
DIGEST

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HB 5 Original

2026 Regular Session

Mike Johnson

Abstract: Authorizes individual parishes to determine whether or not Class VI carbon dioxide injection wells, carbon dioxide sequestration, and pipelines transporting carbon dioxide may be permitted within their parish by action of the parish governing authority or by local option election.

Present law authorizes the Dept. of Conservation and Energy to permit and regulate Class VI carbon dioxide injection wells, the geologic storage of carbon dioxide, and pipelines transporting carbon dioxide within the state.

Proposed law creates an exception to the dept.'s permitting authority for any parish where Class VI wells, carbon dioxide sequestration, or pipelines transporting carbon dioxide have been prohibited by the local governing authority or by a local option election.

Proposed law authorizes parish governing authorities to determine by resolution or ordinance whether Class VI wells, carbon dioxide sequestration, or pipelines transporting carbon dioxide may be permitted within the parish.

Proposed law provides that any prohibition by a local governing authority will be effective upon its adoption.

Proposed law further authorizes parish governing authorities to order a parish-wide election on their own initiative for electors of the parish to determine whether Class VI wells, carbon dioxide sequestration, or pipelines transporting carbon dioxide should be permitted in the parish.

Proposed law requires a parish governing authority to order a parish-wide election if 15% of the qualified electors of the parish sign a petition requesting an election on the question of whether Class VI wells, carbon dioxide sequestration, or pipelines transporting carbon dioxide should be permitted within the parish. Proposed law requires that this petition be certified by the parish registrar of voters.

Proposed law requires the parish governing authority to pass the results of any election by resolution or ordinance.

Proposed law provides that any prohibition determined in an election will be effective upon certification of the election results.

Proposed law only allows for one election to be held for this purpose within a five-year period.

Proposed law provides that any conflict between an independent action of the parish governing authority and the results of an election called for this purpose will be resolved in favor of the election results. If such a conflict occurs, proposed law also provides that the prevailing election results cannot be superseded by any independent action of the parish governing authority for five years following the election.

Proposed law requires the parish governing authority to notify the dept. of any resolution, ordinance, or election results stemming from proposed law.

Proposed law provides that a local determination made under proposed law will supersede any conflicting laws, regulations, or actions of the dept.

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

(Adds R.S. 30:4(C)(17)(c), 1104(F), and 1104.3)