

2025 Regular Session

LSLI Disposition Sheet for Title 45

Effective date is August 1, 2025 unless otherwise noted

<u>LSA-R.S.</u>	<u>Effect</u>	<u>Act No.</u>	<u>Section</u>	<u>Sp. Eff. Dt.</u>
√45:251(3)	Amend	458	8 ✓	10/01/2025 ✓
√45:251(4)	Enact	458	8 ✓	10/01/2025 ✓
√45:252	Amend	458	8 ✓	10/01/2025 ✓
√45:255	Amend	458	8 ✓	10/01/2025 ✓
√45:1206	Enact	257	1	

Approved by N on 8/13/25
(Attorney)

KW on 10/13/2025
(Revisor)

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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Classification RS 56
- COPY PGS. 1-5, 224-227

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Classification RS 44
- COPY PGS 1-5, 220, 226-227

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Classification RS 11
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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

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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), R.S. 36:351, 352, 353, 354(A)(7), (10), (13), and
21 (15), (B)(1)(b), (2), (4), (6), (8), (10), and (12), 355, 356, 357, 358, the introductory
22 paragraphs of 359(A) and (B), (B)(1) and (2), and (C), R.S. 38:3072, 3073(8),
23 introductory paragraph of 3076(A), (A)(3), (4), (7), (8), (9), (14)(b), and (24), (C),
24 (D), (E), introductory paragraph of (F)(1), (F)(1)(b), and (2), 3077, 3078, 3079,
25 3081, 3083, 3087.136(4), 3087.138, 3092(2) and (4), 3093, the introductory
26 paragraph of 3094(A), (A)(1) through (4), the introductory paragraph of 3094(B),
27 (B)(7), the introductory paragraph of 3094(C), and (C)(1), 3097.1(C), 3097.2(1), (4),
28 (7), and (9), 3097.3(A) and (B), the introductory paragraphs of 3097.3(C) and
29 (C)(4)(a), (C)(4)(a)(v) and (b), and (8), (D), (E), (F)(1), the introductory paragraph
30 of (2), the introductory paragraph of (d), and the introductory paragraph of (f), and

1 (G), 3097.6(A), the introductory paragraphs of 3097.6(B) and (B)(3), 3097.8(A) and
2 (C), the introductory paragraph of 3098(A), 3098(B) and (E), and 3098.1(4), R.S.
3 ~~44:4.1(B)(19), R.S. 45:251(3), 252, and 255, R.S. 49:214.29(B) and 992(D)(7), R.S.~~
4 ~~56:432.1(C)(2), 700.13(B), and 700.14(B), to enact R.S. 30:3(21) and (22), 4(C)(21)~~
5 ~~and (D)(6), 21.1, 29(C)(6)(d), 86(I) and (J), 93(C), Part VIII of Chapter 1 of Subtitle~~
6 ~~I of Title 30 of the Louisiana Revised Statutes of 1950, to be comprised of 98.1~~
7 ~~through 98.13, 124.1, 136.3(B)(6) and (7), 209(6), and 2454(33), R.S. 36:351.1,~~
8 ~~354(B)(13) and (14), 354.1, 356.1(B)(6) and (7) and (D), and 359(D) and 600, R.S.~~
9 ~~38:3098(G), R.S. 39:1367(E)(2)(b)(xi), and R.S. 45:251(4), and to repeal R.S. 17:200~~
10 ~~through 220, R.S. 30:4(N), 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),

Section 8. R.S. 45:251(3), 252, and 255 are hereby amended and reenacted and R.S. 45:251(4) is hereby enacted to read as follows:

~~§251. Common carrier, petroleum, pipe line defined~~ **Definitions**

As used in this Chapter, the following terms have the meaning ascribed to them in this Section, unless the context clearly indicates otherwise:

* * *

(3)(a) "Pipe line" includes the following:

(i) ~~the~~ **The** real estate, rights ^{of} ~~or~~ way, pipe in line, telephone and telegraph lines or other communications systems, tank facilities as herein designated, necessary or integral to the pipe line transportation function and necessary for the proper conduct of ~~it's~~ the subject common carrier's business as a common carrier.

(ii) ~~all~~ **All** fixtures, equipment and personal property of every kind owned, controlled, operated, used or managed, in connection with, or to facilitate the transportation, distribution and delivery of petroleum through lines constructed of pipe.

(b) "Pipe line" does not include the following:

(i) Pipes designed and used solely within a terminal facility for terminaling services, including pipes delivering petroleum into or extracting petroleum from tanks used for terminaling services, intra-terminal transfer lines, metering facilities associated with such terminaling services, tanks designed and used for terminaling services, and truck unloading facilities.

(ii) Any property of an entity that does not otherwise meet the definition of common carrier.

(4) "Secretarial review" means a review by the secretary of the Department of Conservation and Energy pursuant to R.S. 45:252. The secretary shall simultaneously consider all of the following:

(a) Connectivity.

