recreation, Economy, Navigation, and Transportation  
 11 Authority Board or the Coordinated Use of Resources for Recreation, Economy,  
 12 Navigation, and Transportation Authority may enter into contracts and  
 13 cooperative agreements with Louisiana universities, the water institute, or other  
 14 institutes within the state as authorized in this Subsection to enhance relevant  
 15 programs, projects, and activities.

16 (3) For the purposes of this Subsection, the water institute shall mean  
 17 The Water Institute of the Gulf, a 501(c)(3) nonprofit entity, incorporated on  
 18 March 25, 2011, or its successors.

19 F. Any rule, regulation, or guideline developed pursuant to this Subpart  
 20 shall be proposed or adopted pursuant to the rulemaking procedures set forth  
 21 in the Administrative Procedure Act.

22 §2360. Infrastructure priority program; applications; evaluations

23 A. Applications for funding of any infrastructure project may be  
 24 submitted by any political subdivision of the state. For any infrastructure  
 25 projects, applications shall be made to the Coordinated Use of Resources for  
 26 Recreation, Economy, Navigation, and Transportation Authority Board by  
 27 November first of each year for consideration of funding in the following fiscal  
 28 year. Applications submitted in accordance with the provisions of this Section  
 29 shall not be subject to the provisions of R.S. 39:101. Agencies submitting  
 30 applications for projects in this program shall be responsible for preparation

1 of applications for their respective projects. Information to be provided in the  
2 application shall include but not be limited to the following:

3 (1) Demonstration of need for the project and benefits of the project.

4 (2) Preliminary project design and cost estimate.

5 (3) Description of project area including the geographical area affected,  
6 and land ownership information.

7 (4) Description of how the project is consistent with the priorities of the  
8 master plan and how the project will address mitigation issues.

9 B. Project applications shall not be subjected to formal review and  
10 evaluation until the information required in the application has been submitted  
11 or is determined to be unavailable.

12 C. The applications submitted by agencies shall be evaluated by the  
13 board which shall hold no less than three public hearings in separate locations  
14 within the upland area for the purpose of receiving public testimony and  
15 comment from requesting authorities and citizens regarding the proposed  
16 infrastructure projects. Such hearings may be held at the same time and  
17 location as hearings set for public comment on the annual plan. The authority  
18 shall prioritize and rank such applications. The authority shall provide its  
19 application evaluations to the board.

20 D. Based upon the evaluations of the authority, the board may compile  
21 a list of infrastructure projects to be formally included in the annual plan.

22 §2361. Emergency projects

23 A. Notwithstanding any provision of this Chapter, in the event of a  
24 declared emergency under R.S. 29:721 et seq., a project within the jurisdiction  
25 of the authority may proceed immediately upon written certification by the  
26 governor that the project is necessary to preserve public health, safety, critical  
27 military infrastructure, or essential federal navigation or flood control interests.

28 B. Projects authorized under this Section shall be submitted for  
29 ratification in the next annual plan but may proceed prior to such approval.

30 Section 2. The introductory paragraph of R.S. 49:214.6.6(A) and (C), 220.41(D),

220.42(B)(5) and (7) are hereby amended and reenacted and R.S. 49:214.6.3(A)(5),  
214.6.6(A)(5), 220.42(B)(9) and (10) are hereby enacted to read as follows:

§214.6.3. Functions and responsibilities; hurricane protection and flood control

A. Legislative intent

\* \* \*

(5) This Section provides for the functions, powers, and responsibilities of the Coordinated Use of Resources for Recreation, Economy, Navigation, and Transportation Authority, which authority is charged with oversight of the design, construction, extension, improvement, repair, and regulation of flood control and infrastructure projects in the upland area, as defined in R.S. 38:2352. This Section also provides for the integration of the state's hurricane protection and flood control efforts with coastal restoration efforts and upland flood protection and infrastructure projects through coordination between the Coastal Protection and Restoration Authority and Coordinated Use of Resources for Recreation, Economy, Navigation, and Transportation Authority.

\* \* \*

§214.6.6. Infrastructure priority program; applications; evaluations

A. Applications for funding of any infrastructure project may be submitted by any political subdivision of the state. For statewide flood mitigation projects, applications shall be made jointly to both the Coastal Protection and Restoration Authority and Coordinated Use of Resources for Recreation, Economy, Navigation, and Transportation Authority boards by November first of each year for consideration of funding in the following fiscal year. For any infrastructure projects, applications shall be made to the Coastal Protection and Restoration Authority Board by November first of each year for consideration of funding in the following fiscal year. Applications submitted in accordance with the provisions of this Section shall not be subject to the provisions of R.S. 39:101. Agencies submitting applications for projects in this program shall be responsible for preparation of applications for their respective projects. Information to be provided in the application shall include but not be limited to the following:

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(5) For statewide flood mitigation projects, a description of how the project is consistent with the priorities of both the coastal and upland master plans and how the project will address mitigation issues.

\* \* \*

C. The applications submitted by agencies shall be evaluated by the Coastal Protection and Restoration Authority Board which shall hold no less than three public hearings in separate locations within the coastal area for the purpose of receiving public testimony and comment from requesting authorities and citizens regarding the proposed infrastructure projects. Such hearings may be held at the same time and location as hearings set for public comment on the annual plan. The authority shall prioritize and rank such applications. The authority shall provide its application evaluations to the Coastal Protection and Restoration Authority Board. For statewide flood mitigation projects, the Coordinated Use of Resources for Recreation, Economy, Navigation, and Transportation Authority Board shall perform the same functions in the upland area as defined by R.S. 38:2352.

\* \* \*

§220.41. Chief resilience officer; purpose; definition

\* \* \*

D. For purposes of this Section, "resilience" shall mean a capability to anticipate, prepare for, respond to, and recover from significant multi-hazard threats with minimal damage to social well-being, the economy, infrastructure, and the environment, including flood risk management.

§220.42. Functions and duties

\* \* \*

B. The chief resilience officer, subject to the approval of the governor, shall:

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(5) Coordinate and focus federal involvement in Louisiana with respect to resilience and risk mitigation, including flood risk mitigation.

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(7) Assist with the state's planning efforts including the Coastal Master Plan, the Upland Master Plan, the State Hazard Mitigation Plan, and the Statewide Watershed Management Plan to ensure the incorporation and alignment of the state's resilience goals and objectives into a unified, proactive, pre-disaster approach to adaptation and long-term resilience.

\* \* \*

(9) Coordinate with state and local officials, the Coastal Protection and Restoration Authority, and the Coordinated Use of Resources for Recreation, Economy, Navigation, and Transportation Authority to pursue statewide strategy for the National Flood Insurance Program.

(10) Coordinate statewide policy and planning with respect to flood control.

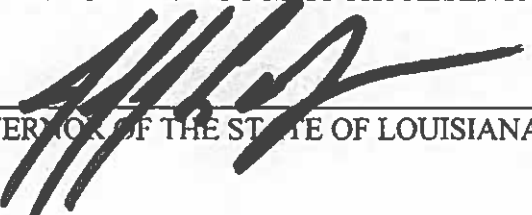
Section 3. The provisions of this Act shall be subject to appropriation of funds by the legislature.

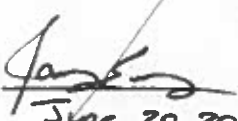
[Acts 2025, No. 418]

NOTE @ ALL PROVISIONS IN THIS ACT

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

  
\_\_\_\_\_  
SPEAKER OF THE HOUSE OF REPRESENTATIVES

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

APPROVED:   
June 20, 2025

LOUISIANA STATE LAW INSTITUTE  
DUAL PRINT OF ACTS 2025, NOS. 418 AND 452 RE: R.S. 38:214

*Print 1 based on Act 452, effective August 1, 2025:*

**R.S. 38:214. Interference with drainage prohibited**

A. No person shall dump or discharge or permit to be dumped or discharged into any waters or drains of the state local governing body any trees or other objects, substances, or materials which might interfere with the drainage.

B. Upon the request of the ~~Department of Transportation and Development, the Coastal Protection and Restoration Authority, or the Coastal Protection and Restoration Authority Board, if the area is located within the coastal area, as defined in R.S. 49:214.2, and involves integrated coastal protection, as defined in R.S. 49:214.2, the state police shall issue a citation to any person who is in violation of this Section.~~ Every local governing body, every person convicted of a violation of this Section shall be fined not less than twenty-five dollars nor more than three hundred dollars.

C. Each fine imposed pursuant to the provisions of this Section shall be collected by the court and forwarded to the ~~state treasurer for deposit in the state treasury~~ local governing body.

*Print 2 based on Act 418, effective August 1, 2025, subject to appropriation of funds:*

**R.S. 38:214. Interference with drainage prohibited**

A. No person shall dump or discharge or permit to be dumped or discharged into any waters or drains of the state any trees or other objects, substances, or materials which might interfere with the drainage.

B. Upon the request of the Department of Transportation and Development, the Coastal Protection and Restoration Authority, or the Coastal Protection and Restoration Authority Board, if the area is located within the coastal area, as defined in R.S. 49:214.2, and involves integrated coastal protection, as defined in R.S. 49:214.2, the state police shall issue a citation to any person who is in violation of this Section. Every person convicted of a violation of this Section shall be fined not less than twenty-five dollars nor more than three hundred dollars.

C. Upon the request of the Department of Transportation and Development, the Coordinated Use of Resources for Recreation, Economy, Navigation, and Transportation Authority, or the Coordinated Use of Resources for Recreation, Economy, Navigation, and Transportation Authority Board, if the area is located within the upland area, as defined in R.S. 38:2352, and involves integrated upland projects, the local governing authority shall issue a citation to any person who is in violation of this Section. Every person convicted of a violation of this Section shall be subject to a criminal fine of not less than twenty-five dollars nor more than three hundred dollars.

D. Each fine imposed pursuant to the provisions of this Section shall be collected by the court and forwarded to the state treasurer for deposit in the state treasury.

# ACT 452

2025 Regular Session

ENROLLED

SENATE BILL NO. 220

BY SENATOR CATHEY

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

La. State Law Institute  
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Edits To: RS 33 Pgs. 3-5  
Note:

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Edits To: RC 38 Pgs. 6-7  
Note: - DUAL PRINT w/ ACT 418

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## AN ACT

To amend and reenact the introductory paragraph of R.S. 33:404(A), 4122, 4341(A) and (C), and 4342, R.S. 33:113, 141, 142 and 214 and to enact R.S. 33:381(F) and Chapter 50 of Title 33 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 33:9720, and to repeal R.S. 33:130.621.1, relative to the revision of statutes relating to local agencies; to provide relative to the use of revenue generated from certain sources in certain municipalities; to provide relative to the sale or lease of revenue-producing property; to provide relative to the election to determine whether to dispose of utility property; to provide relative to exceptions; to provide relative to the creation of districts and commissions at a local level; to provide relative to the control of drainage channels and outfall canals in Levee and Drainage districts; to provide relative to drainage of levee and parallel or contiguous roads; to provide relative to interference with drainage; to provide relative to the Union Parish Railroad District; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. The introductory paragraph of R.S. 33:404(A), 4122, 4341(A) and (C), and 4342 are hereby amended and reenacted and R.S. 33:381(F) and Chapter 50 of Title 33 of the Louisiana Revised Statutes of 1950, comprised of R.S. 33:9720, are hereby enacted to read as follows:

§381. Municipal officers

\* \* \*

F.(1) Notwithstanding any other provision of law to the contrary, if a vacancy in the office of chief of police or fire chief in a municipality covered by

1 the provisions of the municipal fire and police civil service law continues for a  
 2 period exceeding twelve consecutive months and the municipal governing  
 3 authority has failed or declined to confirm an appointment submitted by the  
 4 mayor or other appointing authority to the governing authority under the  
 5 requirements of a municipal home rule charter, the governor shall have the  
 6 authority to make an appointment to the position.

7 (2) The governor's appointment shall be selected from among the  
 8 candidates on the certified competitive employment list for the position and  
 9 recommended by the mayor or the local governing authority, notwithstanding  
 10 any prior rejection or denial of confirmation of a candidate by the local  
 11 governing authority.

12 (3) The mayor or appointing authority shall notify the board of the filling  
 13 of the vacancy as provided in R.S. 33:2503.

14 (4) The person appointed to the position shall begin his working test as  
 15 provided by R.S. 33:2495, and nothing herein shall be construed to prohibit the  
 16 mayor, board, or appointing authority from removing the probational employee  
 17 for the reasons and under the circumstances set forth pursuant to that Section.

18 (5) Nothing in this Section shall be construed to limit the authority of a  
 19 mayor or local appointing authority to submit appointees to a local governing  
 20 authority for confirmation under the requirements of a home rule charter.

21 (6) Any person appointed under this Section must meet all applicable  
 22 statutory, regulatory, or civil service qualifications for the position of chief of  
 23 police or fire chief.

24 (7) This Section shall apply only to municipalities with a population  
 25 greater than forty-five thousand but no more than forty-eight thousand, as  
 26 determined by the most recent federal decennial census.

27 (8) The provisions of this Section shall be retroactive to June 1, 2023.

28 \* \* \*

29 §404. Duties of mayor

30 A. The mayor shall have the following powers, duties, and or responsibilities:

\* \* \*

1  
2 §4122. New Orleans; no obligation to provide funds

3           There shall be no obligation on the part of the city of New Orleans to provide  
4 funds for the operation and maintenance of the sewerage system of the city of New  
5 Orleans. Revenue generated from automated speed enforcement devices within  
6 the parish of Orleans outside of a school zone, mobile speed cameras, or red  
7 light cameras shall be only used for the purposes of stormwater drainage  
8 infrastructure, maintenance, and improvements.

