
DIGEST

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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))