

2025 Regular Session

HOUSE BILL NO. 640 (Substitute for House Bill No. 621 by Representative Bourriaque)

BY REPRESENTATIVES BOURRIAQUE, ADAMS, AMEDEE, BACALA, BAMBURG, BEAULLIEU, BERAULT, BOYER, BRAUD, BROWN, BUTLER, CARLSON, CARRIER, CARVER, CHENEVERT, COATES, CREWS, DAVIS, DEVILLIER, DICKERSON, DOMANGUE, EDMONSTON, EGAN, EMERSON, FARNUM, FISHER, FONTENOT, FREIBERG, GLORIOSO, HEBERT, HILFERTY, HORTON, JACKSON, MIKE JOHNSON, MACK, MCFARLAND, MCMAHEN, MCMAKIN, MELERINE, ROMERO, SCHAMERHORN, SCHLEGEL, THOMPSON, TURNER, VILLIO, WALTERS, WILDER, WILEY, WRIGHT, AND WYBLE

TRANSPORTATION DEPT: Establishes the office of Louisiana Highway Construction

1 AN ACT

2 To enact Part IX of Chapter 2 of Title 49 of the Louisiana Revised Statutes of 1950, to be
3 comprised of R.S. 49:220.51 through 220.53, relative to the office of Louisiana
4 Highway Construction; to create the office of Louisiana Highway Construction
5 within the office of the governor, division of administration; to define the term
6 "office"; to designate certain powers, duties, and responsibilities of the office; to
7 provide for an executive director of the office of Louisiana Highway Construction;
8 to establish the duties and responsibilities of the executive director; to provide for the
9 exercise of procurement procedures, including emergency procurement; to provide
10 for an effective date; and to provide for related matters.

11 Be it enacted by the Legislature of Louisiana:

12 Section 1. Part IX of Chapter 2 of Title 49 of the Louisiana Revised Statutes of 1950,
13 to be comprised of R.S. 49:220.51 through 220.53, are hereby enacted to read as follows:

1 PART IX. OFFICE OF LOUISIANA HIGHWAY CONSTRUCTION

2 §220.51. Office of Louisiana Highway Construction; creation

3 A. Pursuant to R.S. 36:501(C)(2), it is the intent of the legislature to take
4 extraordinary measures to demonstrate to the citizens of Louisiana that roads,
5 bridges, and other transportation infrastructure projects can be delivered in an
6 expeditious, transparent, safe, and effective manner.

7 B. The office of Louisiana Highway Construction is hereby created within
8 the office of the governor, division of administration.

9 C. The office shall be responsible for the study, planning, engineering,
10 design, construction, operation, maintenance, repair, rehabilitation, and replacement
11 of any nonfederal aid highway that is part of the state highway system.

12 D. For purposes of this Part, the term "office" shall mean the office of
13 Louisiana Highway Construction.

14 §220.52. Powers, duties, and responsibilities

15 A. The office of Louisiana Highway Construction shall consist of executive
16 offices and staff as deemed necessary for effective governance and operation.

17 B. The office shall have the following powers, duties, and responsibilities:

18 (1) To enter into contracts with the federal government, any federal or state
19 agency, political subdivision of the state, or private entities for the study, planning,
20 engineering, design, construction, operation, maintenance, repair, rehabilitation, or
21 replacement of any nonfederal aid highway within the state highway system.

22 (2) To contract for and accept grants of funds, subject to any terms or
23 conditions, including matching fund requirements.

24 (3) To use nonfederal funds and in-kind donations to provide for the costs
25 associated with nonfederal cost-share requirements associated with projects.

26 (4) To develop and adopt guidelines for cost-sharing agreements with public
27 and private entities participating in projects managed by the office.

28 (5) To enter into cooperative agreements with political subdivisions located
29 wholly or partially within the boundaries of a project for any project-related purpose,

1 including construction, operation, maintenance, repair, rehabilitation, or replacement
2 of any nonfederal aid highway within the state highway system.

3 (6) To exercise the same procurement procedures available to the
4 Department of Transportation and Development in Title 38, Title 39, and Title 48 of
5 the Louisiana Revised Statutes of 1950.

6 (7) To promulgate rules and regulations necessary to implement the
7 provisions of this Section, in accordance with the Administrative Procedure Act.

8 C. The office of Louisiana Highway Construction may:

9 (1) Utilize the services of other executive departments of state government
10 upon mutually agreeable terms and conditions.

