
DIGEST

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HB 1037 Original

2026 Regular Session

Bourriaque

Abstract: Modifies certain procedures to reform operations within the Dept. of Transportation and Development and provide for the creation and duties of the chief operating officer.

Present law (R.S. 36:502(A)(1)) specifies that the secretary, undersecretary, deputy secretary, assistant secretary of project delivery, commissioner of multimodal commerce, and assistant secretary of operation are officers of the Dept. of Transportation and Development (DOTD).

Proposed law adds the chief operating officer as an officer within the DOTD.

Present law (R.S. 36:502(A)(2)) requires that the secretary, undersecretary, deputy secretary, assistant secretary of project delivery, assistant secretary of operations, executive director of the Offshore Terminal Authority, commissioner of multimodal commerce, and such other positions which may be authorized by the State Civil Service Commission or the state constitution be unclassified positions in the DOTD.

Proposed law adds the chief operating officer as an unclassified position within the DOTD.

Present law (R.S. 36:502(B)) prohibits any person serving as a secretary, undersecretary, deputy secretary, assistant secretary of project delivery, assistant secretary of operations, commissioner of multimodal commerce, or in any other office in the DOTD to receive any additional salary from the state other than that salary which he receives by virtue of serving in any one of such offices.

Proposed law adds the chief operating officer as a person prohibited from receiving any additional salary from the state.

Present law (R.S. 36:503) provides for the appointment, duties, and responsibilities of the secretary of the DOTD. Requires that the secretary be the executive head and chief administrative officer of the DOTD. Specifies that the secretary is responsible for the policies of the dept., except as specifically provided for particular agencies transferred to or placed within the dept. by other provisions of present law.

Proposed law removes the requirement that the secretary serve as the chief administrative officer of the DOTD.

Present law (R.S. 36:505(A)) provides for the appointment, duties, and responsibilities of the deputy secretary of the DOTD, appointed by the governor, and serves as the appointing authority for the

office of transformation. Further requires that the duties and functions of the deputy secretary be to oversee the office of transformation to optimize the dept. and those otherwise assigned by the secretary.

Proposed law adds an additional duty and function of the deputy secretary to serve as the chief administrative officer of the office of transformation.

Present law (R.S. 36:505(B)) specifies that if the position of the deputy secretary is not filled during the absence of the secretary, the secretary may designate either the undersecretary or the assistant secretary of project delivery to serve as acting secretary in his absence.

Proposed law changes from the assistant secretary of project delivery to the chief operating officer who may be designated to serve as acting secretary in the absence of the secretary of the DOTD.

Proposed law (R.S. 36:505.1) requires there be a chief operating officer of the office of project delivery who is appointed by the secretary. Further requires he serve at the pleasure of the secretary at a salary fixed by the governor, not to exceed the amount approved for the position by the legislature while in session. Additionally requires that the duties and functions of the chief operating officer be to supervise and direct the assistant secretary of the office of project delivery and the assistant secretary of operations and those duties otherwise assigned by the secretary.

Present law (R.S. 36:506(A)) provides for the appointment and salary of the undersecretary of the DOTD, office of management and finance (OM&F). Further requires that the secretary supervise the undersecretary.

Proposed law adds the deputy secretary as a person to supervise the undersecretary of the OM&F.

Present law (R.S. 36:506(B)) provides for the responsibilities, duties, and functions of the undersecretary within the DOTD, OM&F. Further requires the undersecretary exercise all powers and authority granted to him in present law subject to the overall direction and control of the secretary.

Proposed law adds the deputy secretary as a person to exercise overall direction and control of the powers of the undersecretary.

Present law (R.S. 36:506(C)) specifies that the duties and functions of the OM&F and the undersecretary are not be subject to change by the secretary, except that the undersecretary must perform such additional duties and functions as are assigned by the secretary.

Proposed law adds the requirement that the deputy secretary not modify the duties and functions of the OM&F and of the undersecretary. Further requires that the undersecretary perform additional duties and functions assigned by the secretary or the deputy secretary.

Present law (R.S. 36:508(A)) provides for the creation of the office of project delivery (OPD) within the DOTD. Further specifies the functions, powers, and duties of the OPD. Additionally specifies

certain programs and projects directed to the OPD by the secretary of the DOTD.

Proposed law adds that the chief operating officer may also direct the OPD to administer certain programs and projects.

