
DIGEST

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HB 392 Reengrossed

2025 Regular Session

St. Blanc

Abstract: Provides relative to the Louisiana Underground and Utilities and Facilities Damage and Prevention Law.

Present law provides for definitions.

Proposed law amends the definition of "large project excavation or demolition".

Present law provides for the procedure for excavation and demolition and provides that excavation or demolition activities shall commence not more than 120 hours past the mark-by time.

Proposed law amends present law to provide that if an excavation or demolition does not commence within 120 hours of the mark-by-time, not counting weekends and holidays, the excavator or demolisher shall be found in violation of present and proposed law, except in the case of mutual agreement with the facility owner or operator to extend the time or extraordinary circumstances.

Proposed law provides for what shall be considered an extraordinary circumstance.

Proposed law provides that at least one person on any underground or submerged excavation or demolition site shall have proof of completion of the training and education provided by the Regional Notification Center which is required to be done annually. Proposed law also provides for who shall be exempt from this training.

Present law provides for voluntary agreements related to mark-by-time determinations.

Proposed law clarifies present law.

Present law provides that if a mutual agreement between the operator and the excavator or demolisher cannot be reached the large project excavation or demolition notification request shall be deemed null and void, and the provisions of present law shall apply.

Proposed law amends present law to provide that if a mutual agreement between all parties in conflict in an area cannot be reached within 30 calendar days from the date submitted to the Regional Notification Center, the large project excavation or demolition notification request shall be deemed null and void, and the requesting excavator or demolisher shall cancel the large project excavation or demolition notice and request a routine excavation or demolition notice in accordance with present and proposed law.

(Amends R.S. 40:1749.12(11) and 1749.13(B)(1) and (E)(1) and (7); Adds R.S. 40:1749.13(B)(6))

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Commerce to the original bill:

1. Remove the definition of "manual probing" and amend the definition for "large project excavation or demolition".
2. Clarify that 120 hours of the mark-by-time does not include weekends or holidays.

The House Floor Amendments to the engrossed bill:

1. Amend the definition of "large project excavation or demolition".
2. Make technical changes.