\* \* \*

9  
10 §4341. Sale or lease of revenue-producing utility property; election required;  
11           exception

12           A. Any municipality, the city of New Orleans excepted, or any parish or any  
13 other political subdivision or taxing district authorized to issue bonds under Article  
14 VI, Section 37<sup>1</sup> of the Constitution of Louisiana, all of which are hereinafter in this  
15 Subpart referred to as "municipality" or "parish", may sell or lease any revenue-  
16 producing properties owned by it, including all proper franchises to operate the  
17 properties for a term not to exceed sixty years, provided the governing authorities  
18 have authority has been first authorized to do so by a vote of a majority of the  
19 qualified electors, voting at an election held for that purpose as herein directed.  
20 Notwithstanding the foregoing, the governing authority of any city, town, or  
21 village that owns and operates a water utility that receives a grade of "D" or  
22 "F" under The Community Drinking Water Infrastructure Sustainability Act,  
23 referred to as the "Act", and the rule issue pursuant to the Act, shall not be  
24 required to conduct an election to authorize the sale or lease of the utility if the  
25 governing authority finds by official action that the municipality is either  
26 financially, managerially, or technically unable to restore the utility to a grade  
27 of "C" or better as specified by the Act. When a city, town, or village owns and  
28 operates a water, gas, or other revenue-producing revenue-producing public utility,  
29 serving customers outside the territorial limits of the city, town, or village, as is  
30 allowed by law, a negotiated sale of all of the connections and utility installations

1 outside the area of the said city, town, or village and within the corporate limits of  
 2 another city, town, or village may be made to the latter city, town, or village by  
 3 negotiation and without any election, for such price as may be agreed upon between  
 4 the parties. No election shall be required to authorize the sale or lease by any  
 5 municipality or parish of revenue-producing water properties to any other  
 6 municipality, parish, or other political subdivision.

7 \* \* \*

8 C. The provisions of Subsection A of this Section shall apply to the  
 9 conveyance or lease of facilities and properties of any sewerage district to a private  
 10 person or corporation, which person or corporation shall thereby be authorized to  
 11 operate such facilities. **However, the governing authority of any city, town, or**  
 12 **village that owns and operates a sewer utility that experiences pollutant**  
 13 **discharge in excess of the Final Effluent Limitations specified in the utility's**  
 14 **Louisiana Pollutant Discharge Elimination System (LPDES) General or Site**  
 15 **Specific Permit, as reported in three or more consecutive quarters pursuant to**  
 16 **the electronic document receiving system (NetDMR) promulgated by the**  
 17 **Louisiana Department of Environmental Quality shall not be required to**  
 18 **conduct an election to authorize the sale or lease of the utility, if the governing**  
 19 **authority finds by official action that the municipality is either financially,**  
 20 **managerially, or technically unable to restore the utility to regulatory**  
 21 **compliance as required by the general or site specific permit.**

22 \* \* \*

23 §4342. Election to determine whether to dispose of utility property; certified check  
 24 as guaranty of good faith

25 **A. Except as otherwise provided in R.S. 33:4341, when** When a written and  
 26 signed proposition has been made to the governing authority of any municipality or  
 27 parish for the purchase, lease, or other acquisition of any of the properties owned by  
 28 it, and franchise for operation of same, and which written proposition shall contain  
 29 a complete and detailed statement of all terms and provisions of the franchise, the  
 30 governing authority may submit to the qualified electors, at a special election called

1 for that purpose, the question of whether or not the offer made shall be accepted.  
 2 Upon presentation of a petition signed by electors, qualified to vote in a number  
 3 equal to twenty <sup>percent</sup> ~~per cent~~ of those who participated in the last preceding election held  
 4 in the parish or municipality, requesting the governing authority to accept any  
 5 proposition made to it for the purchase or lease of any of the revenue-producing  
 6 municipal properties and franchise for its operation, the governing authority within  
 7 fifteen days after the delivery of the petition to them or to their clerk, shall call a  
 8 special election within fifty days of the date of filing the petition, at which they shall  
 9 submit to the qualified electors the question of whether or not the offer made shall  
 10 be accepted.

11 B. Every proposition to purchase, as herein provided, shall be accompanied by  
 12 a certified check for ten thousand dollars, as a guaranty of good faith, which check  
 13 shall be forfeited to the municipality or parish, in event the proponent, if its  
 14 proposition be accepted, does not comply with and consummate the offer.

15 \* \* \*

16 CHAPTER 50. LOCAL AUTHORITY TO CREATE

17 DISTRICTS AND COMMISSIONS

18 9721

18 §9720. Local authority to create districts and commissions

19 Notwithstanding any other provision of law, any municipality or parish  
 20 within the state of Louisiana shall have the authority to create, organize, and  
 21 establish districts and commissions within its jurisdictional boundaries through  
 22 the passage of an ordinance. Districts and commissions that already have been  
 23 established by law prior to the enactment of this statute shall remain in full  
 24 effect and continue to operate under the terms of each entity's respective  
 25 enabling statutes or ordinances.

26 Section 2. R.S. 38:113, 141, 142 and 214 are hereby amended and reenacted to read  
 27 as follows:

28 §113. Control of drainage channels and outfall canals in levee and drainage districts

29 A. The various levee and drainage districts, and local governing bodies shall  
 30 have a legal servitude by which control is given to the local governing body or

1 district over all public drainage channels or outfall canals within the limits of their  
 2 districts which are selected by the district, and for a space of one hundred feet on  
 3 both sides of the banks of such channels or outfall canals, and one hundred feet  
 4 continuing outward from the mouth of such channels or outfall canals, whether the  
 5 drainage channels or outfall canals have been improved by the levee or drainage  
 6 district, or have been adopted without improvement as necessary parts of or  
 7 extensions to improved drainage channels or outfall canals, and may adopt rules and  
 8 regulations for preserving the efficiency of the drainage channels or outfall canals.

9 B. Property may not be taken or damaged by the districts or local  
 10 governing bodies pursuant to this Section, except for public purposes and with  
 11 just compensation paid to the owner.

12 C. The regulation or prohibition of drainage into a public system that is  
 13 not authorized by a natural servitude or other legal right shall not constitute a  
 14 taking or damaging of property.

15 D. The local governing authority or district shall be immune from  
 16 damage to public works projects by excessive, unlawful drainage into its system.

17 \* \* \*

18 §141. Expropriation of land or improvements for drainage canals or projects

19 ~~A. The several parishes of Louisiana;~~ Local governing bodies, Orleans Parish  
 20 excepted, may expropriate land and the improvements thereon, outside of regularly  
 21 organized and acting levee districts, necessary for the construction of drainage canals  
 22 or drainage projects with enough of the adjoining property on which to build spoil  
 23 banks and on which to place the dirt removed from the drainage canals, and any  
 24 property next to or in the vicinity of the canals or projects necessary for the  
 25 construction, inspection, repair, and maintenance of the canals or projects.

26 ~~B. The parishes~~ Local governing bodies may acquire by expropriation, in the  
 27 same manner now required by existing laws regulating expropriation suits, either a  
 28 clear title to the land and improvements thereon or any servitude, right, or interest  
 29 necessary for that purpose.

30 §142. Drainage of levee and parallel or contiguous road

ACT 452

SB NO. 220

ENROLLED

The several parishes Local governing bodies shall thoroughly drain all public roads which are parallel or contiguous to any public levee, shall cut across public roads all ditches and drains necessary to effect the complete and perfect drainage of the roads and levees, and shall connect the drains and ditches with those on private property abutting on the road.

\* \* \*

§214. Interference with drainage prohibited

A. No person shall dump or discharge or permit to be dumped or discharged into any ~~waters or drains of the state~~ local governing body any trees or other objects, substances, or materials which might interfere with the drainage.

B. Upon the request of the ~~Department of Transportation and Development, the Coastal Protection and Restoration Authority, or the Coastal Protection and Restoration Authority Board, if the area is located within the coastal area, as defined in R.S. 49:214.2, and involves integrated coastal protection, as defined in R.S. 49:214.2, the state police shall issue a citation to any person who is in violation of this Section. Every local governing body, every person convicted of a violation of this Section shall be fined not less than twenty-five dollars nor more than three hundred dollars.~~


C. Each fine imposed pursuant to the provisions of this Section shall be collected by the court and forwarded to the ~~state treasurer~~ local governing body for deposit in the ~~state treasury~~.

Section 3. R.S. 33:130.621.1 is hereby repealed in its entirety.

  
PRESIDENT OF THE SENATE

  
SPEAKER OF THE HOUSE OF REPRESENTATIVES

  
GOVERNOR OF THE STATE OF LOUISIANA

APPROVED:   
June 20, 2025  
Page 7 of 7

Coding: Words which are struck through are deletions from existing law; words in **boldface type and underscored** are additions.

CPRINT 10F DUAL PRINT w/ ACT 418;  
SEE ATTACHMENT TO THAT ACT

# ACT 395

ENROLLED

2025 Regular Session

HOUSE BILL NO. 688 (Substitute for House Bill No. 633 by Representative Braud)

BY REPRESENTATIVE BRAUD

**La. State Law Institute**  
**PRINTER'S COPY**  
**NO EDITS**  
Classification RS 38

1 AN ACT

2 To amend and reenact R.S. 38:330.1(C)(1)(a)(introductory paragraph) and (i) and (ii),  
3 (2)(a)(ii) and (c) through (e), (3)(a) through (c), and (4) and (D) and to enact R.S.  
4 38:330.1(C)(2)(a)(xii) and (f) and (g), relative to the Southeast Louisiana Flood  
5 Protection Authority-East and the Southeast Louisiana Flood Protection Authority-  
6 West Bank; to change membership of the board of commissioners of the Southeast  
7 Louisiana Flood Protection Authority-East; to appoint the executive director of the  
8 Coastal Protection and Restoration Authority as secretary of the nominating  
9 committee; to replace certain requirements of the regional directors, or in their  
10 absence, the presidents of the boards of the Southeast Louisiana Flood Protection  
11 Authority-East and the Southeast Louisiana Flood Protection Authority-West Bank  
12 with the chair; to change timeframes for notification of unexpected and expected  
13 vacancies within the flood authorities, to reduce consecutive terms of  
14 commissioners; to provide for an effective date; and to provide for related matters.

15 Be it enacted by the Legislature of Louisiana:

16 Section 1. R.S. 38:330.1(C)(1)(a)(introductory paragraph) and (i) and (ii), (2)(a)(ii)  
17 and (c) through (e), (3)(a) through (c) and (4) and (D) are hereby amended and reenacted and  
18 R.S. 38:330.1(C)(2)(a)(xii) and (f) and (g) are hereby enacted to read as follows:

19 §330.1. Southeast Louisiana Flood Protection Authority-East and Southeast  
20 Louisiana Flood Protection Authority-West Bank; territorial jurisdiction;  
21 board of commissioners; appointments; terms; compensation; vacancy;  
22 officers; meetings; domicile

23 \* \* \*

24 C.(1) There is hereby created a board of commissioners for each flood  
25 protection authority as follows:

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(a) The board of commissioners of the Southeast Louisiana Flood Protection Authority-East shall be composed of nine members, ~~of whom there shall be at least, and not more than;~~ one member from St. Bernard Parish, two members from Jefferson Parish, and three members from Orleans Parish who shall reside within the territorial jurisdiction of the authority, and three members who do not reside within the territorial jurisdiction of the authority. The members shall be appointed by the governor from nominations submitted by the nominating committee as follows:

(i) ~~Five~~ Four members who shall either be an engineer or a professional in a related field such as geotechnical, hydrological, or environmental science. Of the ~~five~~ four members, one member shall be a civil engineer.

(ii) ~~Two~~ Three members who shall be a professional in a discipline other than that occurring in Item (i) of this Subparagraph with at least ten years of professional experience in that discipline.

\* \* \*

(2)(a) The nominating committee for each board shall be composed as follows:

\* \* \*

(ii) A member or designee of the Council Leaders for A Better Louisiana.

\* \* \*

(xii) The executive director of the Coastal Protection and Restoration Authority or his designee.

\* \* \*

(c) ~~The regional directors, or in the absence of a regional director, the presidents of the boards of commissioners of the Southeast Louisiana Flood Protection Authority-East and the Southeast Louisiana Flood Protection Authority-West Bank~~ executive director of the Coastal Protection and Restoration Authority or his designee shall be the custodian of the records of the nominating committee for their the respective flood authority. ~~The chairman of the authority nominating committee, or in his absence, the regional directors, or in the absence of a regional director, the presidents of the boards of commissioners of the Southeast~~

CODING: Words in ~~struck through~~ type are deletions from existing law; words underscored are additions.

1       ~~Louisiana Flood Protection Authority-East and the Southeast Louisiana Flood~~  
2       ~~Protection Authority-West Bank;~~ chair shall call the meeting of the nominating  
3       committee for their the respective flood authority. ~~The regional directors, or in the~~  
4       ~~absence of a regional director, the presidents of the boards of commissioners of the~~  
5       ~~Southeast Louisiana Flood Protection Authority-East and the Southeast Louisiana~~  
6       ~~Flood Protection Authority-West Bank, or their designees;~~ executive director of the  
7       Coastal Protection and Restoration Authority or his designee shall serve as secretary  
8       for the nominating committee for their the respective flood authority.

9           (d) After August 1, 2017, all nominating committee members shall be  
10       appointed for a term of eight years. A term shall end on January first. A term for  
11       nominating committee members whose eight-year term expires in 2025 shall end on  
12       January 1, 2026. A former nominating committee member may be reappointed to  
13       a nominating committee four years from the completion of a previous term. Service  
14       of four or more years of an unexpired term shall constitute a term.

15           (e) For purposes of this Paragraph, the nominating committee shall be  
16       considered a "public body" as defined in R.S. 42:13, and the Open Meetings Law,  
17       R.S. 42:11 et seq., shall apply to such committee. The nominating committee shall  
18       be able to meet and convene remotely.

19           (f) The Coastal Protection and Restoration Authority shall assign a staff  
20       representative to assist the nominating committee in its work and preparation and to  
21       attend all meetings.

22           (g) The nominating committees shall be represented by the attorney general.

