

2026 Regular Session

SENATE BILL NO. 214

BY SENATOR HENSGENS

WATER MANAGEMENT. Provides for emergency preparedness. (8/1/26)

1 AN ACT

2 To amend and reenact the heading of Part I of Chapter 13 of Title 38 of the Louisiana
3 Revised Statutes of 1950 and to enact R.S. 38:2502, relative to emergency
4 preparedness; to provide for limitation of liability; to provide actions taken to reduce
5 water levels; to provide for applicability, terms, and limitations; and to provide for
6 related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. The heading of Part I of Chapter 13 of Title 38 of the Louisiana Revised
9 Statutes of 1950 is hereby amended and reenacted and R.S. 38:2502 is hereby enacted to
10 read as follows:

11 ~~PART I. POWERS AND DUTIES OF THE LOUISIANA~~

12 ~~WILDLIFE AND FISHERIES COMMISSION~~ **GENERAL PROVISIONS**

13 * * *

14 **§2502. Limitation of liability for flood mitigation preparations**

15 **A.(1) Notwithstanding any other provision of law to the contrary, no**
16 **political subdivision created pursuant to this Chapter and authorized to**
17 **establish, construct, operate, and maintain freshwater systems, nor any officer,**

1 employee, or agent thereof, shall be liable for any damage caused by or resulting
 2 from any act or omission in reducing or ceasing pumping operations or
 3 operating water control structures for the purpose of lowering water levels
 4 pursuant to an operational plan implemented in preparation for a weather
 5 event forecasted by the National Weather Service or the Governor's Office of
 6 Homeland Security and Emergency Preparedness.

7 (2) The limitation of liability provided in this Section shall not apply to
 8 acts or omissions constituting gross negligence or willful or wanton misconduct.

9 B. The provisions of this Section shall apply only to a political
 10 subdivision whose territorial jurisdiction encompasses four parishes, at least
 11 one of which has a population of not less than one hundred forty-five thousand
 12 and not more than three hundred fifty thousand persons according to the most
 13 recent federal decennial census.

The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Senate Legislative Services. The keyword, summary, 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)]

DIGEST

SB 214 Original

2026 Regular Session

Hensgens

Present law provides relative to the powers and duties of political subdivisions created for the purpose of water conservation, including those with authority to establish, construct, operate, and maintain freshwater systems.

Proposed law provides that, notwithstanding any other provision of law to the contrary, no political subdivision created pursuant to the Chapter and authorized to establish, construct, operate, and maintain freshwater systems, nor any officer, employee, or agent thereof, shall be liable for damage caused by or resulting from any act or omission in reducing or ceasing pumping operations or operating water control structures for the purpose of lowering water levels pursuant to an operational plan implemented in preparation for a weather event forecasted by the National Weather Service or GOHSEP.

Proposed law provides that the limitation of liability does not apply to acts or omissions constituting gross negligence or willful or wanton misconduct.

Proposed law limits applicability to a political subdivision whose territorial jurisdiction encompasses four parishes, at least one of which has a population of not less than 145,000 and not more than 350,000 persons according to the most recent federal decennial census.

Effective August 1, 2026.

(Amends the heading of Part I of Ch. 13 of Title 38 of the La. Revised Statutes of 1950; adds R.S. 38:2502)