

2026 Regular Session

HOUSE BILL NO. 776

BY REPRESENTATIVE BOURRIAQUE

PORTS/HARBORS/TERMINALS: Modifies the Port Construction and Development Priority Program

1 AN ACT

2 To amend and reenact R.S. 34:3452(D), 3453, 3457(A)(introductory paragraph) and 3473  
3 and to enact R.S. 34:3457(C), relative to the Port Construction and Development  
4 Priority Program; to modify the entities the department can contract with to assist in  
5 the development of the port priority program; to provide for proper notice of public  
6 hearings; to require a local match based on the appropriate project category; and to  
7 provide for related matters.

8 Be it enacted by the Legislature of Louisiana:

9 Section 1. R.S. 34:3452(D), 3453, 3457(A)(introductory paragraph) and 3473 are  
10 hereby amended and reenacted and R.S. 34:3457(C) is hereby enacted to read as follows:

11 §3452. Methodology for port project evaluation

12 \* \* \*

13 D. The department may contract with ~~the Louisiana State University Ports~~  
14 ~~and Waterways Institute~~ any state college or university for any of the duties  
15 associated with the development of the port priority program, including but not  
16 limited to the development, review, and evaluation of plans and specifications, and  
17 the development of the port priority program list. However, development of and  
18 authority over the final determination of the port priority list shall remain with the  
19 department and the joint committee as provided in this Chapter.

20 \* \* \*

1 §3453. Priority list of projects; public hearings; final program

2 Each quarter, the department shall prepare and shall furnish a prioritized list  
3 of projects, based on the applications received by the department during that quarter,  
4 to the joint committee. The joint committee shall receive the prioritized list of  
5 projects from the department for each of the first three quarters of the year, and shall  
6 call a public hearing within thirty days of receiving the list in order to receive public  
7 testimony regarding any project on the list. At such hearing, the joint committee  
8 shall vote to either accept, reject, or modify the list. Each quarter, the department  
9 shall reprioritize the list of projects to reflect the cumulative list of projects  
10 recommended by the department. After application recommendations for the last  
11 quarter are made by the department, the department shall submit the final port  
12 construction and development priority program for the ensuing fiscal year to the  
13 joint committee for approval. Prior to the convening of the regular session of the  
14 legislature, the joint committee shall hold a public hearing for the purpose of  
15 reviewing the final program for the ensuing fiscal year. Prior to such hearing, the  
16 department shall publish the appropriate official notice in the ~~necessary journals~~  
17 Official Journal of the State as provided for in R.S. 43:81. The final program shall  
18 be based upon the anticipated revenues to be appropriated by the legislature or other  
19 funding obligation authority and the projects shall be listed in order of priority.  
20 When this final construction program is presented to the legislature for funding or  
21 funding obligation authority for the ensuing fiscal year, the legislature shall not add  
22 any projects to this final construction program. Any project recommended by the  
23 department and approved by the joint committee but for which funds are unavailable  
24 in the fiscal year for which it was approved shall remain on the prioritized list of  
25 projects and shall be carried forward to the next fiscal year. Such project shall retain  
26 its place on the prioritized list of projects and shall receive a higher priority over  
27 newly recommended projects in the next fiscal year.

28 \* \* \*

29

1 §3457. Allocation, reallocation of funds; deposit to Transportation Trust Fund

2 A. The Transportation Trust Fund shall be the source of state funds provided  
3 for any port project on the priority list approved pursuant to the provisions of this  
4 Chapter, except those projects funded pursuant to Paragraph (C)(3) of this Section.  
5 Prior to the commencement of any work, the department shall require the presiding  
6 officer of each port authority involved in a project to execute an agreement and  
7 statement of sponsorship to provide ~~a ten percent~~ the local match requirement in the  
8 appropriate category of projects pursuant to Subsection (C) of this Section for the  
9 cost of construction of the project including the cost of any items stipulated under  
10 the provisions of Paragraph (1) of this Subsection. The department shall further  
11 stipulate that such agreement include but not be limited to the following:

12 \* \* \*

13 C. The following project categories shall require the stipulated local match  
14 as defined by the department:

- 15 (1) A Standard Project will require a ten percent local match.
- 16 (2) A Large Project will require a twenty percent local match.
- 17 (3) A Very Large Project will require a thirty percent local match and may  
18 require additional funding allocation outside of the Transportation Trust Fund.