23           (3)(a) Within ten days after the occurrence of an unexpected vacancy on the  
24       flood protection authority board, the board shall notify the chair of the nominating  
25       committee ~~and regional directors, or in the absence of a regional director, the~~  
26       ~~presidents of the boards of commissioners of the Southeast Louisiana Flood~~  
27       ~~Protection Authority-East and the Southeast Louisiana Flood Protection Authority-~~  
28       ~~West Bank of such unexpected vacancy within the flood authority. For purposes of~~  
29       ~~this Paragraph, a vacancy shall be unexpected whenever it occurs for a reason other~~  
30       ~~than the expiration of a term. The regional directors, or in the absence of a regional~~

1        ~~director, the presidents of the boards of commissioners of the Southeast Louisiana~~  
2        ~~Flood Protection Authority-East and the Southeast Louisiana Flood Protection~~  
3        ~~Authority-West Bank~~ chair of the nominating committee shall cause notification of  
4        the unexpected vacancy to be published in the official journal of the state and of each  
5        parish within the territorial jurisdiction of the authority. Such notification shall be  
6        published no later than thirty days following receipt by the chair regional directors,  
7        ~~or in the absence of a regional director, the presidents of the boards of~~  
8        ~~commissioners of the Southeast Louisiana Flood Protection Authority-East and the~~  
9        ~~Southeast Louisiana Flood Protection Authority-West Bank~~ of notice of the  
10       unexpected vacancy.

11                (b) The nominating committee shall meet to determine the nominations to  
12        send to the governor to fill each unexpected vacancy at any time after receipt of the  
13        notice of the unexpected vacancy ~~no sooner than thirty days after the latest date of~~  
14        ~~publication set forth in Subparagraph (a) of this Paragraph and no later than ninety~~  
15        ~~days after the latest date of publication set forth in Subparagraph (a) of this~~  
16        Paragraph. The committee shall consider each name submitted to the committee  
17        from whatever source, and the committee members may propose names of persons  
18        to be considered. After review, the committee shall select the nominees for each  
19        unexpected vacancy who meet the requirements of this Section. The committee shall  
20        submit ~~one nominee~~ two nominees for each unexpected vacancy in a position  
21        ~~provided for in Item (1)(a)(i) or (b)(i) of this Subsection and shall submit two~~  
22        ~~nominees for each unexpected vacancy in a position provided for in Item (1)(a)(ii)~~  
23        ~~or (iii) of this Subsection or Item (1)(b)(ii) or (iii) of this Subsection.~~ A majority  
24        vote of the total membership of the nominating committee shall be required to  
25        nominate persons to positions on the board. The committee shall submit its  
26        nominations for each unexpected vacancy to the governor for consideration no later  
27        than one hundred twenty ninety days after the notification of the regional directors,  
28        ~~or in the absence of a regional director, the presidents of the boards of~~  
29        ~~commissioners of the Southeast Louisiana Flood Protection Authority-East and the~~  
30        ~~Southeast Louisiana Flood Protection Authority-West Bank~~ of the occurrence of

1 such unexpected vacancy. The governor shall appoint ~~one~~ of the nominees  
 2 ~~submitted by the committee within thirty days of submission of the nominations for~~  
 3 ~~any unexpected vacancy~~ and submit such ~~appointee~~ appointees to the Senate for  
 4 confirmation ~~within forty-eight hours following the appointment~~, regardless of  
 5 whether the legislature is in regular session.

6 (c) If the nominating committee fails to submit ~~a nominee~~ the nominees  
 7 ~~within one hundred twenty~~ ninety days after notification of the regional directors, or  
 8 ~~in the absence of a regional director, the presidents of the boards of commissioners~~  
 9 ~~of the Southeast Louisiana Flood Protection Authority-East and the Southeast~~  
 10 ~~Louisiana Flood Protection Authority-West Bank~~ of the occurrence of such  
 11 unexpected vacancy, the governor shall appoint ~~a person~~ persons meeting the  
 12 requirements of this Section within thirty days of the expiration of such time and  
 13 submit such ~~appointee~~ appointees to the Senate for confirmation ~~within forty-eight~~  
 14 ~~hours following the appointment~~, regardless of whether the legislature is in regular  
 15 session.

16 \* \* \*

17 (4)(a) Each July first, the board shall notify the chair of the nominating  
 18 committee ~~and regional directors, or in the absence of a regional director, the~~  
 19 ~~presidents of the boards of commissioners of the Southeast Louisiana Flood~~  
 20 ~~Protection Authority-East and the Southeast Louisiana Flood Protection Authority-~~  
 21 ~~West Bank~~ of any vacancy which will occur on a board in the following year due to  
 22 expiration of a term, hereinafter in this Paragraph referred to as "expected vacancy".  
 23 The regional directors, ~~or in the absence of a regional director, the presidents of the~~  
 24 ~~boards of commissioners of the Southeast Louisiana Flood Protection Authority-East~~  
 25 ~~and the Southeast Louisiana Flood Protection Authority-West Bank~~ chair shall cause  
 26 notification of each expected vacancy to be published in the official journal of the  
 27 state and of each parish within the territorial jurisdiction of the authority. Such  
 28 notification shall be published no later than thirty days following receipt by the chair  
 29 ~~regional directors, or in the absence of a regional director, the presidents of the~~  
 30 ~~boards of commissioners of the Southeast Louisiana Flood Protection Authority-East~~

1 and the Southeast Louisiana Flood Protection Authority-West Bank of notice of an  
2 expected vacancy.

3 (b) The nominating committee shall follow the procedure outlined in  
4 Paragraph (3) of this Subsection, except the nominating committee shall submit its  
5 nominations for each expected vacancy to the governor for consideration no later  
6 than thirty days prior to the start of the Regular Session. If the nominating  
7 committee fails to submit nominees for an expected vacancy thirty days prior to the  
8 start of the Regular Session, the governor shall follow the procedure outlined in  
9 Subparagraph (3)(c) of this Subsection. Any nominee confirmed by the Senate shall  
10 take office the day after the expiration of the term of the board member whose term  
11 is expiring. ~~begin to meet and continue to meet as necessary to determine the~~  
12 ~~nominations to send to the governor to fill each expected vacancy no sooner than~~  
13 ~~thirty days after the latest date of publication set forth in Subparagraph (a) of this~~  
14 ~~Paragraph and no later than ninety days after the latest date of publication set forth~~  
15 ~~in Subparagraph (a) of this Paragraph. The committee shall consider each name~~  
16 ~~submitted to the committee from whatever source and the committee members may~~  
17 ~~propose names of persons to be considered. After review, the committee shall select~~  
18 ~~the nominees for each expected vacancy who meet the requirements of this Section.~~  
19 ~~The committee shall submit one nominee for an expected vacancy in a position~~  
20 ~~provided for in Item (1)(a)(i) or (b)(i) of this Subsection and shall submit two~~  
21 ~~nominees for each expected vacancy in a position provided for in Item (1)(a)(ii) or~~  
22 ~~(iii) of this Subsection or Item (1)(b)(ii) or (iii) of this Subsection. A majority vote~~  
23 ~~of the total membership of the nominating committee shall be required to nominate~~  
24 ~~persons to positions on the board. The committee shall submit its nominations for~~  
25 ~~each expected vacancy to the governor for consideration no later than thirty days~~  
26 ~~prior to the start of regular session. The governor shall appoint one of the nominees~~  
27 ~~submitted by the committee not later than thirty days after receipt of the nominations~~  
28 ~~and shall submit such appointee to the Senate for confirmation within forty-eight~~  
29 ~~hours after the appointment is made, regardless of whether the legislature is in~~

1 regular session. ~~If confirmed, the appointee shall take office the day after the~~  
 2 ~~expiration of the term of the board member whose term is expiring.~~

3 ~~(c) If the nominating committee fails to submit a nominee for an expected~~  
 4 ~~vacancy thirty days prior to the start of regular session, the governor shall appoint~~  
 5 ~~a person meeting the requirements of this Section. The governor shall submit such~~  
 6 ~~appointee to the Senate for confirmation within forty-eight hours after the~~  
 7 ~~appointment is made, regardless of whether the legislature is in session. If~~  
 8 ~~confirmed, the appointee shall take office the day after the expiration of the term of~~  
 9 ~~the board member whose term is expiring.~~

10 ~~(d) In the event that the Senate fails to confirm an appointment made~~  
 11 ~~pursuant to this Paragraph by taking no action at all or voting not to confirm an~~  
 12 ~~appointee in open session by the end of a regular session, an unexpected vacancy~~  
 13 ~~shall occur the day after the expiration of the term of the board member whose term~~  
 14 ~~is expiring and such unexpected vacancy shall be filled in the manner set forth in~~  
 15 ~~Paragraph (3) of this Subsection. Any appointee whom the Senate failed to confirm~~  
 16 ~~shall not be appointed to the same position during any recess of the legislature.~~

17 \* \* \*

18 ~~D.(1) The members of each board initially appointed shall at their first~~  
 19 ~~meeting determine by lot their terms of office, which terms shall commence~~  
 20 ~~immediately upon their appointment and shall expire, respectively, as follows:~~

21 ~~(a) For the board of the Southeast Louisiana Flood Protection Authority East:~~  
 22 ~~two members in one year, three members in two years, three members in three years,~~  
 23 ~~and three members in four years, from the first day of July immediately succeeding~~  
 24 ~~such appointment.~~

25 ~~(b) For the board of the Southeast Louisiana Flood Protection Authority~~  
 26 ~~West Bank: one member in one year, two members in two years, two members in~~  
 27 ~~three years, and two members in four years, from the first day of July immediately~~  
 28 ~~succeeding such appointment.~~

29 ~~(2)(1) All commissioners thereafter appointed, except a commissioner~~  
 30 ~~appointed to fill an unexpired term, shall be appointed as provided in Subsection C~~

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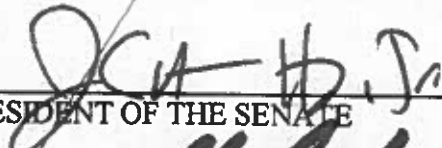
of this Section for staggered terms of four years. No member shall serve more than two three consecutive terms, beginning on June 1, 2025. If a person serves two years or more of an unexpired term, such service shall constitute a term. A former board member may be reappointed to the board after sitting out four years from the completion of his last consecutive term.

~~(3)~~(2) Notwithstanding R.S. 24:14(K), no person shall serve on the board beyond the expiration of a term unless reappointed to a position on the board by the process required by either Paragraph (C)(3) or (4) of this Section.

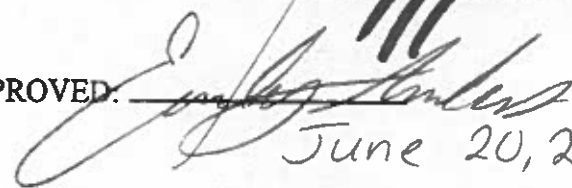
\* \* \*

Section 2. This Act shall become effective upon signature by the governor or, if not signed by the governor, upon expiration of the time for bills to become law without signature by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If vetoed by the governor and subsequently approved by the legislature, this Act shall become effective on the day following such approval.

  
SPEAKER OF THE HOUSE OF REPRESENTATIVES

  
PRESIDENT OF THE SENATE

  
GOVERNOR OF THE STATE OF LOUISIANA

APPROVED:   
June 20, 2025

# ACT 117

2025 Regular Session  
SENATE BILL NO. 167

La. State Law Institute  
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Classification RS 38

ENROLLED

BY SENATOR FOIL

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

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## AN ACT

To amend and reenact R.S. 38:2212(C)(3), relative to public contracts; to provide for an increase to the annual limit on work performed by a public entity to restore or rehabilitate a levee which is not maintained with federal funds, including mitigation on public lands owned by the state or a political subdivision; to provide for a sunset date; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 38:2212(C)(3) is hereby amended and reenacted to read as follows:

§2212. Advertisement and letting to lowest responsible and responsive bidder; public work; electronic bidding; participation in mentor-protégé program; exemptions; subpoena

\* \* \*

C. \* \* \*

(3)(a) The annual limit by a public entity for any work to restore or rehabilitate a levee that is not maintained with federal funds, including mitigation on public lands owned by the state or a political subdivision, shall not exceed the sum of one million **five hundred thousand** dollars, including labor, materials, and equipment, which is not publicly bid, as per the rates in the latest edition of the Associated Equipment Distributors Rental Rate Book, and administrative overhead not to exceed fifteen percent; provided that the work is undertaken by the public entity with its own resources and employees, or with the resources and employees of another public entity through a cooperative endeavor or other agreement with such entity.

(b) **A public entity shall annually submit a report to the Joint Committee on Transportation, Highways and Public Works providing an accounting of all projects self-performed pursuant to the authority granted in Subsection A of this Section. The report shall include, at a minimum, the following information**

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for each project:

(i) A detailed description of the complete scope of work.

(ii) The time period required to perform the project.

(iii) An itemized breakdown of costs, including but not limited to:

(aa) Labor.

(bb) Materials.

(cc) Equipment costs, identifying whether the equipment was owned or rented.

(iv) The rationale for self-performing the project rather than utilizing the public bid process.

(c) The provisions of this Paragraph shall remain effective until December 31, 2028 ~~June 30, 2036.~~

\* \* \*

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

  
\_\_\_\_\_  
SPEAKER OF THE HOUSE OF REPRESENTATIVES

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

APPROVED:  June 8, 2025

# ACT 350

ENROLLED

2025 Regular Session

HOUSE BILL NO. 297

BY REPRESENTATIVE THOMPSON

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Classification RS 38

- NOTE § 3

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Classification RS 39

- NOTE § 3

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## AN ACT

To amend and reenact R.S. 38:2212(P)(1)(a) and R.S. 39:128(C) and to enact R.S. 39:128(F), relative to contract limitations for public works and capital outlay projects by the Department of Culture, Recreation and Tourism; to remove the ten-day time frame for a public entity to post notice of a public emergency in its official journal; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 38:2212(P)(1)(a) is hereby amended and reenacted to read as follows:

§2212. Advertisement and letting to lowest responsible and responsive bidder; public work; electronic bidding; participation in mentor-protégé program; exemptions; subpoena

\* \* \*

P.(1)(a) This Section shall not apply in cases of public emergency where such emergency has been certified to by the public entity and notice of such public emergency shall, ~~within ten days thereof,~~ be published in the official journal of the public entity proposing or declaring such public emergency.