(b) Necessity.

(c) Physical placement.

1 (d) Past and present ownership, including changes in corporate
2 structure.

3 (e) Regulatory history, including prior determinations or orders by any
4 relevant agency.

5 (f) Operational characteristics, including but not limited to product type
6 or alternative routes.

7 (g) Whether the property is truly necessary or integral to the pipeline
8 transportation function and necessary for the proper conduct of the business.

9 (h) Any indication that the property or its owner does not meet the
10 statutory definition of a common carrier.

11 §252. Pipe lines declared common carriers; control by public service commission

12 A. All pipe lines through which petroleum is conveyed from one point in this
13 state to another point in the state are declared to be common carriers as defined in
14 R.S. 45:251 and are placed under the control of and subject to regulation by the
15 Louisiana Public Service Commission.

16 B. When a complaint, application or other filing concerning the
17 classification of a pipe line as a common carrier or the federal equivalent is filed
18 with the Public Service Commission, the Public Service Commission or a party
19 to the matter may request a secretarial review as defined in R.S. 45:251 and
20 pursuant to this Section. The secretary may accept or decline such request, in
21 writing, to all parties and the Public Service Commission within five business
22 days, excluding weekends and state holidays, of receiving such request. If the
23 secretary does not accept the request within the five business days, then the
24 request shall be deemed declined. If the request is declined then the matter may
25 proceed before the Public Service Commission. If the request is accepted the
26 matter shall be stayed before the Public Service Commission for thirty days
27 from the date the secretary accepts the matter in writing. Once a request is
28 accepted, the secretary or his designee shall establish a schedule for discovery,
29 filings, and, where necessary, a hearing. The secretary or his designee shall issue
30 his finding to the parties and the Public Service Commission following the

1 hearing or the last filings submitted in accordance with the schedule approved
 2 by the secretary or his designee.

3 * * *

4 §255. Regulations of commission; petition, notice and hearing; reparations

5 The Louisiana Public Service Commission shall establish and enforce
 6 reasonable rates and regulations for gathering, transporting, loading and delivering
 7 petroleum, by any common carrier as defined in R.S. 45:251, and for the furnishing
 8 and use of reasonable tank facilities necessary and incident to such or integral to the
 9 transportation function and that may be necessary, in its capacity as a common
 10 carrier only, to take care, for a reasonable time, of all petroleum transported by it,
 11 excluding pipes designed and used solely within a terminal facility for
 12 terminaling services, including pipes delivering petroleum into or extracting
 13 petroleum from tanks used for terminaling services, intra-terminal transfer
 14 lines, metering facilities associated with such terminaling services, tanks
 15 designed and used for terminaling services, and truck unloading facilities, and
 16 to prescribe and enforce regulations for control of these common carriers in respect
 17 to their pipe lines and receiving, tanking, delivering, transferring and loading
 18 facilities. It shall exercise this power upon petition by any person showing a
 19 substantial interest in the subject. No order requiring the furnishing of such facilities
 20 or establishing or prescribing rates, rules and regulations shall be made, except after
 21 hearing after at least ten days and not more than thirty days notice to the person
 22 owning, controlling, managing or operating the pipe lines affected. If any rate shall
 23 be filed by any pipe line and a complaint or petition to reduce the rate is filed by any
 24 shipper or owner of petroleum, and such complaint is sustained in whole or in part,
 25 all owners and shippers of petroleum, who shall have paid rates so filed by the pipe
 26 line have the right to reparation or reimbursement of all excess in transportation
 27 charges above the proper rate as finally determined, on all shipments made within
 28 six months prior to the date of the filing of the complaint.

29 * * *

30 Section 9. R.S. 49:214.29(B) and 922(D)(7) are hereby ~~amended and reenacted to~~

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

3 * * *

4 Section 11. R.S. 17:200 through 220, R.S. 30:4(N), 29(M)(1)(d), 85(D)(11), 86(F),
5 136.3(E), Part III of Chapter 2 of Subtitle I of Title 30 of the Revised Statutes of Louisiana,
6 comprised of R.S. 30:186 through 188, 1103(10), 1104(F), 2458, 2469, and 2470 through
7 2474, and R.S. 38:3073(2), 3074, 3075, 3080, 3097.4, 3097.7, and 3098.6(A)(1) are hereby
8 repealed.

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

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

15 Section 14. In the event the Act which originated as House Bill No. 605 of the 2025
16 Regular Session becomes law, the Louisiana State Law Institute shall redesignate R.S.
17 30:21.1 as enacted by Section 1 of that Act as R.S. 30:4(Q)(1)(b), which shall supersede R.S.
18 30:4(Q)(1)(b) as enacted by Section 1 of this Act.

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

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

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

28 Section 16.(A) Sections 2, 15, and 16 of this Act shall become effective upon
29 signature of the governor or, if not signed by the governor, upon expiration of the time for
30 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

1 18 of the Constitution of Louisiana. If vetoed by the governor and subsequently approved
2 by the legislature, this Act shall become effective on the day following such approval.