19 \* \* \*

20 §3473. Priority list of projects; public hearings; final program

21 Each quarter, the office shall prepare and furnish to the joint committee a  
22 prioritized list of projects based on the applications received by the office during that  
23 quarter. The joint committee shall receive the prioritized list of projects from the  
24 office for each of the first three quarters of the year, and shall call a public hearing  
25 within thirty days of receiving the list in order to receive public testimony regarding  
26 any project on the list. At such hearing, the joint committee shall vote to either  
27 accept, reject, or modify the list. Each quarter, the office shall reprioritize the list of  
28 projects to reflect the cumulative list of projects recommended by the office. After  
29 application recommendations for the last quarter are made by the office, the office

1 shall submit the final waterway dredging and deepening priority program for the  
 2 ensuing fiscal year to the joint committee for approval. Prior to the convening of the  
 3 regular session of the legislature, the joint committee shall hold a public hearing for  
 4 the purpose of reviewing the final program for the ensuing fiscal year. Prior to such  
 5 hearing, the office shall publish the appropriate official notice ~~on the department's~~  
 6 ~~website~~ in the Official Journal of the State as provided for in R.S. 43:81. The final  
 7 program shall be based upon the anticipated revenues to be appropriated by the  
 8 legislature or other funding obligation authority and the projects shall be listed in  
 9 order of priority. When this final construction program is presented to the legislature  
 10 for funding or funding obligation authority for the ensuing fiscal year, the legislature  
 11 shall not add any projects to this final construction program. Any project  
 12 recommended by the office and approved by the joint committee for which funds are  
 13 unavailable in the fiscal year but for which it was approved shall remain on the  
 14 prioritized list of projects and shall be carried forward to the next fiscal year.

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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 776 Original

2026 Regular Session

Bourriaque

**Abstract:** Modifies certain procedures the Department of Transportation and Development utilizes in the Port Construction and Development Priority Program.

Present law (R.S. 34:3452(D)) authorizes the Dept. of Transportation and Development (DOTD) to contract with the La. State University Ports and Waterways Institute for any duties associated with the development of the port priority programs, including but not limited to the development, review, and evaluation of plans and specifications, and the development of the prior priority program list. Further requires that the final determination of the port priority list remain with the DOTD and the joint transportation committees.

Proposed law modifies present law to change from the La. State University Ports and Waterways Institute as the only available contracting entity to any state college or university.

Present law (R.S. 34:3453)) provides for the DOTD's required procedure for public hearings regarding port priority projects and the determination for the final program decision. Further requires that prior to the public hearings, the DOTD must publish the appropriate official notice of the hearing in the necessary journals.

Proposed law retains present law but changes the publication of the official notice from the necessary journals to the Official Journal of the State.

Present law (R.S. 34:3457(A)) requires the Transportation Trust Fund be the source of state funds for any port project on the priority list approved in present law. Further requires that prior to the commencement of any work, the presiding officer of each port authority involved in a project execute an agreement and statement of sponsorship to provide a 10% local match for the cost of construction of the project.

Proposed law provides an exception to projects funded by the Transportation Trust Fund and approved by present law, by removing the 10% local match requirement and replacing the requirement with project categories, based on the difference percentage local matches.

Proposed law (R.S. 34:3457(C)) creates categories for projects that require a local match, with different percentages for each category.

Present law (R.S. 34:3473) provides for the DOTD's required procedure for public hearings regarding dredging and deepening project evaluations and the determination for the final program decision. Further requires that prior to the public hearings, the DOTD must publish the appropriate official notice of the hearing on the dept.'s website.

Proposed law modifies present law by changing the publication of the official notice from the dept.'s website to the Official Journal of the State.

(Amends R.S. 34:3452(D), 3453, 3457(A)(intro. para.) and 3473; Adds R.S. 34:3457(C))