\* \* \*

1 Section 2. R.S. 39:128(C) is hereby amended and reenacted and R.S. 39:128(F) is  
2 hereby enacted to read as follows:

3 §128. Exemptions

4 \* \* \*

5 C. Except as provided by ~~Subsection~~ Subsections B and F of this Section,  
6 repairs, renovations, or construction of buildings or other facilities may be  
7 undertaken by an agency without being included in the capital outlay budget,  
8 provided that the cost for repairs, renovation, or construction of buildings or other  
9 facilities for each individual project does not exceed two hundred fifty thousand  
10 dollars. For the purpose of this Subsection, "cost" shall not be construed to include  
11 design fees or movable equipment.

12 \* \* \*

13 F. Minor repairs, renovation, or construction of buildings or other facilities  
14 or the purchase of land, buildings, or other facilities when the construction cost or  
15 purchase price is less than or equal to one million dollars, adjusted annually in  
16 accordance with the United States Bureau of Labor Statistics' Consumer Price Index  
17 for All Urban Consumers as published in January of each year, may be undertaken  
18 by the Department of Culture, Recreation and Tourism without being included in the  
19 capital outlay budget but shall be subject to the approval of the lieutenant governor.  
20 The Department of Culture, Recreation and Tourism may not incur debt to fund any  
21 project that is not included in the capital outlay budget other than a short-term loan  
22 not to exceed one year as provided in this Subsection. Any short-term loan shall be  
23 issued in accordance with the provisions of Title 17 of the Louisiana Revised  
24 Statutes of 1950, and shall not constitute or create any debt, liability, or loan of the  
25 credit of or a pledge of the full faith and credit of the state but shall be solely the  
26 obligation of the Department of Culture, Recreation and Tourism.

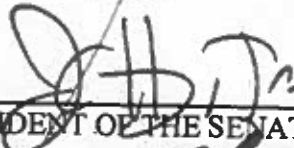
27 Section 3. The provisions of this Act <sup>✓ [Act 2025, No. 350]</sup> increasing the contract limit shall constitute a  
28 Pilot Program and shall terminate on August 1, 2029. The Department of Culture,  
29 Recreation and Tourism shall present an annual report to the House and Senate  
30 transportation committees by August 1st of each year. The report shall provide information

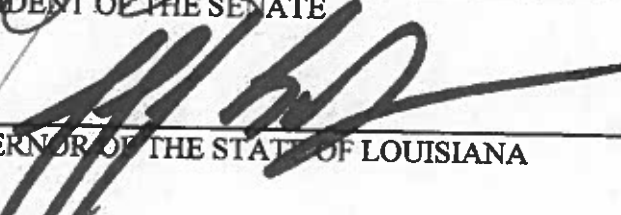
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[NOTE ALL PROVISIONS  
IN THIS ACT]

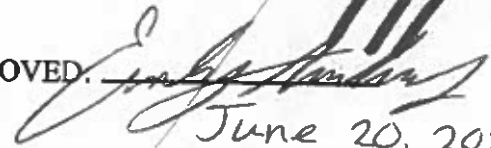
1 pertaining to projects under the new contract limit and shall include, at a minimum, the  
2 following:

- 3 (1) A list of all public works projects contracted under the new contract limit.
- 4 (2) The amounts of each public works contract that are issued under the new contract  
5 limit.
- 6 (3) The estimated cost savings of public works contracts completed under the new  
7 contract limit.
- 8 (4) The estimated time saved on each public works contract issued under the new  
9 contract limit.
- 10 (5) The estimated additional revenue generated as a result of time saved on public  
11 works contracts issued under the new contract limit.
- 12 (6) Any additional public benefits from the new public works contract limit.

  
SPEAKER OF THE HOUSE OF REPRESENTATIVES

  
PRESIDENT OF THE SENATE

  
GOVERNOR OF THE STATE OF LOUISIANA

APPROVED.   
June 20, 2025

# ACT 204

ENROLLED

2025 Regular Session

HOUSE BILL NO. 524

BY REPRESENTATIVE SPELL

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Classification RS 38

AN ACT

To amend and reenact R.S. 38:2212.1(N)(3) and (P)(3), relative to qualified group purchasing organizations; to provide relative to fire and public safety departments agreements with group purchasing organizations; to expand the definition of "qualified group purchasing organization"; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 38:2212.1(N)(3) and (P)(3) are hereby amended and reenacted to read as follows:

§2212.1. Advertisement and letting to lowest responsible bidder; materials and supplies; exemptions

\* \* \*

N.

\* \* \*

(3) As used in this Subsection, "qualified group purchasing organization" means an organization, whether for profit or ~~not for profit~~ not-for-profit, of which two or more public school districts are members and which solicits proposals or bids from vendors of materials, equipment, or supplies of the type and nature as may be purchased by a public school district or public school. A "qualified group purchasing organization" includes an external procurement activity as defined in R.S. 39:1556.

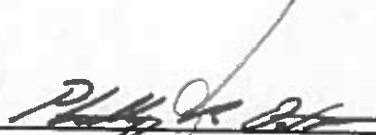
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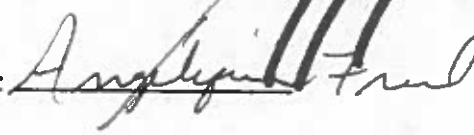
(3) As used in this Subsection, "qualified group purchasing organization" means an organization, whether for profit or not-for-profit, of which two or more of the public departments, agencies, or nonprofit corporations described in Paragraph (1) of this Subsection, hereinafter referred to as "fire, ambulance service, public safety, or police authority", are participating or voting members thereof and which solicit proposals or bids from vendors of materials, equipment, or supplies of the type and nature as may be purchased by any such department, agency, or nonprofit corporation. A "qualified group purchasing organization" includes an external procurement activity as defined in R.S. 39:1556.

\* \* \*

  
 \_\_\_\_\_  
 SPEAKER OF THE HOUSE OF REPRESENTATIVES

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

  
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 GOVERNOR OF THE STATE OF LOUISIANA

APPROVED:  June 4, 2025

# ACT 88

ENROLLED

2025 Regular Session

HOUSE BILL NO. 566

BY REPRESENTATIVES TURNER, AMEDEE, BOYER, BRASS, ILLG, MIKE  
JOHNSON, AND OWEN

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AN ACT

To enact R.S. ~~17:3369.3(A)(8)~~ and R.S. ~~38:2225.6~~, relative to job order contracting; to create an alternative project delivery method for improvements for deferred maintenance of public facilities by a postsecondary education institution; to provide for definitions; to provide for selection methods for job order contracts; to provide for an effective date; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 17:3369.3(A)(8) is hereby enacted to read as follows:

§3369.3. Authority of the board to execute agreements related to the finance of deferred maintenance and capital improvements

A.

\* \* \*

(8) Projects financed or constructed pursuant to the program established in this Part may be executed through job order contracting in accordance with the provisions of R.S. ~~38:2225.6~~.

\* \* \*

Section 2. R.S. ~~38:2225.6~~ is hereby enacted to read as follows:

§2225.6. Job order contracting; postsecondary education institution

A. This Section establishes an alternative project delivery method for job order contracts created specifically for improvements addressing deferred maintenance of public facilities by a postsecondary education institution when the

1 work is of a recurring nature but the delivery times, type, and quantities of work  
2 required are indefinite.

3 B. For purposes of this Section, the following terms shall have the following  
4 meanings ascribed to them:

5 (3)(1) "Public facility" or "public facilities" shall mean buildings, equipment,  
6 utilities, site components, roads and streets, and other permanent property or  
7 immovable property under the supervision and control of the board overseeing the  
8 postsecondary education institution.

9 (2) "Project" shall mean improvements addressing deferred maintenance of  
10 public facilities, including the complete renovation of buildings with significant  
11 deferred maintenance needs; utility infrastructure; drainage, street, sidewalk, and site  
12 infrastructure; the demolition of public facilities; and any other improvements to  
13 address deferred maintenance needs. The term "project" does not include new  
14 buildings or building additions, other than minor additions required for code  
15 compliance or improved access to a public facility.

16 (1)(3) "Evaluation committee" shall mean a group formed to assess the  
17 qualifications of potential contractors or professionals who may be hired for  
18 construction work on campus projects. The role of the committee is to evaluate and  
19 select the most qualified candidates based on specific criteria.

20 C. A postsecondary education institution may award job order contracts for  
21 deferred maintenance projects to a public facility if the work is of a recurring nature,  
22 but the delivery times are indefinite and the indefinite quantities and orders are  
23 awarded substantially on the basis of pre-described and pre-priced tasks.

24 D. The postsecondary education institution shall establish the maximum  
25 aggregate contract price when it advertises the request for qualifications pursuant to  
26 this Section. The institution may establish contractual unit prices for a job order  
27 contract through one of the following methods:

28 (1) Specifying one or more published construction unit price books and the  
29 applicable divisions or line items.

1                   (2) Providing a list of work items and requiring the bidders to propose one  
2                   or more adjustment factors or multipliers to be applied to the price book or pre-  
3                   priced as the price proposal.

4                   E. Before awarding any job order contract, the Louisiana Board of Regents  
5                   shall establish procedures for the development of plans, specifications,  
6                   qualifications, and other matters pertaining to the procedures for advertising,  
7                   reviewing, and selecting job order contractors.

8                   F. At minimum, the following provisions shall apply to firms and contractors  
9                   providing or performing construction work under job order contracts:

10                   (1) All engineering and surveying firms shall be licensed to perform services  
11                   by the Louisiana Professional Engineering and Land Surveying Board.

12                   (2) All architectural firms shall be licensed to perform services by the  
13                   Louisiana State Board of Architectural Examiners.

14                   (3) All contractors shall be licensed by the Louisiana State Licensing Board  
15                   for Contractors.

16                   G. To ensure compliance with the established standards, all competitors shall  
17                   follow the qualification procedures set forth in this Subsection:

18                   (1) A selection process utilizing a request for qualifications procedure  
19                   including a public announcement procedure for solicitation of interested job order  
20                   contract competitors and a procedure for requesting a statement of qualifications  
21                   from qualified firms or terms through electronic announcement and communications.

22                   (2) The postsecondary education institution shall provide a request for  
23                   qualifications package to all job order contract competitors who submit a letter of  
24                   interest. All required information shall be identified in the request for qualifications  
25                   package and in the standard response forms. The response to a request for  
26                   qualifications package shall include a statement of qualifications that outlines  
27                   credentials and experience in areas of expertise specific to the project.

28                   (3) The completed response form, along with any other required information,  
29                   shall be submitted by the deadline specified in the request for qualifications package.  
30                   Any response that fails to meet all requirements outlined in the request for

1 qualifications package shall not be considered. False or misrepresented information  
2 provided in response to a request for qualifications package shall be grounds for  
3 disqualification.

4 H. The postsecondary education institution shall establish an evaluation  
5 committee to assess the responses to the request for qualifications, using at minimum  
6 the following criteria:

7 (1) The professional training and experience of the contractor and key  
8 personnel, specifically as it relates to the project under consideration.

9 (2) The capacity to complete the work within the specified time frame.

10 (3) Past performance on public projects of a similar nature to the one  
11 described in the request for qualifications.

12 (4) Any project-specific criteria that may apply to the project needs.

13 (5) Any other material deemed important by the institution.

14 I. A postsecondary education institution may award job order contracts to  
15 one or more job contractors in connection with each request for qualification.

16 J. The initial term for a job order contract shall not exceed two years. The  
17 postsecondary education institution may renew the contract annually for not more  
18 than three additional years.

19 K. An order for a job or project under a job order contract shall be signed by  
20 both the representative of the educational institution and the contractor. The job  
21 order may<sup>be</sup> issued for either of the following:

22 (1) A fixed price, lump-sum contract based substantially on contractual unit  
23 pricing applied to estimated quantities.

24 (2) A unit price order based on the quantities and line items delivered.

25 L. The job order contractor shall provide payment and performance bonds,  
26 as required by law, based on the amount or estimated amount of any order.

27 M. A job order contract shall only be used to accomplish work for the  
28 postsecondary education institution that awarded the contract unless the request for  
29 qualifications for the job order contract specifically provides for use by other

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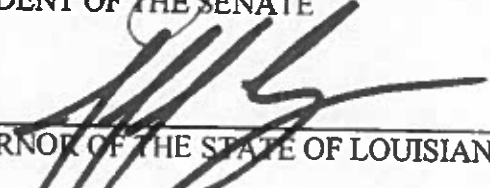
postsecondary education institutions under the supervision and control of the management board.

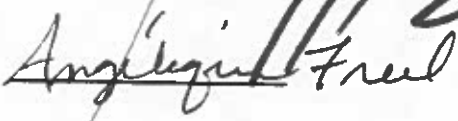
N. The provisions of the Section shall supersede any conflicting provisions of any other law, including but not limited to the requirements of Chapter 10 of this Title. <sup>this</sup>

Section 3. This Act shall become effective upon signature by the governor or, if not signed by the governor, upon expiration of the time for bills to become law without signature by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If vetoed by the governor and subsequently approved by the legislature, this Act shall become effective on the day following such approval.

  
\_\_\_\_\_  
SPEAKER OF THE HOUSE OF REPRESENTATIVES

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

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

APPROVED:  June 4, 2025

# ACT 436

2025 Regular Session

L.a. State Law Institute  
PRINTER'S COPY

ENROLLED

SENATE BILL NO. 166

Edits To: RS 38 Pgs. 1  
Note:

BY SENATOR WOMACK

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

## AN ACT

To enact R.S. 38:2225.6, relative to public contracts; to provide for expending state funds through contracts with local governmental entities and third party entities; to require the division of administration to issue guidance relative to contract requirements for payments; to provide relative to contract procedures; to authorize the creation of software for tracking certain contracts; to provide for training requirements; to provide for an effective date; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 38:2225.6 is hereby enacted to read as follows:

**§2225.6. Public private contract protocol requirements**

**A. The division of administration shall issue guidance for any local governmental entity that receives state funds and enters into a contract with a third-party entity for the performance of public works for which state funds have been appropriated.**

**B. All contracts between local governmental entities and third-party entities shall require a preconstruction meeting between the local governmental entity, the contractor, and the design professional of record, with notice to the appropriate state entity, for the purpose of establishing clear expectations of the contract deliverables, project deadlines, accountability standards, payment schedules, and an expedited grievance procedure for complaints. The preconstruction meeting shall accomplish the following:**

**(1) Establish a designated person who shall be the point of contact for the local governmental entity during the project.**

**(2) Establish a procedure for the payment by electronic fund transfer or an agreed upon method of payment to contractors.**

**(3) Establish a procedure whereby the local governmental entity accepts documents which are digitally signed.**

1            C.(1) The division of administration and the Department of  
2            Transportation and Development shall develop and maintain software for  
3            utilization by local governmental entities and contractors that receive state  
4            funding.

