

**HOUSE COMMITTEE AMENDMENTS**

2025 Regular Session

Substitute for Original House Bill No. 568 by Representative Carrier as proposed by the House Committee on Natural Resources and Environment

**This document reflects the content of a substitute bill but is not in a bill form; page numbers in this document DO NOT correspond to page numbers in the substitute bill itself.**

To amend and reenact R.S. 30:1106(D)(1) and 1107.1(C) and to enact R.S. 30:1107.1(B)(4) and (5) and (D) through (F), relative to carbon dioxide sequestration; to increase civil penalties; to add reporting requirements; to impose criminal penalties for willful and knowing failures to report; to require notice to the public and emergency responders; to provide an effective date; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 30:1106(D)(1) and 1107.1(C) are hereby amended and reenacted and R.S. 30:1107.1(B)(4) and (5) and (D) through (F) are hereby enacted to read as follows:

§1106. Underground injection control

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D.(1) Except as otherwise provided by law, any person to whom a compliance order is issued and who fails to take corrective action within the time specified in the order or any person found by the commissioner to be in violation of any requirement of this ~~Section~~ Chapter may be liable for a civil penalty to be assessed by the commissioner or court, of not more than ~~five~~ two hundred thousand dollars a day for each day of violation and for each act of violation. The commissioner in order to enforce the provisions of this Section may suspend or revoke any permit, compliance order, license, or variance that has been issued to said person in accordance with law.

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§1107.1. Reporting; recordkeeping

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B. At a minimum, the owner or operator of a permitted Class VI well shall provide a report within twenty-four hours of the occurrence of any of the following:

\* \* \*

(4) Any equipment malfunction that could lead to the release of stored carbon dioxide.

(5) Any release of stored carbon dioxide.

C. Reports required by Subsection B this Section shall, at a minimum, include:

(1) The precise location of the incident.

(2) A description of the incident, including its cause, when possible.

(3) Potential risks to public health, water sources, and land stability.

(4) Immediate mitigation steps taken in response.

(5) A timeline for corrective action.

D. Owners or operators of Class VI wells shall retain records as required by applicable administrative rules.

E.(1) Any report required by Subsection B of this Section shall be disclosed by the operator within forty-eight hours to the following persons and entities:

(a) All emergency response teams, local law enforcement, and local governing officials within the effected area.

(b) The general public through an official press release.

(2) The department shall publish all reports required by Subsection B of this Section on its website.

F.(1) Civil penalties. Failure to comply with the requirements of this Section or with any reporting or recordkeeping required by the department pursuant to administrative rules shall subject the storage operator to the remedies authorized by R.S. 30:1106.

(2) Criminal penalties. Except as otherwise provided by law, any person who willfully or knowingly fails to report or keep records as required by this Section shall be fined not more than twenty-five thousand dollars per day of violation and the costs of prosecution, or imprisoned for not more than one year, or both. The prosecution may be instituted by the district attorney having criminal jurisdiction. No criminal prosecution for a violation of this Section shall be instituted against any

person while the person is under a compliance order or subject to an action to assess civil penalties for the same violation.

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.

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### 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)]

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HB Draft

2025 Regular Session

**Abstract:** Establishes additional mandatory incident reporting requirements for carbon dioxide storage facilities, increases civil penalties, and imposes criminal penalties for willful or knowing failures to comply with mandatory reporting. Further provides for notice to the public and emergency response agencies.

Present law requires reporting by owners or operators of Class VI wells within 24 hours of the occurrence of:

- (1) Evidence that the injected carbon dioxide stream or pressure may endanger underground sources of drinking water.
- (2) Noncompliance with a permit condition, or malfunction of the injection system, which may cause fluid migration into or between underground sources of drinking water.
- (3) Failure to maintain mechanical integrity.

Proposed law retains present law but adds further requirements for reporting:

- (1) Any equipment malfunction that could lead to the release of stored carbon dioxide.
- (2) Any release of stored carbon dioxide.

Proposed law adds that for any incident required to be reported within 24 hours, the report must include, at a minimum:

- (1) The precise location of the incident.
- (2) A description of the incident, including its cause, when possible.
- (3) Potential risks to public health, water sources, and land stability.
- (4) Immediate mitigation steps taken in response.
- (5) A timeline for corrective action.

Proposed law further requires that for any report required to be made within 24 hours, the operator also notify emergency response teams, local law enforcement, local governing officials, and the general public within 48 hours of the occurrence.

Proposed law adds that a violation of these reporting requirements subjects the operator and owner to the following:

- (1) Civil penalties established under present law for violations of any carbon dioxide sequestration statutes.
- (2) Criminal penalties for any knowing or willful violation, which may include fines of up to \$25,000 per day of violation, the costs of prosecution, and up to one year of imprisonment. Restricts criminal prosecution if the person is under a compliance order or subject to a civil penalty action for the same violation.

(Amends R.S. 30:1106(D)(1) and 1107.1(C); Adds R.S. 30:1107.1(B)(4) and (5) and (D) - (F))