Present law (R.S. 36:508(B)) requires the OPD be under the immediate supervision of the assistant secretary of the DOTD. Further requires that the assistant secretary serve at the pleasure of the secretary.

Proposed law adds that the assistant secretary be under the direct supervision of the chief operating officer.

Present law (R.S. 36:508(C)) requires the assistant secretary have the authority subject to approval of the secretary in accordance with applicable rules and regulations of the civil service commission to employ, appoint, transfer, assign, and promote personnel as is necessary for the efficient administration of the OPD.

Proposed law includes the chief operating officer as having approval authority over the assistant secretary's ability to employ, appoint, transfer, assign, and promote personnel as is necessary for the efficient administration of the OPD.

Present law (R.S. 36:508(F)) requires the chief engineer approve all plans, specifications, and estimates for the construction of all facilities and projects for which his office is responsible. Further requires that he have other duties that may be assigned to him by the secretary or the assistant secretary, by the provisions of present law, or by the laws of this state. Additionally requires he report his proceedings of his office annually to the secretary of the DOTD and any other times as designated by secretary, and he must make any additional reports as are required by the secretary.

Proposed law clarifies present law by changing from his office to the office applicable to the chief engineer's approval of all plans, specifications, and estimates for construction of all facilities and projects. Further changes from the proceedings of his office to his proceedings in the annual report to the secretary.

Present law (R.S. 36:508.2(A)) creates the office of operations within the DOTD, which administers all matters related to the operations of the DOTD district offices, and other matters directed by the secretary.

Proposed law authorizes the chief operating officer to direct the operations within the office of operations.

Present law (R.S. 36:508.2(B)) requires the office of operations be under the immediate supervision of the assistant secretary, who is appointed by the governor and serves at the pleasure of the secretary.

Proposed law specifies that the chief operating officer directly supervise the assistant secretary

within the office of operations.

Present law (R.S. 36:508.2(C)) requires the assistant secretary have authority, subject to the approval of the secretary and in accordance with applicable rules and regulations of the civil service commission, to employ, appoint, transfer, assign, and promote personnel as is necessary for the efficient administration of the office of operations.

Proposed law includes the chief operating officer as one to approve the assistant secretary's authority to employ, appoint, transfer, assign, and promote personnel as is necessary for the efficient administration of the office of operations.

Present law (R.S. 36:508.2(E)) requires the secretary assign the assistant secretary functions and duties within the office of operations. Further requires the assistant secretary report the proceedings of his office annually to the secretary of the DOTD and authorizes the secretary to designate, and make any additional reports as are required by the secretary.

Proposed law authorizes the chief operating officer to assign duties to the assistant secretary within the office of operations. Further changes the requirement from reporting to the secretary to reporting to the chief operating officer.

Present law (R.S. 36:508.2(F)) provides for the specific authorization of the secretary to perform any of the duties of the assistant secretary when the assistant secretary is absent or incapacitated or when the secretary deems it would be in the best interest of the DOTD. Further authorizes the assistant secretary with approval of the secretary to designate a senior staff member in the office of operations to perform any duties required by the assistant secretary.

Proposed law adds the chief operating officer as one authorized to perform any duties of the assistant secretary in the event he is absent, incapacitated, or if the chief operating officer deems it is in the best interest of the DOTD. Additionally replaces the secretary with the chief operating officer as the one to approve the assistant secretary's designation of a senior staff member in the office of operations to perform any duties required by the assistant secretary.

Present law (R.S. 36:508.6(C)) requires the DOTD enact comprehensive, dept.-wide. reforms of the access permit process to include the police, administrative code, engineering directives and standards manual, and online application processes by June 30, 2026.

Proposed law changes the deadline for the availability of the online application process from June 30, 2026 to June 30, 2027.

Present law (R.S. 36:508.6(D)) requires the DOTD to modernize and reform project development and execution across the entire dept. to stabilize letting and to remit payments to vendors and contractors on a bi-monthly basis, consistent with the terms of its contracts, no later than June 30, 2026.

Proposed law changes the deadline for the DOTD to modernize and reform project development

from June 30, 2026 to June 30, 2027.

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

(Amends R.S. 36:502(A) and (B), 503, 505(A) and (B), 506(A)-(C), 508(A)-(C), and (F), 508.2(A)-(C), (E), and (F), and 508.6(C) and (D); Adds R.S. 36:505.1)