5            (2) All local governmental entities that receive state funding shall utilize  
6            the software to measure the time between the close of the pay period and the  
7            time the payment estimate is approved for payment and submitted to the owner.  
8            The software shall be utilized to process all payment estimates and all parties  
9            to the contract shall have the ability to receive requests and track the progress  
10           of each payment.

11           (3) The division of administration and the Department of Transportation  
12           and Development shall make the software available for use on or before July 1,  
13           2026.

14           D.(1) Beginning on July 1, 2026, all elected officials of municipalities and  
15           municipal employees, as provided in Paragraph (2) of this Subsection, shall  
16           complete a minimum of one hour of annual training on procurement and the  
17           letting of public contracts pursuant to R.S. 38:2211 et seq., provided by the  
18           legislative auditor. The legislative auditor may contract with a nonprofit entity  
19           or other organization to satisfy the training requirement.

20           (2) The training requirement applies to all municipal employees whose  
21           job duties involve procurement activities, including but not limited to the  
22           purchase of materials and supplies or public works, or drafting, managing, or  
23           supervision of contracts, including but not limited to procurement contracts,  
24           cooperative endeavor agreements, contracts for professional services, and the  
25           letting of public contracts pursuant to R.S. 38:2211 et seq.

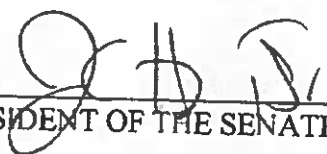
26           (3) Such training may be provided through web-based means and shall  
27           include but not be limited to training on Public Bid Law, public contracts,  
28           change orders, and the letting of public contracts pursuant to R.S. 38:2211 et  
29           seq.

30           (4) The legislative auditor shall maintain records to document and certify

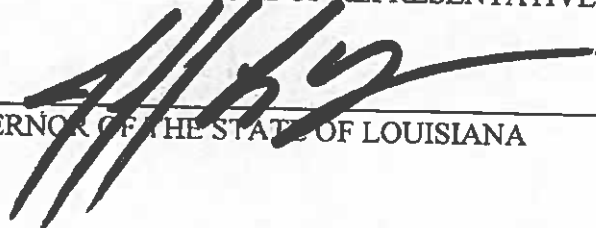
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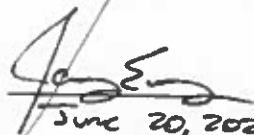
completion of the training by elected officials of municipalities and municipal employees.

Section 2. This Act shall become effective upon signature by the governor or, if not signed by the governor, upon expiration of the time for bills to become law without signature by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If vetoed by the governor and subsequently approved by the legislature, this Act shall become effective on the day following such approval.

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

  
\_\_\_\_\_  
SPEAKER OF THE HOUSE OF REPRESENTATIVES

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

APPROVED:   
JUNE 20, 2025

# ACT 254

**ENROLLED**

2025 Regular Session

HOUSE BILL NO. 209

BY REPRESENTATIVE BRASS

La. State Law Institute  
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NO EDITS  
Classification RS 38

AN ACT

To enact R.S. 38:2241(A)(3), relative to the financing structure for public works projects in Ascension Parish; to increase the performance bond for projects in Ascension Parish; and to provide for related matters.

Notice of intention to introduce this Act has been published as provided by Article III, Section 13 of the Constitution of Louisiana.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 38:2241(A)(3) is hereby enacted to read as follows:

§2241. Written contract and bond

A.

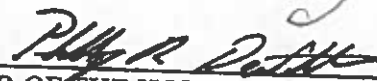
\* \* \*


(3) Notwithstanding any other provision to the contrary, for each contract in excess of two hundred fifty thousand dollars per project in Ascension Parish, the public entity shall require of the contractor a bond with good, solvent, and sufficient surety in a sum of not less than fifty percent of the contract price for the payment by the contractor or subcontractor to claimants as defined in R.S. 38:2242. The bond furnished shall be a statutory bond and no modifications, omissions, additions in or to the terms of the contract, in the plans or specifications, or in the manner and mode of payment shall in any manner diminish, enlarge, or otherwise modify the obligations of the bond. The bond shall be executed by the contractor with surety or

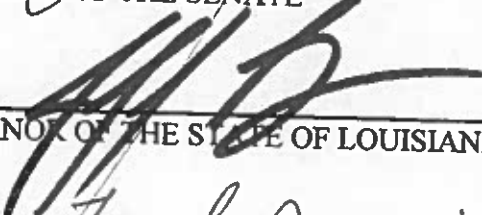
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sureties approved by the public entity and shall be recorded with the contract in the office of the recorder of mortgages in the parish where the work is to be done not later than thirty days after the work has begun.

\* \* \*

  
\_\_\_\_\_  
SPEAKER OF THE HOUSE OF REPRESENTATIVES

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

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

APPROVED:  June 11, 2025

# ACT 180

ENROLLED

2025 Regular Session

HOUSE BILL NO. 312

BY REPRESENTATIVE GADBERRY

La. State Law Institute  
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NO EDITS  
Classification RC 38

1 AN ACT

2 To amend and reenact R.S. ~~38:2318.1~~(A) and (B), relative to negotiations for architectural  
3 and engineering professional services; to prohibit the state and certain governmental  
4 entities or persons they contract with from using price or price-related information  
5 as a factor in the selection of specific architectural and engineering professionals for  
6 projects using state or local funding; and to provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 38:2318.1(A) and (B) are hereby amended and reenacted to read as  
9 follows:

10 §2318.1. Louisiana "No Bidding of Architectural and Engineering Professional  
11 Services" policy


12 A. It is the policy of the state of Louisiana and its political subdivisions and  
13 agencies to select architectural and engineering professional services on the basis of  
14 competence and qualifications for a fair and reasonable price. Neither For projects  
15 using state or local funding, neither the state nor any of its political subdivisions, or  
16 agencies, or persons they contract through may select architects, engineers,  
17 landscape architects, and land surveyors where price or price-related information is  
18 a factor in the selection.


19 B. A political subdivision, or agency, or persons they contract through shall  
20 negotiate a contract for professional services at a compensation rate that the agency  
21 head determines is fair and reasonable with the firm selected. If the political  
22 subdivision, or agency, or persons they contract through is unable to negotiate a

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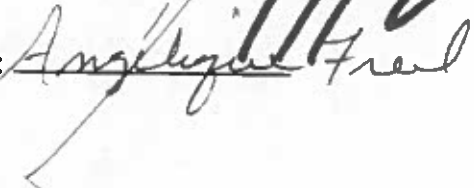
satisfactory contract with that firm, the political subdivision, or agency, or persons  
they contract through shall formally terminate negotiations and then undertake  
negotiations with the next selected firm, continuing the process until a contract is  
negotiated satisfactorily.

\* \* \*

  
\_\_\_\_\_  
SPEAKER OF THE HOUSE OF REPRESENTATIVES

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

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

APPROVED:  June 8, 2025

**ACT 458**  
**2025 Regular Session**  
**Edit Sheet**

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Classification RS 31  
- COPY PGS. 1-5, 180, 226-227

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- COPY PGS 1-5, 223-227

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- COPY PGS. 1-5, 224-227

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- COPY PGS 1-5, 220, 226-227

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- COPY PGS 1-5, 220, 226-227

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Edits To: RS 38 Pgs. 203-210, 212-213,  
Note: - NOTE §13 215-216  
- COPY PGS. 1-5, 201-220, 226-227

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Classification RS 17  
- COPY PGS. 1-5, 226-227

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Edits To: RS 36 Pgs. 182, 187-190,  
Note: 194-195, 198  
- COPY PGS. 1-5, 180-201, 226-227

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Edits To: RS 45 Pgs. 221-223  
Note: - COPY PGS 1-5, 221-223, 226-227

# ACT 458

2025 Regular Session

ENROLLED

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

BY SENATOR HENSGENS

L. State Law Institute  
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Edits To: ALL Pgs. \_\_\_\_\_

Note: SEE ATTACHED EDIT SHEET

AN ACT

17, 31, 36, 38, 39, 44, 45, 49, 56  
To amend and reenact R.S. 30:1 (section heading), (A), (B), and (C), the introductory paragraph of 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 4.1(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 the 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), the introductory paragraph of (C), (E), (F), (G), and (H), 6, 6.1(A), (B), (C), (D)(1), and (F), 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), 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), 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 (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), <sup>and (15)</sup> 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), 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;

1 and to provide for related matters.

2 Be it enacted by the Legislature of Louisiana:

3 Section 1. R.S. 30:1(section heading), (A), (B), and (C), introductory paragraph of  
 4 3, 3(3), (6), (7), (9), and (18), 4(A), (B), introductory paragraph of (C), (C)(1)(a)(v) and (b),  
 5 (14), (16)(b), (17)(b), introductory paragraph of (D), (D)(1), (2), (3), and (5), (E), (F), (G),  
 6 (H), introductory paragraph of (I), (I)(1), (3), (4), (5), (9), and (11), (K), introductory  
 7 paragraph of (L)(1), introductory paragraph of (M), (M)(3), (6)(b), (O)(1) and (2), (P), (Q),  
 8 introductory paragraph of (R), and (T), introductory paragraph of 4.1(B), (C), (D), (E),  
 9 (F)(1), (I), and (K), 4.2, 4.3, 5(A), (B), (C)(1), introductory paragraph of (2), (2)(d), (4), and  
 10 (6), and (D)(1) and introductory paragraph of (2), 5.1(A)(1), (2), introductory paragraph of  
 11 (3), (3)(e), (5), (6), (7), (8), and (9), (B)(1), (2), and introductory paragraph of (3), (5), (7),  
 12 (9), (10), (12), and (13), 5.2(A), (B), introductory paragraph of (C), (E), (F), (G), and (H),  
 13 6, 6.1(A), (B), (C), (D)(1), and (F), 8(A)(1), (2), (3), and (4), and (B), introductory paragraph  
 14 of 9(A), (B), (C), and (D), the introductory paragraph of 10(A), the introductory paragraph  
 15 of (A)(1), the introductory paragraph of (A)(2), the introductory paragraph of (A)(2)(a)(i),  
 16 (b)(ii)(ii), introductory paragraph of (vi), (vi)(bb), (c), (d), and (f), and (3), (B), and (C)(7),  
 17 10.1(B)(1), (3), (4), and (5), 11.1, 12(A), (B)(1), (2), (3), (4), introductory paragraph of (5),  
 18 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),  
 19 (iii), (d), and (e), and (B), 20(A) and (D), 21(A) and (B)(1)(a), (b), (c), introductory  
 20 paragraph of (d) and (e), and (2)(a) and (b), introductory paragraph of 22(B) and (C), (D),  
 21 and (E), introductory paragraph of 23(B), (C), and (D), 23.1(A), 25(A)(2), (3), (5), (6), and  
 22 (7), (D), (E), and (F), 26(A), the introductory paragraph of 27(A), (D), and (F), 28(A), (C),  
 23 introductory paragraph of (D), (D)(2), (3), (5), (6), and (7), (F), (G), (H), introductory  
 24 paragraph of (I)(1), (1)(a), (d), and (g), and (J), 41, 42, 44, 45, 48, introductory paragraph  
 25 of 61, 73(1), 74(A) and (B), 79(A), (B), and (C), 82(1), (6), (7), (11), and (14), 83(A)(5) and  
 26 (7), 83.1(B)(3), 85(A)(3), and (C), 86(A)(2), (D)(8), (9), and (10), (E)(2) as enacted by  
 27 Section 1 of Act 16 of the 2024 Third Extraordinary Session of the Legislature of Louisiana,  
 28 (6), and (7), (G), and (H), 88(B), (C), (D), (E), (F), (I), and introductory paragraph of (J),  
 29 88.1(A)(3) and (4), (C), (D), (E), (G), and (H), 88.2(C), introductory paragraph of (E),  
 30 (E)(1), and (F), 89(A), (B), introductory paragraph of (C), (C)(2) and (3), and (D), 90(C),

1 review, if requested, shall be conducted en banc by a panel of three hearing  
 2 masters selected pursuant to the procedure provided pursuant to Paragraph  
 3 (B)(2) of this Section.

4 (4) If conducted, the panel shall issue a draft decision and provide copies  
 5 via certified mail to the parties, the department, the Department of  
 6 Environmental Quality, and the Department of Wildlife and Fisheries for their  
 7 review and comments, which shall be provided to the panel, other parties, and  
 8 all three departments within thirty days of receipt of the draft decision. If no  
 9 comments are submitted, then the panel shall issue its decision within fifteen  
 10 days following the end of the thirty-day comment period. If comments are  
 11 submitted, the panel has thirty days from receipt of the last comment or from  
 12 the end of the thirty-day comment period, whichever is later, to issue its  
 13 decision. If a comment is submitted by one of the three departments in which  
 14 a department states that the draft decision must be revised in order to meet  
 15 compliance with one of its applicable laws, rules, or regulations, then the panel  
 16 shall revise the draft decision accordingly prior to issuing its decision. The  
 17 decision of the panel is final.

18 F. Publication. All final decisions and the rationale therefor shall be  
 19 published on the department's website within thirty days of issuance.

20 G. Preemption. Unless all parties agree otherwise at the time they  
 21 request the administrative process, any pre-existing and duly recorded  
 22 contractual agreements or leases governing the relationship between the parties  
 23 shall supersede this administrative process. A settlement agreed to by the  
 24 parties after initiation of the administrative process but prior to the final  
 25 decision of the hearing master shall supersede the administrative process as to  
 26 the parties to the settlement.