11 (2) Receive interagency transfers, state general fund allocations, or any other
12 sources of funding allowed under the law necessary to support the delivery of its
13 functions.

14 (3) Take such other actions, not inconsistent with law, as are necessary to
15 perform properly the functions of the office.

16 (4) The office of Louisiana Highway Construction may engage in and utilize
17 emergency procurement procedures for any purpose until January 1, 2026.

18 D. On or before January fifteenth of each year, the office shall submit a
19 report to the Joint Committee on Transportation, Highways and Public Works. The
20 report shall include a detailed list of each project that is planned, initiated, or
21 advanced under the authority of this Section, along with the status, scope, funding
22 sources, and expected timelines for each project.

23 §220.53. Executive director; duties and responsibilities

24 A. The executive director of the office of Louisiana Highway Construction
25 shall be appointed by the governor, subject to confirmation by the Senate, and shall
26 serve at the pleasure of the governor.

27 B. The executive director shall be responsible for the overall operations,
28 management, and administration of the office of Louisiana Highway Construction.

29 C. The executive director shall have the following duties and responsibilities:

1 (1) To coordinate all budget requests for projects managed or initiated by the
2 office.

3 (2) To coordinate and focus the functions of all state agencies as it relates to
4 office projects to ensure alignment and efficiency.

5 (3) To take any actions, not inconsistent with law, as may be necessary to
6 carry out the duties and responsibilities of the office.

7 D. In furtherance of the goals and purposes of the office, the executive
8 director may:

9 (1) Review and recommend modifications of state departmental policies,
10 procedures, programs, rules, and regulations that are established by law or pursuant
11 to the Administrative Procedure Act that may affect the design, construction,
12 operation, management, and monitoring of projects within the authority of the office.

13 (2) Appoint advisory panels or working groups as needed to support the
14 development, review, or implementation of office initiatives.

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

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 640 Reengrossed

2025 Regular Session

Bourriaque

Abstract: Establishes the office of Louisiana Highway Construction.

Proposed law specifies that it is the intent of the legislature to implement extraordinary measures to ensure that transportation infrastructure projects, including but not limited to roads and bridges, are planned, executed, and delivered in a manner that is expeditious, transparent, safe, and effective, thereby demonstrating accountability and responsiveness to the citizens of La.

Proposed law specifies that the office of La. Hwy. Construction is created in the office of the governor, division of administration.

Proposed law specifies that the office is responsible for the oversight and delivery of all aspects of nonfederal aid highways within the state system, including study, planning, design, construction, operation, maintenance, repair, and replacement, in coordination with relevant agencies.

Proposed law defines "office" as the office of La. Hwy. Construction.

Proposed law authorizes the office to contract with public and private entities for all phases of non-federal aid highway projects; accept and manage grants; use nonfederal funds and in-kind contributions for cost-share requirements; develop cost-sharing guidelines; enter cooperative agreements with local governments; exercise procurement procedures available to the Department of Transportation and Development in present law, and adopt rules to implement these provisions.

Proposed law authorizes the office to use services from other state agencies, receive various lawful funding sources, take any legal actions needed to carry out its duties, and engage in and utilize emergency procurement procedures for any purpose until Jan. 1, 2026.

Proposed law requires that by Jan. 15th each year, the office submit a report to the Joint Committee on Transportation, Highways and Public Works detailing all planned, initiated, or advanced projects, including their status, scope, funding sources, and timelines.

Proposed law specifies that the executive director of the office of La. Hwy. Construction is appointed by the governor, subject to Senate confirmation, and serves at the governor's pleasure.

Proposed law authorizes the executive director to oversee the office's operations, management, and administration.

Proposed law specifies that the duties of the executive director include coordinating budget requests for office projects, aligning functions across state agencies for efficiency, and taking necessary actions to fulfill the office's responsibilities.

Proposed law specifies that the executive director may review and recommend changes to state policies affecting office projects and appoint advisory panels as needed.

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

(Adds R.S. 49:220.51-220.53)

Summary of Amendments Adopted by House

The House Floor Amendments to the engrossed bill:

1. Provide for the exercise of procurement procedures for any purpose by the office of Louisiana Highway Construction until Jan. 1, 2026.
2. Authorize the office of Louisiana Highway Construction to use the same procurement procedures available to the Department of Transportation and Development under present law.
3. Authorize the office of Louisiana Highway Construction to use emergency procurement procedures for any purpose through Jan. 1, 2026.
4. Make technical changes.