

2026 Regular Session

HOUSE BILL NO. 419

BY REPRESENTATIVE FIRMENT

LIABILITY/CIVIL: Relative to civil liability from greenhouse gas emissions

1 AN ACT

2 To enact R.S. 9:2800.31, relative to limitation of liability; to provide for legislative intent;
3 to provide for definitions; to provide a limitation of liability for lawful greenhouse
4 gas emissions; to provide for exceptions; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 9:2800.31 is hereby enacted to read as follows:

7 §2800.31. Limitation of liability; greenhouse gas emissions

8 A.(1) The legislature finds that the production of oil and natural gas is vital
9 to the economic stability, energy security, and national defense of the United States
10 of America and this state.

11 (2) Louisiana's oil and natural gas industries operate under extensive state
12 and federal regulatory frameworks including environmental permitting, emissions
13 standards, and conservation laws.

14 (3) Recent litigation in various jurisdictions have sought to impose liability
15 on fossil fuel producers based on theories of global or regional climate change,
16 greenhouse gas emissions, and public nuisance. Such litigation seeks to establish
17 state or local climate change policy through the courts rather than the legislative or
18 regulatory process.

1 (4) The federal government has recently taken significant deregulatory
2 actions to reduce greenhouse gas mandates and restore regulatory clarity,
3 emphasizing energy independence, affordability, and reliability.

4 (5) It is the intent of this Section to provide clarity regarding civil actions
5 seeking relief based on alleged contributions to global or regional climate change,
6 while preserving traditional causes of action for personal injury, property damage,
7 and violations of law.

8 B. For purposes of this Section, the following definitions apply:

9 (1) "Climate change claim" means any civil action based upon an alleged
10 contribution to climate change arising from the emission of greenhouse gases into
11 the atmosphere.

12 (2) "Covered entity" means any manufacturer, producer, processor,
13 fractionator, refiner, storage operator, pipeline operator, transporter, or seller
14 engaged in the lawful exploration, production, refining, processing, generation,
15 transmission, distribution, or sale of oil or natural gas, including enhanced oil
16 recovery operations.

17 (3) "Enhanced oil recovery" means the injection of carbon dioxide or other
18 substances into a reservoir for the primary purpose of increasing the recovery of oil
19 or natural gas as a part of lawful hydrocarbon production operations.

20 (4) "Greenhouse gas" means carbon dioxide, methane, nitrous oxide,
21 hydrofluorocarbons, perfluorocarbons, sulfur hexafluoride, and any other gas
22 designated as a greenhouse gas pursuant to federal law.

23 C. No covered entity shall be liable for any climate change claims for lawful
24 greenhouse gas emissions conducted in material compliance with applicable state
25 and federal laws and permits.

26 D. Nothing in this Section shall be construed to limit any of the following
27 claims:

28 (1) Physical personal injury.

29 (2) Tangible property damage.

- 1 (3) Groundwater contamination.
- 2 (4) Subsurface trespass.
- 3 (5) Pipeline rupture or failure.
- 4 (6) Gross negligence or willful or wanton misconduct.
- 5 (7) Violation of environmental statutes or permit conditions.
- 6 (8) Actions brought by the state to enforce environmental laws.
- 7 (9) Property rights, including challenges to expropriation or eminent domain
- 8 proceedings.
- 9 E. The provisions of this Section do not apply to carbon capture and
- 10 sequestration activities.

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 419 Original

2026 Regular Session

Firmment

Abstract: Provides civil liability for lawful greenhouse gas emissions

Proposed law provides legislative intent.

Proposed law defines "climate change claim", "covered entity", "enhanced oil recovery", and "greenhouse gas".

Proposed law provides that no covered entity is liable for any climate change claims for lawful greenhouse gas emissions conducted in compliance with applicable state and federal law permits.

Proposed law shall not be construed to limit any of the following claims:

- (1) Physical personal injury.
- (2) Tangible property damage.
- (3) Groundwater contamination.
- (4) Subsurface trespass.
- (5) Pipeline rupture or failure.
- (6) Gross negligence or willful or wanton misconduct.
- (7) Violation of environmental statutes or permit conditions.
- (8) Actions brought by the state of La. to enforce environmental laws.

(9) Property rights, including challenges to expropriation or eminent domain.

Proposed law does not apply to carbon capture and sequestration activities.

(Adds R.S. 9:2800.31)