27 H. Rulemaking authority. The department shall promulgate rules as  
 28 necessary to implement the provisions of this Section.

29 Section 5. R.S. 38:3072, 3073(8), the introductory paragraph of 3076(A), (A)(3), (4),  
 30 (7), (8), (9), (14)(b), and (24), (C), (D), (E), the introductory paragraph of (F)(1), (F)(1)(b),

1 and (2), 3077, 3078, 3079, 3081, 3083, 3087.136(4), 3087.138, 3092(2) and (4), 3093,  
 2 <sup>√(Intro. Par.) and</sup> 3094(A)(1) through (4), the introductory paragraph of 3094(B), 3094(B)(7), the introductory  
 3 paragraph of R.S. 38:3094(C), and 3094(C)(1), 3097.1(C), 3097.2(1), (4), (7), and (9),  
 4 3097.3(A) and (B), the introductory paragraphs of 3097.3(C) and (C)(4)(a),  
 5 3097.3(C)(4)(a)(v) and (b), and (8), (D), (E), (F)(1), the introductory paragraphs of  
 6 3097.3(F)(2), (d), and (f), and 3097.3(G), 3097.6(A), the introductory paragraphs of  
 7 3097.6(B) and (B)(3), 3097.8(A) and (C), the introductory paragraph of 3098(A), 3098(B)  
 8 and (E), and 3098.1(4) are hereby amended and reenacted and R.S. 38:3098(G) is enacted  
 9 to read as follows:

§3072. District ~~and board~~; creation

11 ~~A.~~ There is hereby created the Capital Area Groundwater Conservation  
 12 District, hereinafter called "district," which shall be ~~a body politic and corporate and~~  
 13 ~~a political subdivision of the state of Louisiana and shall be~~ composed of the parishes  
 14 of Ascension, East Baton Rouge, East Feliciana, Pointe Coupee, West Baton Rouge,  
 15 and West Feliciana.

16 ~~B. There is hereby created a board of commissioners for the Capital Area~~  
 17 ~~Groundwater Conservation District who shall administer the affairs of the district.~~  
 18 ~~The membership of the board shall be as provided by R.S. 38:3074.~~

§3073. Definitions

20 Unless the context otherwise requires, the following terms shall have the  
 21 following meanings for purposes of this Part:

22 \* \* \*

23 (8) "Just and equitable share" of the groundwater underlying a tract within  
 24 an area subject to an order limiting pumping rates means that portion of the  
 25 recoverable groundwater within an aquifer which is to be apportioned to such tract  
 26 on the basis of demonstrable geologic and hydrologic data taking into consideration  
 27 the volume of groundwater in storage, the maximum perennial recharge potential,  
 28 and any groundwater use priorities established by the board district.

29 \* \* \*

30 §3076. Powers of the board district



1 properties, papers, books, and records relevant to groundwater use or conservation;  
 2 to examine, survey, check test, and gauge all water wells within the district; to  
 3 require well owners who are users or well owners providing water to other users, at  
 4 their own expense, to meter wells to permit accurate determination of rates of use.  
 5 Metering may be required on a continuous or periodic basis, and the board district  
 6 may require approval by it of metering devices; to provide for the keeping of records  
 7 and making of reports by owners of water wells providing water to users, and users  
 8 of groundwater within the district.

9 (9) To require that authorized representative of the board district be enabled  
 10 to enter property at reasonable times and under reasonable conditions to inspect  
 11 wells, perform tests and examine records.

12 ) \* \* \*

13 (14) To assess the following:

14 \* \* \*

15 (b) Costs for capital expenditures assessed to users based on either annual  
 16 flows or specific costs for wells to individual users based on capital, debt service,  
 17 and operation and maintenance costs. Costs may include specific systems and  
 18 technologies to allow for remote monitoring of flows, water levels, water quality,  
 19 and other parameters considered necessary by the board district to conserve and  
 20 protect groundwater resources and may include but are not limited to monitoring  
 21 wells, scavenger wells, reclaimed water systems, pressure differential systems, water  
 22 treatment systems, and other subsurface systems related to the protection of the  
 23 aquifers.

24 \* \* \*

25 (24) To advise and consult with the ~~commissioner of conservation and the~~  
 26 ~~Water~~ secretary of the Department of Conservation and Energy and the Natural  
 27 Resources Commission on matters that impact water resources within the board's  
 28 district's jurisdiction.

29 \* \* \*

30 C. Anything herein to the contrary notwithstanding, the board district formed

1 hereunder shall have no authority to regulate water produced from formations  
 2 producing oil or gas or both for commercial purposes or to issue any rule, regulation,  
 3 or order conflicting with regulation of drilling to and production from or disposition  
 4 of water from such formations by the ~~commissioner of conservation~~ secretary of the  
 5 Department of Conservation and Energy. Nor shall the board district formed  
 6 hereunder have authority to regulate the production of salt water used for pressure  
 7 maintenance, secondary recovery operations, or other operations for the production  
 8 of oil or gas.

9 D. Anything herein to the contrary notwithstanding, the board district shall  
 10 have no regulatory power over and no authority to assess pumping charges for a well  
 11 or wells with a total depth of less than four hundred feet or wells in the Mississippi  
 12 River alluvial aquifer; or wells from which the production is used exclusively for  
 13 bona fide agricultural or horticultural purposes or for domestic use of persons  
 14 resident upon the same premises and capable of producing not more than fifty  
 15 thousand gallons per day in the aggregate.

16 E. The board district shall have authority to make, after notice and hearing  
 17 and to enforce reasonable rules, regulations, or orders necessary from time to time  
 18 to achieve the purposes and powers as outlined in this Part, and such rules,  
 19 regulations and orders shall be effective and enforceable immediately upon  
 20 promulgation in the official journal of each parish affected.

21 F.(1) The board district shall not require users to undertake the installation  
 22 of additional metering devices or prescribe new requirements thereof if the user's  
 23 installation of metering devices meets all of the following criteria:

24 \* \* \*

25 (b) Measures flow data at least hourly for each well, for each stratum from  
 26 which the well draws, and reports the data to the board district monthly.

27 \* \* \*

28 (2) The board district shall have authority to audit the performance of flow  
 29 measurement devices installed and maintained by users. Audits of the flow  
 30 measurement devices of all users other than nuclear electric generating stations may

1 include temporary installation of a flow measurement device and other necessary  
2 equipment by the board district, at the board's district's expense, in order to verify  
3 performance of a user-installed flow measurement device. Each user-installed flow  
4 measurement device may be audited once per calendar year.

5 §3077. Suits and failure to bring suit

6 A. Whenever it appears that a person is violating or is threatening to violate  
7 any provision of this <sup>P</sup>~~part~~ or a rule, regulation, or order made hereunder, the board  
8 district shall bring suit to restrain that person from continuing the violation or from  
9 carrying out the threat.

10 B. Venue shall be in the district court in the parish in which the board district  
11 is domiciled.

12 C. In any such suit, the board district may obtain injunctions, prohibitory and  
13 mandatory, including temporary restraining orders and preliminary injunctions as the  
14 facts warrant.

15 D. If the board district fails to bring suit within ten days to restrain a  
16 violation of this <sup>P</sup>~~part~~ or any rule, regulation, or order issued hereunder, any person  
17 in interest adversely affected by the violation who has notified the board district in  
18 writing of the violation or threat thereof and has requested the board district to sue,  
19 may bring suit to prevent any or further violations, in the district court of the parish  
20 in which the board district is domiciled. If the court holds that injunctive relief  
21 should be granted, the board district shall be made a party and shall be substituted  
22 for the person who brought the suit, and the injunction shall be issued as if the board  
23 district has at all times been the complaining party.

24 §3078. Limiting rate of production; notice

25 Any order limiting rates of production of groundwater, except emergency  
26 orders issued as hereinafter provided, shall be issued only after sixty days notice and  
27 a public hearing. The board district shall give notice by registered mail to all users  
28 of groundwater reasonably known to it within the district within which pumping is  
29 to be limited. In addition, the board district may give notice to such other individual  
30 landowners and well owners as it deems appropriate. However, the board district

1 shall also give notice by publication as hereinafter provided of the hearing on the  
2 prospective order.

3 §3079. Pumping charges

4 A. The pumping charge assessed against each user of groundwater within the  
5 district shall be fixed annually upon at least thirty days notice to each user within the  
6 district known to the board district and general notice by publication; however, the  
7 charges assessed against users of groundwater shall not be increased without a public  
8 hearing held for the purpose of fixing the pumping charges and opportunity for the  
9 submission of all pertinent data concerning total rates of consumption of  
10 groundwater within the district, estimated rates of consumption by users within the  
11 district, the costs and expenses which must be met during the coming year, costs and  
12 expenses which must be met by the pumping charge, and the manner in which the  
13 computation of the pumping charge is made. Any user within the district shall have  
14 the right to make a presentation by testimony and adduction of evidence and exhibits,  
15 and any other interested person shall have the right to be heard by making a personal  
16 statement of reasonable length. Any user intending to make a presentation at the  
17 hearing resulting in the assessment of pumping charges shall so advise the board  
18 district at least five days in advance of the hearing and shall indicate the estimated  
19 time to be consumed by his presentation. When necessary, in its discretion, the board  
20 district may limit the time allotted users for their presentations. Further, no pumping  
21 charge shall be made against the quantity of water pumped from wells screened in  
22 the Mississippi River alluvial aquifer, wells with a total depth of less than four  
23 hundred feet, wells used exclusively for bona fide agricultural or horticultural  
24 purposes, or wells not capable of producing fifty thousand gallons or more per day.

25 B. Pumping charges may be made payable by users monthly or on any other  
26 reasonable basis set by the board district.

27 \* \* \*  
28 §3081. Court review and injunctive relief

29 A. Any aggrieved person of the district may, within thirty days after the  
30 adoption of any rule, regulation, order or taking of other action by the board district,

1 file suit in the district court in which the board district is domiciled, to contest the  
 2 said rule, regulation, order or other action taken. The court may affirm the decision  
 3 of the board district or remand the case for further proceedings. The court may  
 4 reverse or modify the decision if substantial rights of the appellant have been  
 5 prejudiced because the administrative findings, inferences, conclusions, or decisions  
 6 are any of the following:

- 7 (1) In violation of constitutional or statutory provisions;
- 8 (2) In excess of the statutory authority of the ~~board~~; district.
- 9 (3) Made upon lawful procedure;
- 10 (4) Affected by other error of law;
- 11 (5) Arbitrary or capricious or characterized by abuse of discretion or clearly  
 12 unwarranted exercise of discretion; or

13 (6) Manifestly erroneous in view of the reliable, probative, and substantial  
 14 evidence on the whole record. In the application of the rule, where the board district  
 15 has the opportunity to judge of the credibility of witnesses by firsthand observation  
 16 of demeanor on the witness stand and the reviewing court does not, due regard shall  
 17 be given to the board's district's determination of credibility issues.

18 B. On institution of any such suit, the court shall issue an order setting the  
 19 matter for trial, as by summary process, and such suit shall be tried in term time, or  
 20 in vacation, with the greatest possible dispatch. Pending a hearing, the court may  
 21 grant a temporary restraining order suspending the action of the board district upon  
 22 a showing of immediate and irreparable injury in accordance with the provisions of  
 23 Louisiana Code of Civil Procedure Article 3603.

24 \* \* \*

25 §3083. Violations; penalty; jurisdiction; attorney general to conduct suit; complicity

26 A. Whoever knowingly and willfully violates a provision of this <sup>P</sup>~~part~~ or a  
 27 rule, regulation, or order of the board district made hereunder, shall be subject to a  
 28 civil penalty of not more than one thousand dollars a day for each day of violation  
 29 and for each act of violation, if a penalty for the violation is not otherwise provided  
 30 in this <sup>P</sup>~~part~~.



used for agricultural or industrial purposes may be estimated.

\* \* \*

§3092. Definitions

ALPHABETIZE

(1) = (1) Unless the context otherwise requires, the following terms shall have the following meanings for purposes of this Chapter:

(2) → (5)

(3) - (5) → (2) - (4)

(b) - (7) = (b) - (7) (5)

\* \* \*

~~(2) "commissioner"~~ means the commissioner of conservation secretary

means the secretary of the Department of Conservation and Energy.

\* \* \*

(3)

(4) "Office" means the office of conservation, Department of Conservation and Energy and Natural Resources.

\* \* \*

§3093. Administration; authority

This Chapter shall be administered by the ~~commissioner of conservation~~ secretary, who shall have authority to enforce the provisions of this Chapter.

§3094. Rules and regulations; powers of ~~commissioner~~ secretary

A. The ~~commissioner~~ secretary shall make reasonable rules and regulations for the following purposes:

(1) To require registration of all wells producing in excess of fifty thousand gallons per day with the ~~commissioner~~ secretary showing the date drilled, the name of the driller, if available, and the current ownership together with such other information as the ~~commissioner~~ secretary may reasonably require. The ~~commissioner~~ secretary may, at his discretion, require registration of smaller wells.

(2) To require that all users of ground water within the state register with the ~~commissioner~~ secretary showing the number, location, and capacity of wells owned or operated by them or solely for their benefit and designating the beneficial use or uses of ground water by them. The ~~commissioner~~ secretary shall classify each user as a domestic, municipal, industrial, agricultural, or recreational or therapeutic user of ground water upon the basis of such information. The ~~commissioner~~ secretary shall have authority in his discretion to require periodic renewals of registrations to

1 determine alterations in uses of water within the state, such registrations may be  
2 required on an annual basis or such greater periods of time as the commissioner  
3 secretary may deem appropriate.

4 (3) To establish regulations governing standards for the construction of all  
5 wells drilled after July 26, 1972, except that where authority is exercised by the  
6 Louisiana Department of Health, the commissioner secretary shall work  
7 cooperatively with that department in the establishment of standards for construction.

