

2026 Regular Session

HOUSE BILL NO. 1072

BY REPRESENTATIVE BOURRIAQUE

TRANSPORTATION DEPT: Reforms certain powers, duties, and responsibilities in the office of Louisiana Highway Construction

1 AN ACT

2 To amend and reenact R.S. 49:220.51(D) and 220.52(C) and (D) and to enact R.S.
3 49:220.51(E) and 220.52(E) and (F), relative to the office of Louisiana Highway
4 Construction; to expand the powers, duties, and responsibilities in the office of
5 Louisiana Highway Construction; to modify the exercise of procurement procedures,
6 including emergency procurement; to provide for an effective date; and to provide
7 for related matters.

8 Be it enacted by the Legislature of Louisiana:

9 Section 1. R.S. 49:220.51(D) and 220.52(C) and (D) are hereby amended and
10 reenacted and R.S. 49:220.51(E) and 220.52(E) and (F) are hereby enacted to read as
11 follows:

12 §220.51. Office of Louisiana Highway Construction; creation

13 * * *

14 D.(1) Notwithstanding any other provision of law to the contrary, the office
15 of Louisiana Highway Construction is hereby empowered to execute the design,
16 construction, remediation, rehabilitation, or replacement of any segment of a federal-
17 aid highway, provided that such actions are executed through a mutual letter of
18 agreement between the office and the secretary of the Department of Transportation
19 and Development.

1 (1) The unilateral authority to issue formal emergency declarations and
2 orders.

3 (2) The authority to invoke emergency procurement protocols when the
4 public health, safety, or welfare is at risk.

5 (3) The authority to execute summary contracts for the immediate
6 remediation of infrastructure, including bridges rated in poor condition by the office.

7 ~~€.~~ E. The office of Louisiana Highway Construction may:

8 (1) Utilize the services of other executive departments of state government
9 upon mutually agreeable terms and conditions.

10 ~~(2) Receive interagency transfers, state general fund allocations, or any other~~
11 ~~sources of funding allowed under the law necessary to support the delivery of its~~
12 ~~functions.~~ Solicit, accept, and administer any and all revenues required for the
13 execution of its statutory mandates. The revenues shall include but not be limited
14 to the following:

15 (a) Interagency transfers and suballocations.

16 (b) Direct appropriations from the state general fund.

17 (c) Any supplemental funding sources or capital outlay permitted under
18 applicable state and federal law.

19 (3) Take such other actions, not inconsistent with law, as are necessary to
20 perform properly the functions of the office.

21 ~~(4) The office of Louisiana Highway Construction may engage~~ Engage in
22 and utilize emergency procurement procedures for any purpose until ~~January 1, 2026~~
23 December 31, 2027.

24 ~~Ɖ.~~ F. On or before January fifteenth of each year, the office shall submit a
25 report to the Joint Committee on Transportation, Highways and Public Works. The
26 report shall include a detailed list of each project that is planned, initiated, or
27 advanced under the authority of this Section, along with the status, scope, funding
28 sources, and expected timelines for each project.

1 Section 2. This Act shall become effective upon signature by the governor or, if not
 2 signed by the governor, upon expiration of the time for bills to become law without signature
 3 of the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
 4 vetoed by the governor and subsequently approved by the legislature, this Act shall become
 5 effective on the day following such approval.

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 1072 Original

2026 Regular Session

Bourriaque

Abstract: Modifies certain powers, duties, and responsibilities of the office of Louisiana Highway Construction regarding emergency procurement.

Present law (R.S. 49:220.51) creates the office of La. Hwy. Construction (OLHC) to be responsible for the study, planning, engineering, design, construction, operation, maintenance, repair, rehabilitation, and replacement of any nonfederal aid hwy. that is part of the state hwy. system.

Proposed law empowers the OLHC to execute the design, construction, remediation, rehabilitation, or replacement of federal-aid hways. upon execution of a mutual letter of agreement between the office and the secretary of the Dept. of Transportation and Development (DOTD). Further requires that the agreement delineate the specific scope of work, funding allocations, and regulatory compliance standards required for the administration of federal-aid projects.

Proposed law (R.S. 49:220.52(C)) requires the office exercise absolutely plenary control and administrative oversight over the State Hwy. Improvement Fund (SHIF). Further requires all assets, revenues, and accrued interest comprising in the fund be held in trust for the purposes set forth in proposed law. Additionally requires all proceeds designated for the SHIF be deposited into a restricted special account within the division of administration (DOA) to be maintained for the exclusive use and benefit of the office. Further requires the DOA serve as the custodial agent, ensuring that the funds remain unencumbered and available for immediate disbursement at the direction of the office. Additionally, notwithstanding the exclusivity established in proposed law, authorizes the office, at its sole discretion, to transfer or share utilization of the fund's proceeds pursuant to a formal interagency agreement or memorandum of understanding. Specifies that these agreements may be executed with any state dept., political subdivision, or public entity, including but not limited to the DOTD.

Proposed law (R.S. 49:220.52(D)) requires that the executive director of the OLHC be vested with the same emergency powers, prerogatives, and statutory immunities as are currently or hereafter granted to the secretary of the DOTD, included but not limited to the following:

- (1) The unilateral authority to issue formal emergency declarations and orders.
- (2) The authority to invoke emergency procurement protocols when the public health, safety, or welfare is at risk.

- (3) The authority to execute summary contracts for the immediate remediation of infrastructure, to include bridges rated in poor condition by the office.

Present law (R.S. 49:220.52(C)) authorizes the OLHC to do the following:

- (1) Utilize the services of other state depts. upon mutually agreeable terms and conditions
- (2) Receive funding allowed under the law necessary to support the delivery of its function.
- (3) Take such other actions, not inconsistent with law, as are necessary to perform properly the functions of the office.
- (4) Engage in and utilize emergency procurement procedures for any purpose until Jan. 1, 2026.

Proposed law (R.S. 49:220.52(E)) relocates present law and modifies certain authorizations of the OLHC to do the following:

- (1) Authorize the office to solicit, accept, and administer any and all revenues required for the execution of its statutory mandates. Further requires that the revenues include but not limited to the following:
 - (a) Interagency transfers and suballocations.
 - (b) Direct appropriations from the state general fund.
 - (c) Any supplemental funding sources or capital outlay permitted under applicable state and federal law.
- (2) Engage in and utilize emergency procurement procedures for any purpose until Dec. 31, 2027.

Present law (R.S. 49:220.52(D)) requires the OLHC to submit a report detailing certain projects to the joint transportation committee by Jan. 15th each year.

Proposed law relocates present law but otherwise retains it.

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

(Amends R.S. 49:220.51(D) and 220.52(C) and (D); Adds R.S. 49:220.51(E) and 220.52(E) and (F))