

Regular Session, 2011

SENATE BILL NO. 101

BY SENATOR MURRAY

UTILITIES. Clarifies "emergency" under the Louisiana Utilities and Facilities Damage Prevention Law as it relates to the New Orleans Sewerage and Water Board. (gov sig)

1 AN ACT  
2 To amend and reenact R.S. 40:1749.12(4), relative to underground utilities and facilities;  
3 to define emergency; and to provide for related matters.

4 Notice of intention to introduce this Act has been published.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 40:1749.12(4) is hereby amended and reenacted to read as follows:

7 §1749.12. Definitions

8 As used in this Part, the following terms shall have the meanings ascribed to  
9 them in this Section:

10 \* \* \*

11 (4)(a) "Emergency" means any crisis situation which poses an imminent  
12 threat or danger to life, health, or property and requires immediate action.

13 **(b) Notwithstanding Subparagraph (a) of this Paragraph, for**  
14 **underground utilities and facilities of the New Orleans Sewerage and Water**  
15 **Board, "emergency" means any crisis situation which poses an imminent threat**  
16 **or danger to life, health, or property and requires immediate action, including**  
17 **but not limited to potable water outages and sewerage overflows.**

1 \* \* \*

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

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The original instrument and the following digest, which constitutes no part  
of the legislative instrument, were prepared by Alan Miller.

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DIGEST

Present law, relative to the Underground Utilities and Facilities Law, defines an "emergency" as any crisis situation which poses an imminent threat or danger to life, health, or property and requires immediate action.

Proposed law retains present law and adds illustrative examples of potable water outages and sewerage overflows as emergencies for the purpose of underground utilities and facilities of the New Orleans Sewerage and Water Board.

Effective upon signature of the governor or lapse of time for gubernatorial action.

(Amends R.S. 40:1749.12(4))