8 (4) To require well owners to furnish, on request, information pertinent to  
9 wells, such as well logs, chemical analyses, strata samples, water levels, water uses,  
10 drawdowns, grouting, casing sizes, property descriptions, and other pertinent  
11 information reasonably required by the commissioner secretary, provided that as to  
12 wells in existence on July 26, 1972, such information is available.

13 \* \* \*

14 B. In addition to the specific regulatory matters set forth in Subsection A of  
15 this Section, the commissioner secretary shall have authority to do, as required, the  
16 following:

17 \* \* \*

18 (7) To require records to be kept and reports to be made of the drilling,  
19 equipping, and completion of wells into any aquifer or aquifers and the taking and  
20 use of ground water therefrom and to require accurate drillers' logs to be kept of such  
21 wells and a copy thereof and of any electric logs made of such wells to be filed with  
22 the commissioner secretary.

23 C. To provide for uniform protection of public water supply users in the state,  
24 the commissioner secretary with the concurrence and approval of the Louisiana  
25 Department of Health shall be authorized as follows:

26 (1) To assure that all community public water supply systems within the state  
27 are developed so as to provide for the proper utilization of the ground water aquifers  
28 and are organized to provide proper operation and maintenance of the system. It shall  
29 be the responsibility of the commissioner secretary, with assistance from the  
30 Louisiana Department of Health, to promulgate rules and regulations in accordance

1 with the Administrative Procedure Act, so as to ensure the safety and welfare of the  
2 general public utilizing such systems.

3 \* \* \*

4 §3097.1. Legislative findings; purpose; effect

5 \* \* \*

6 C. In accordance with the legislative intent provided herein the statewide  
7 ground water resource management program and any rule, regulation, or order of the  
8 ~~commissioner~~ secretary shall recognize historic use of ground water resources in the  
9 state and may incorporate the use of appropriate incentives to encourage  
10 conservation of ground water resources and the appropriate utilization of alternate  
11 water supplies where appropriate. Consistent with the provisions of this Chapter and  
12 in consultation with the ~~commissioner~~ secretary, the incentives and provisions of  
13 alternate water resources may be provided by the state, or any local subdivision  
14 thereof, by virtue of tax incentives, tax credits, and physical projects transporting or  
15 providing alternate water resources to existing ground water users and by any private  
16 person with an interest in conserving such ground water resources for public use.

17 §3097.2. Definitions

ALPHABETIZE

18 (1)-(3) = (1)-(3) Unless the context otherwise requires, the following terms shall have the

19 (4) → (11) following meanings for purposes of this Chapter:

(5)-(11) → (4)-(10)

20 (1) "Area of ground water concern" shall mean an area in which, under  
21 (12)-(15) = (12)-(15) current usage and normal environmental conditions, sustainability of an aquifer is

22 not being maintained due to either movement of a salt water front, water level  
23 decline, or subsidence, resulting in unacceptable environmental, economic, social,  
24 or health impact, or causing serious adverse impact to an aquifer, considering the  
25 areal and temporal extent of all such impacts. An area of ground water concern,  
26 declared pursuant to R.S. 38:3097.6, shall be designated a critical area of ground  
27 water concern when the ~~commissioner~~ secretary finds that sustainability cannot be  
28 maintained without withdrawal restrictions.

29 \* \* \*

30 (11)  
~~(A) "Commissioner" shall mean the commissioner of conservation~~

1 "Secretary" shall mean the secretary of the Department of Conservation and  
2 Energy.

3 (6) \* \* \*

4 (7) "Ground water emergency" shall mean an unanticipated occurrence as a  
5 result of a natural force or a man-made act which causes a ground water source to  
6 become immediately unavailable for beneficial use for the foreseeable future or  
7 drought conditions determined by the commissioner secretary to warrant the  
8 temporary use of drought relief wells to assure the sustained production of  
9 agricultural products in the state.

10 (8) \* \* \*

11 (9) "Large volume well" means a well with an exterior casing size of eight  
12 inches or greater in diameter, or as defined by rules and regulations promulgated by  
13 the commissioner secretary pursuant to the Administrative Procedure Act.

14 \* \* \*

15 §3097.3. ~~Commissioner of conservation~~ Secretary of Conservation and Energy;  
16 powers and duties

17 A. The commissioner secretary, through the ~~office of conservation~~  
18 Department of Conservation and Energy, is empowered and responsible for the  
19 administration of all matters related to the management of the state's groundwater  
20 resources by providing for the most advantageous use of the resource consistent with  
21 the protection, conservation, and replenishment thereof. The commissioner secretary  
22 shall perform these functions to the extent such functions are not specifically within  
23 the jurisdiction of other state departments or agencies. The commissioner secretary  
24 shall seek the advice and consultation of local governmental entities on any actions  
25 or decisions which may have an impact upon those entities or residents within the  
26 entities' respective jurisdictions.

27 B. The commissioner secretary is authorized to employ, assign, and remove  
28 personnel, including a deputy, within the Department of Conservation and Energy  
29 ~~and Natural Resources, office of conservation~~, to provide administrative and  
30 technical staff functions that the commissioner secretary deems necessary to carry

1 out the powers, functions, and duties under this Chapter. Personnel actions shall be  
2 in accordance with applicable civil service laws, rules, and regulations, and with the  
3 policies and rules of the department, all subject to budgetary control and applicable  
4 laws.

5 C. The ~~commissioner~~ secretary has authority to make, after notice and public  
6 hearings in accordance with the Administrative Procedure Act, any reasonable rules,  
7 regulations, and orders that are necessary from time to time in the proper  
8 administration and enforcement of this Chapter, including rules, regulations, or  
9 orders for the following purposes:

10 \* \* \*

11 (4)(a) Require registration of all new wells by the owners. Such registration  
12 shall at a minimum require the date drilled or the estimated date to be drilled, the  
13 name of the driller, the current ownership, and the projected location of the well in  
14 latitude, longitude, and depth, and casing size together with such other information  
15 as the ~~commissioner~~ secretary may reasonably require. Registration shall be in the  
16 form of a notice of intent to drill submitted to the ~~commissioner~~ secretary at least  
17 sixty days prior to drilling the well, except for the following types of wells which  
18 shall be registered no later than sixty days after completing the well:

19 \* \* \*

20 (v) All other wells the ~~commissioner~~ secretary exempts for just cause.

21 (b) Within thirty days of receiving the well registration, the ~~commissioner~~  
22 secretary shall review the submitted information. During the thirty-day review  
23 period, the ~~commissioner~~ secretary may either issue an order to the owner placing  
24 restrictions on the well or requesting further reasonable information on the well or  
25 may take no action. Prior to any order placing a restriction on a well, the  
26 ~~commissioner~~ secretary shall determine, on the basis of good management practices  
27 and sound science, that such action is necessary to prevent adverse impacts to the  
28 sustainability of the aquifer from which the proposed well is to produce. An order  
29 placing restrictions on spacing may also be issued to avoid direct adverse impacts to  
30 existing wells. Restrictions and requests for information shall be subject to the

1 following:

2 (i) For large volume wells or wells within a critical area of groundwater  
3 concern, the ~~commissioner~~ secretary may issue to the owner of such well an order  
4 fixing allowable production, spacing, and metering necessary to properly manage the  
5 state's groundwater resources consistent with R.S. 38:3097.6(B)(3). Before issuing  
6 any order placing restrictions on a well outside a critical area of groundwater  
7 concern, the ~~commissioner~~ secretary shall consider a well owner's efforts to develop  
8 alternate water sources.

9 (ii) For all other wells located outside a critical area of groundwater concern,  
10 an order issued by the ~~commissioner~~ secretary may only fix spacing of the well.

11 (iii) If more information is requested, the ~~commissioner~~ secretary shall have  
12 an additional thirty days after receiving the additional information for review. ~~The~~  
13 ~~commissioner's request for further information may be appealed to the commission~~  
14 ~~to determine the reasonableness of the request. Such determination shall be made~~  
15 ~~within forty-five days from the date of the appeal.~~

16 \* \* \*

17 (8) Develop a contingency plan to respond to a groundwater emergency. Such  
18 a plan shall provide that groundwater needed for human consumption shall have the  
19 highest priority. If the ~~commissioner~~ secretary declares a groundwater emergency,  
20 he shall define the geographical extent of the area included in the emergency by rule  
21 or order, may retain personnel or let contracts as necessary with persons who shall  
22 operate under his direction to abate the emergency conditions, and may fix the  
23 allowable production, spacing, and depth for wells within the area in such a way that  
24 the combined production of groundwater will not have long-term adverse effects on  
25 the aquifer.

26 \* \* \*

27 D. Any rule or regulation promulgated or any critical groundwater area  
28 declared by the Ground Water Management Commission pursuant to authority  
29 granted by Act No. 446 of the 2001 Regular Session <sup>of the Legislature</sup> shall remain in effect until July  
30 1, 2004, or until such time as the ~~commissioner~~ secretary promulgates rules pursuant

1 to this Section or reviews any previously declared critical area.

2 E. The commissioner secretary shall not authorize or issue any permit which  
3 allows the use or withdrawal of three million gallons or more of groundwater per day  
4 from the Chicot aquifer that shall be injected into the subsurface in a parish whose  
5 population is more than seventy thousand and less than seventy-five thousand.

6 F.(1) The commissioner secretary, upon determining that a violation of <sup>this Chapter,</sup>  
7 Chapters ~~13-A/13-A-1~~, or 13-B of this Title or the regulations adopted thereunder  
8 has occurred, may impose a civil penalty as provided in this Chapter. Additionally,  
9 upon determining that a violation of Chapters ~~13-A/13-A-1~~, or 13-B of this Title or  
10 the rules and regulations made pursuant to Chapters ~~13-A/13-A-1~~, or 13-B of this  
11 Title has occurred, the commissioner secretary may issue an order requiring  
12 compliance. Any such order shall state, with reasonable specificity, the nature of the  
13 violation, any cessation of activities or affirmative operations required to achieve  
14 compliance, and a time limit within which compliance with the order must be  
15 achieved. Noncompliance with any such order to comply shall constitute a violation  
16 of Chapters ~~13-A/13-A-1~~, or 13-B of this Title, and the commissioner secretary  
17 may impose a civil penalty for such violation. Any person subjected to a civil penalty  
18 shall have the right to a public hearing if requested in writing, which written request  
19 shall suspend the imposition of penalty until final action is taken by the  
20 commissioner secretary.

21 (2) The commissioner secretary is hereby authorized to assess civil penalties  
22 for each day of violation of the provisions of Chapters ~~13-A/13-A-1~~, or 13-B of this  
23 Title as follows:

24 \* \* \*

25 (d) For violations of rules and regulations promulgated pursuant to  
26 Subparagraph (C)(4)(b) of this Section - failure to comply with restrictions, terms,  
27 or conditions set forth by order of the commissioner secretary:

28 \* \* \*

29 (f) For violations of rules and regulations promulgated pursuant to Paragraph  
30 (C)(8) of this Section - failure to comply with any restrictions, terms, or conditions

1 set forth by the ~~commissioner~~ secretary in response to a groundwater emergency:

2 \* \* \*

3 G. The ~~commissioner~~ secretary shall ensure submission of the semiannual  
4 reports required of the ground water conservation districts by R.S. 38:3097.8. If the  
5 reports are not submitted timely or do not include the pertinent information required,  
6 the ~~commissioner~~ secretary is authorized to require monthly submissions of the  
7 reports until he is satisfied with the adequacy and informative nature of the reports.

8 \* \* \*

9 §3097.6. Determination of area of groundwater concern

10 A. Any owner of a well that is significantly and adversely affected as a result  
11 of the movement of a saltwater front, water level decline, or subsidence in or from  
12 the aquifer drawn on by such well shall have the right to file an application to request  
13 the ~~commissioner~~ secretary to declare that an area underlain by such aquifer is an  
14 area of groundwater concern. Such application shall contain a statement of facts, and  
15 supporting evidence substantiating the area may be an area of groundwater concern  
16 as defined in R.S. 38:3097.2. On the basis of the application, good management  
17 practices, and sound science, the ~~commissioner~~ secretary shall either deny the  
18 request, in writing, or issue a draft order which describes the proposed boundaries  
19 of the area of groundwater concern. If the ~~commissioner~~ secretary issues a draft  
20 order describing the proposed boundaries of the area, the ~~commissioner~~ secretary  
21 shall hold at least one public hearing in the locality of the proposed boundaries. At  
22 least thirty days prior to holding the public hearing, the ~~commissioner~~ secretary  
23 shall provide copies of the draft order to the House Committee on Natural Resources  
24 and Environment and to the Senate Committee on Natural Resources.

25 B. After holding hearings, the ~~commissioner~~ secretary shall issue a written  
26 decision based on good management practices and scientifically sound data gathered  
27 from the application, the participants in the public hearing, and any other relevant  
28 information. If the ~~commissioner~~ secretary has determined that an area of ground  
29 water concern exists, his decision shall be in the form of an order that shall describe  
30 the boundaries of the area which is determined to be an area of ground water

1 concern. The order shall also contain a plan to preserve and manage the ground water  
2 resources in that area which may include but is not limited to the following:

3 \* \* \*

4 (3) If the ~~commissioner~~ secretary designates an area a critical area of ground  
5 water concern, the order may restrict the amount of withdrawals by any or all users  
6 in the area. In determining restrictions on withdrawals, the ~~commissioner~~ secretary  
7 shall consider the following:

8 \* \* \*

9 §3097.8. Semiannual reports regarding groundwater quality and saltwater intrusion

10 A. On or before May first and November first every year, each ground water  
11 conservation district created by law or designated as a regional body, pursuant to  
12 R.S. 38:3097.4(D)(6), shall submit to the ~~commissioner of conservation, the Water~~  
13 ~~Resources Commission, secretary~~, the Senate Committee on Environmental Quality,  
14 and the House Committee on Natural Resources and Environment a written report  
15 detailing the district's ground water resources and the activities and actions taken  
16 with respect to each of the district's powers delineated by laws creating the district.  
17 The report shall also include but not be limited to the amount of water used for  
18 residential, commercial or industrial, or agricultural purposes, respectively; actual  
19 and projected saltwater intrusion or encroachment; and any current or projected sale  
20 of water for use outside of the state, including the amount of water so sold and the  
21 price paid by each out-of-state user.