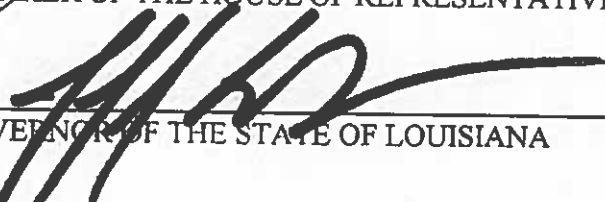
3 (B) All remaining Sections of this Act shall become effective on October 1, 2025.



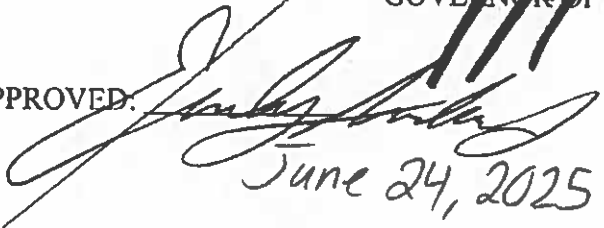
PRESIDENT OF THE SENATE



SPEAKER OF THE HOUSE OF REPRESENTATIVES



GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: 
June 24, 2025

ACT 257

ENROLLED

2025 Regular Session

HOUSE BILL NO. 257

BY REPRESENTATIVE ST. BLANC

La. State Law Institute
PRINTER'S COPY
NO EDITS
Classification RS 45

AN ACT

To enact R.S. 45:1206, relative to receivership of water or wastewater companies; to provide for definitions; to provide for a bond; to provide for orders by the court; to provide for the dissolution of a receivership; to provide for a transition and operational plan; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 45:1206 is hereby enacted to read as follows:

§1206. Water and wastewater companies; receivership; bond; dissolution

A. As used in this Section, the following terms have the following meanings:

(1) "Wastewater company" means any wastewater company regulated by the commission.

(2) "Water company" means any water company regulated by the commission.

B.(1) In any civil action brought in accordance with this Section, relative to water companies or wastewater companies, the court, upon application by the commission, may appoint a receiver for a water company or wastewater company to collect the assets and carry on the business of the water company or wastewater company. Application by the commission shall not be subject to any bond requirement.

(2) The court may place the water company or wastewater company in receivership upon finding any of the following:

1 (a) The water company or wastewater company has been abandoned by the
2 operator, or service to its customers has ceased, and no provisions have been made
3 for the continued operation by a qualified operator, or for providing customers with
4 services required to serve the users of the systems.

5 (b) The water company or wastewater company has failed or refused to
6 comply with enforceable orders, judgments, or actions issued by the Louisiana
7 Department of Health or the Louisiana Department of Environmental Quality.

8 (c) After an audit by the commission, the commission determines the water
9 company or wastewater company is in financial distress.

10 (d) Other circumstances as may be identified by rules adopted by the
11 commission pursuant to the commission's Rules of Practice and Procedure under
12 which a receivership may be needed.

13 (e) The water company receives a grade of "D" or "F" pursuant to R.S.
14 40:5.9.1 et seq., and the commission finds that the water company is either
15 financially, managerially, or technically unable to restore the utility to a grade of "C"
16 or better.

17 (f) The wastewater company experiences a sewerage discharge in excess of
18 the Final Effluent Limitations specified in the company's Louisiana Pollutant
19 Discharge Elimination System General or Site Specific Permit, as reported in three
20 or more consecutive quarters pursuant to the electronic document receiving system
21 promulgated by the Louisiana Department of Environmental Quality, and the
22 commission finds that the wastewater company is either financially, managerially,
23 or technically unable to restore the utility to regulatory compliance.

24 (3) The receiver, if a private person, shall execute a bond to ensure the
25 proper performance of the receiver's duties in an amount to be set by the court. The
26 court may waive the bond upon a showing of just cause. If the receiver is a local
27 governmental subdivision, no bond shall be required.

28 (4) The receiver shall carry out the orders specified and directed by the court
29 until discharged.

(5) The court may dissolve the receivership if the person owning or operating the defendant water company or wastewater company requests that the receivership be dissolved or such owner or operator can show good cause for the dissolution of the receivership. Nothing herein shall prohibit a receiver from purchasing the company put in receivership.

C. Within ninety days of appointment, the receiver shall submit to the commission and publish in a manner accessible to the affected customers a transition and operational plan. This plan shall include all of the following:

- (1) Measures to restore or maintain service.
- (2) Financial assessments and projected costs.
- (3) Customer service provisions.
- (4) An anticipated timeline for resolution or return of control to the original operator or transfer to a new operator.


SPEAKER OF THE HOUSE OF REPRESENTATIVES


PRESIDENT OF THE SENATE


GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: Angelique Freal June 11, 2025