22 \* \* \*

23 C. The ~~commissioner~~ secretary shall promulgate a form with a checklist of  
24 the pertinent information required to be included in the semi-annual report.

25 \* \* \*

26 §3098. Licensing of water well and other drillers

27 A. Every person, firm, or corporation engaged or desiring to engage in the  
28 business of drilling water wells for underground water, drilling monitoring wells,  
29 geotechnical bore holes, heat pump wells, cathodic protection holes, and/or seismic  
30 shot holes, as well as reworking water wells, or plugging and abandoning wells or

bore holes, excluding oil and gas wells, in the state of Louisiana shall file an application with the office Louisiana State Licensing Board for Contractors for a drilling license, using forms prepared by the office board, setting out qualifications therefor and such other information including any examination, oral or written, as may be required by the office board. The fees for such license and renewal shall be as follows:

\* \* \*

B. All licenses shall expire on June thirtieth of each year, and shall not be transferable, and shall be renewable annually, upon completion of six hours of continuing education as approved by the office board and upon payment of the required fee.

\* \* \*

E. A license may be renewed and shall be renewable without examination for the ensuing year by making an application not later than the expiration date and paying the applicable fee. Such application shall have the effect of extending the validity of the current license until the new license is received or the applicant is notified by the department board that the license has been refused. On application made after June thirtieth of each year, the license will be renewed only upon payment of the applicable fee, plus a penalty of five dollars for each month the application is delinquent. Delinquency in excess of one year may, in the discretion of the advisory committee, be deemed as a waiver of the driller's right for renewal; and if he should apply thereafter, the department board may require that he be considered as a new applicant, including the requirement for examination.

\* \* \*

G. Except in the case of revocation, any license previously issued by the Department of Conservation and Energy, or any successor agency, shall remain valid until expiration.

§3098.1. Qualifications for license

In order to be licensed as a drilling contractor, as provided in R.S. 38:3098, in the state of Louisiana, the applicant must possess the following qualifications:

\* \* \*

(4) Demonstrate to the satisfaction of the office Louisiana State Licensing Board for Contractors a reasonable knowledge of this Chapter and the rules and regulations adopted by the office board and the Department of Conservation and Energy under the provisions of this Chapter.

Section 6. R.S. 39:1367(E)(2)(b)(xi) is hereby enacted to read as follows:

§1367. State debt; limitations

\* \* \*

E. As used in this Section, the following terms shall have the following meanings ascribed to them unless the context clearly indicates otherwise:

\* \* \*

(2)(a)

\* \* \*

(b) "Net state tax supported debt" shall not mean:

\* \* \*

(xi) Any bond, note, or other evidence of indebtedness issued pursuant to R.S. 30:83.1 et seq. or any bonds issued to refund such bonds, notes, or evidence of indebtedness.

Section 7. R.S. 44:4.1(B)(19) is hereby amended and reenacted to read as follows:

§4.1 Exceptions

\* \* \*

B. The legislature further recognizes that there exist exceptions, exemptions, and limitations to the laws pertaining to public records throughout the revised statutes and codes of this state. Therefore, the following exceptions, exemptions, and limitations are hereby continued in effect by incorporation into this Chapter by citation:

\* \* \*

(19) R.S. 30:10.1, 124.1, 209.1, 213, 215, 907, 908, 916, 2030, 2074, 2351, 2351.54, 2564

\* \* \*

leaseholder may recover for actual damages to his oyster beds or grounds caused by oil and gas activities.

\* \* \*

Section 11. R.S. 17:200 through 220, R.S. 30:4(N), 29(M)(1)(d), 85(D)(11), 86(F), 136.3(E), Part III of Chapter 2 of Subtitle I of Title 30 of the Revised Statutes of Louisiana, comprised of R.S. 30:186 through 188, 1103(10), 1104(F), 2458, 2469, and 2470 through 2474, and R.S. 38:3073(2), 3074, 3075, 3080, 3097.4, 3097.7, and 3098.6(A)(1) are hereby repealed.

Section 12. The Louisiana Law Institute is hereby directed to replace all references to "Department of Energy and Natural Resources" in state law with "Department of Conservation and Energy".

Section 13. The Louisiana Law Institute is hereby directed to renumber the paragraphs in R.S. 38:3092 and 3097.2 and to redesignate R.S. 30:101.1 through 101.15 as Part IX of Chapter 1 of Subtitle I of Title 30 of the Louisiana Revised Statutes of 1950.

Section 14. In the event the Act which originated as House Bill No. 605 of the 2025 Regular Session becomes law, the Louisiana State Law Institute shall redesignate R.S. 30:21.1 as enacted by Section 1 of that Act as R.S. 30:4(Q)(1)(b), which shall supersede R.S. 30:4(Q)(1)(b) as enacted by Section 1 of this Act.

Section 15.(A) The provisions of R.S. 30:29 as amended by this Act shall not apply to any lawsuit for damages that arises out of activity conducted prior to the effective date of Section 2 of this Act and which is filed prior to September 1, 2027.

(B) The provisions of R.S. 30:29 as amended by this Act shall apply to any lawsuit for damages that arises out of activity conducted prior to the effective date of Section 2 of this Act and which is filed on or after September 1, 2027.

(C) The provisions of R.S. 30:29 as amended by this Act shall apply to any lawsuit for damages that arises out of activity conducted after the effective date of Section 2 of this Act.

Section 16.(A) Sections 2, 15, and 16 of this Act shall become effective upon signature of the governor or, if not signed by the governor, upon expiration of the time for bills to become law without signature by the governor, as provided by Article III, Section

[NOTE ALL AFFECTED PROVS; SEPARATE DOCUMENT FORTHCOMING]  
[NOTE 2 CITED PROVISIONS]  
[NOTE 2 CITED PROVISIONS]  
[NOTE 2 RS 30:29]

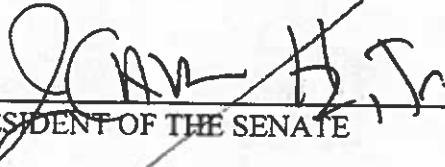
SB NO. 244

ENROLLED

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18 of the Constitution of Louisiana. If vetoed by the governor and subsequently approved by the legislature, this Act shall become effective on the day following such approval.

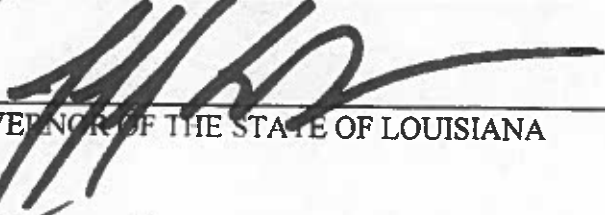
(B) All remaining Sections of this Act shall become effective on October 1, 2025.



PRESIDENT OF THE SENATE

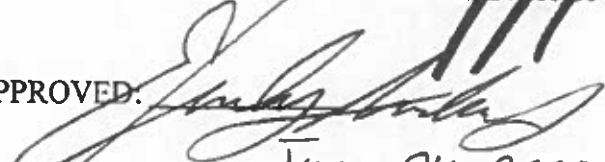


SPEAKER OF THE HOUSE OF REPRESENTATIVES



GOVERNOR OF THE STATE OF LOUISIANA

APPROVED:

  
June 24, 2025

# ACT 415

2025 Regular Session

SENATE BILL NO. 85

La. State Law Institute  
PRINTER'S COPY  
NO EDITS  
Classification RS 38

ENROLLED

BY SENATOR WHEAT AND REPRESENTATIVE THOMPSON

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

La. State Law Institute  
PRINTER'S COPY  
NO EDITS  
Classification RS 34

AN ACT

To amend and reenact R.S. 34:851.4(A)(17), 851.14.1(A), 851.27(B)(1) and (3) and (C), and <sup>(Intro. Par.)</sup> and (C)(3) and R.S. 38:3086.24(F)(2)(a) and to enact R.S. 34:851.27(B)(10), relative to operation of watercraft; to provide for requirements of careless operation; to provide for emergency closure of waterways; to provide for parish authority, to provide for posting of no-wake zones, to provide for state authority, to provide for enforcement, to provide for powers of the Bayou Lafourche Fresh Water District; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 34:851.4(A)(17), 851.14.1(A), and 851.27(B)(1) and (3) and (C) are <sup>(Intro. Par.)</sup> hereby amended and reenacted and R.S. 34:851.27(B)(10) <sup>and (C)(3)</sup> is hereby enacted to read as follows:

## §851.4. Careless operation of a watercraft

A. Careless operation of a watercraft is the operation of a watercraft in a careless manner so as to endanger the life, limb, or property of any person, when such operation constitutes a violation of any of the following requirements:

\* \* \*

(17) No person shall, under any circumstances, operate a vessel in excess of an established speed or ~~wake~~ no-wake zone.

\* \* \*

## §851.14.1. Closure of waterways

A. In an emergency or disaster, as defined in R.S. 29:723, the secretary may close any waterway, other than navigable waters of the United States as set forth in 33 CFR Part 2, to boating access, travel, or use or may restrict the type of use including issuing ~~no-wake~~ no-wake zones in any reasonable manner. Such closure

1 or restriction shall be for a period of time not to extend beyond the seventh day  
2 following the next meeting of the Wildlife and Fisheries Commission.

3 \* \* \*

4 §851.27. Local regulations prohibited; exceptions; speed limits; no-wake zones

5 \* \* \*

6 B.(1) The governing authority of any parish or municipality may establish  
7 and post speed limits and no-wake zones on waterways within its jurisdiction with  
8 the exception of the Mississippi River, the Mississippi River Gulf Outlet, and the  
9 Gulf Intracoastal Waterway. Such speed limits and no-wake zones, if established,  
10 shall be posted along the affected waterway. A no-wake zone established under  
11 this Paragraph shall not extend beyond three hundred feet from any physical  
12 structure situated along the banks. Any no-wake zone established under this  
13 Paragraph that affects the entire width of a waterway shall not exceed one mile  
14 in length.

15 \* \* \*

16 (3) Speed limits and no-wake zones established under this Section shall be  
17 enforced by the sheriffs, local law enforcement officers, state police and by  
18 permanent status wildlife agents and duly commissioned wildlife agents and officers  
19 who shall have the power to make arrests for purposes of such enforcement.

20 \* \* \*

21 (10) No state law, rule, or regulation establishing, limiting, or prohibiting  
22 no-wake zones shall be preempted by a no-wake zone established by the  
23 governing authority of a parish or municipality under the provisions of this  
24 Section.

25 C. In addition to speed limits and no-wake zones established by any  
26 governing authority of any parish or municipality under the provisions of this  
27 Section, there are hereby established certain "~~no-wake~~" no-wake zones where each  
28 vessel shall operate at bare steerage speed, the slowest speed the vessel can travel  
29 while allowing the operator to maintain directional control of the vessel to produce  
30 the minimum water surface turbulence. The "~~no-wake~~" no-wake zones are

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established on all waterways within three hundred feet of any of the following facilities:

\* \* \*

(3) A public bridge.

\* \* \*

Section 2. R.S. 38:3086.24(F)(2)(a) is hereby amended and reenacted to read as follows:

§3086.24. Powers

\* \* \*

F.(1) In order to accomplish the purposes of the district, the board may make and enforce such rules, regulations, and ordinances it shall deem necessary:


\* \* \*

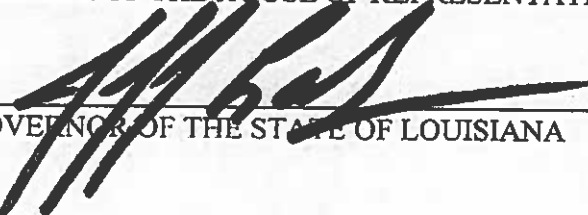
(2) Notwithstanding R.S. 34:851.27 or any other provision of law to the contrary, and upon a declaration of an emergency by the board that the size and speed of watercraft traveling through the waterway needs to be regulated to protect the integrity of the banks of the waterway due to low water levels or due to another event causing the banks to be in peril of erosion or instability, the board may:

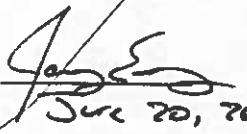
(a) Implement and enforce a "~~no-wake~~" no-wake zone where each watercraft shall operate at bare stearage speed, the slowest speed the watercraft can travel while allowing the operator to maintain directional control of the watercraft to produce the minimum water surface turbulence.

\* \* \*

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

  
\_\_\_\_\_  
SPEAKER OF THE HOUSE OF REPRESENTATIVES

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

APPROVED:   
JUL 20, 2025

[NOT AMENDED]

# ACT 247

ENROLLED

2025 Regular Session

HOUSE BILL NO. 165

BY REPRESENTATIVE EDMONSTON

La. State Law Institute  
PRINTER'S COPY

NO EDITS

Classification RS 38

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AN ACT

To amend and reenact R.S. 38:3306(A)(2)(introductory paragraph), relative to the Amite River Basin Drainage and Water Conservation District; to remove the deadline for the board to promulgate regulations for watershed management; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 38:3306(A)(2)(introductory paragraph) is hereby amended and reenacted to read as follows:

§3306. General powers and duties of the board


A.

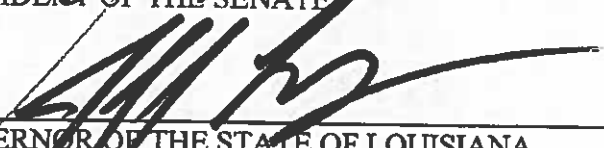
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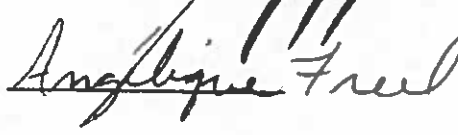
(2) Prior to January 1, 2026, the The board shall promulgate regulations for watershed management within the district, insofar as they affect watershed management, that address the following:

\* \* \*

  
SPEAKER OF THE HOUSE OF REPRESENTATIVES

  
PRESIDENT OF THE SENATE

  
GOVERNOR OF THE STATE OF LOUISIANA

APPROVED:  June 11, 2025