

2026 Regular Session

HOUSE BILL NO. 1205

BY REPRESENTATIVE MARCELLE

WATER/RESOURCES: Provides for the conservation of aquifer systems

1 AN ACT

2 To enact Chapter 12 of Title 38 of the Louisiana Revised Statutes of 1950, to be comprised
3 of R.S. 38:2431 through 2466 and to repeal R.S. 38:3087.131, 3087.133, and
4 3097.8(D), relative to aquifer conservation districts; to establish groundwater
5 conservation districts for the Chicot, Southern Hills, and Mississippi Alluvial aquifer
6 systems; to establish boards for each commission; to provide for membership of the
7 boards and the appointment of members; to provide for hearings; to require
8 reporting; to provide for legislative findings; to provide definitions; and to provide
9 for related matters.

10 Be it enacted by the Legislature of Louisiana:

11 Section 1. Chapter 12 of Title 38 of the Louisiana Revised Statutes of 1950,
12 comprised of R.S. 38:2431 through 2466, is hereby enacted to read as follows:

13 CHAPTER 12. AQUIFER CONSERVATION DISTRICTS

14 §2431. Legislative findings; purpose

15 A. The increasing use of water for municipal, industrial, agricultural,
16 recreational, and other purposes is a matter of great public interest and the
17 unregulated use of groundwater from the aquifer systems of the state may create
18 critical, irreversible problems. The public welfare requires that these vital water
19 sources be put to the highest beneficial use.

1 B. The purpose of this Chapter is to establish a commission dedicated to the
2 monitoring, protection, and sustainable management of each aquifer system in the
3 state in order to provide for the efficient administration, conservation, and orderly
4 development of these groundwater resources.

5 §2432. Definitions

6 Unless the context otherwise requires, the following terms shall have the
7 following meanings for purposes of this Chapter:

8 (1) "Beneficial purpose" or "beneficial use" means the use of groundwater
9 for domestic, municipal, industrial, agricultural, recreational, or therapeutic purposes
10 or any other advantageous use.

11 (2) "Board" means the board of commissioners of a district.

12 (3) "Commissioner" means a member of the board of a district who has been
13 commissioned in accordance with this Chapter.

14 (4) "District" means a groundwater conservation district.

15 (5) "Groundwater" means water suitable for any beneficial purpose
16 percolating below the earth's surface.

17 (6) "Secretary" means the secretary of the Department of Conservation and
18 Energy.

19 (7) "User" means any person who produces groundwater in the district in
20 excess of fifty thousand gallons for any day during any calendar year from a well or
21 wells owned or operated by such person or from a well or wells owned or operated
22 solely for the production of water used by such person.

23 (8) "Well" or "water well" means any well drilled or constructed for the
24 principal purpose of producing groundwater.

25 PART I. MISSISSIPPI RIVER ALLUVIAL GROUNDWATER

26 CONSERVATION DISTRICT

27 §2441. District and board; creation

28 A. The Mississippi River Alluvial Groundwater Conservation District is
29 hereby established as a political subdivision of the state.

1 B. The district shall be administered by a board of commissioners whose
2 members shall be commissioned as provided by this Part.

3 §2442. Board of commissioners; membership

4 A. The board of commissioners for the district shall consist of thirty voting
5 members appointed and commissioned by the governor as follows:

6 (1) One member from each of the parishes of Assumption, Avoyelles,
7 Caldwell, Catahoula, Concordia, East Carroll, Franklin, Iberia, Iberville, LaSalle,
8 Madison, Morehouse, Ouachita, Point Coupee, Richland, St. Landry, St. Martin, St.
9 Mary, Tensas, West Baton Rouge, and West Carroll. The governor shall designate
10 the term of office for each member appointed pursuant to this Paragraph so that,
11 insofar as possible, one-third of the initial members shall serve a one-year term, one-
12 third a two-year term, and one-third a three-year term.

13 (2) Three members from nominees provided by industrial and agricultural
14 user groups in the district commissioned in such manner that the wood products
15 industry, agriculture, and other industries are each represented by one member. The
16 governor shall designate the term of office for each member appointed pursuant to
17 this Paragraph so that one member shall serve a one-year term, one shall serve for
18 a two-year term, and one shall serve a three-year term.

19 (3) Six members from nominees provided by municipalities within the
20 district which have a minimum use of five hundred thousand gallons per day. The
21 governor shall designate the term of office for each member commissioned pursuant
22 to this Paragraph so that two members shall serve a one-year term, two members
23 shall serve a two-year term, and two members shall serve a three-year term.

24 B. The initial voting members shall be nominated by the appropriate
25 nominating entity or group and presented to the governor on or before September 15,
26 2026. The members shall be commissioned by the governor on or before October
27 15, 2026.

28 C. Commissions pursuant to this Section, other than the initial commissions,
29 shall be for three-year terms.

1 D. Each commission by the governor shall be submitted to the Senate for
2 confirmation.

3 E. In addition, the following may serve at their pleasure as ex officio
4 nonvoting members of the board and shall not be considered in determining a
5 quorum for the purpose of board meetings:

6 (1) The secretary of the Department of Environmental Quality or his
7 designee.

8 (2) The commissioner of agriculture and forestry or his designee.

9 (3) A representative of the United States Geological Survey.

10 (4) The secretary of the Department of Wildlife and Fisheries or his
11 designee.

12 (5) The secretary of the Department of Conservation and Energy or his
13 designee.

14 (6) A representative of the Louisiana Rural Water Association appointed by
15 the association.

16 (7) A representative of the Louisiana Cattlemen's Association appointed by
17 the association.

18 (8) A representative of the Louisiana Farm Bureau Federation appointed by
19 the federation.

20 (9) Each senator whose senatorial district includes any portion of any parish
21 included within the district or his designee.

22 (10) Each member of the House of Representatives whose representative
23 district includes any portion of any parish included within the district or his designee.

24 (11) One or more representatives of industrial users of the groundwater
25 appointed by the board to serve at its pleasure.

26 (12) The secretary of the Louisiana Department of Health.

27 (13) One representative from each university located within any portion of
28 the district.

1 F.(1) Terms of members commissioned pursuant to Subsection A of this
2 Section shall commence for those initially commissioned on October 15, 2026.
3 Terms for commissioners subsequently commissioned shall commence on each
4 October fifteenth thereafter.

5 (2) Notwithstanding the provisions of R.S. 42:2, a commissioner shall not
6 continue to discharge the duties of his office upon expiration of his term.

7 G.(1) Sixty days prior to the expiration of the term of any voting member,
8 the board shall notify the appropriate nominating entity or group entitled to make
9 nomination for the member's successor.

10 (2) In case a vacancy occurs more than ninety days prior to the end of the
11 member's term, the governor shall commission a replacement within thirty days of
12 its occurrence to fill the unexpired term, such replacement to be the nominee of the
13 appropriate nominating entity or group.

14 (3) In case a vacancy occurs ninety or less days prior to the end of the
15 member's term, the position shall remain vacant for the remainder of the term.

16 H. Commissioners shall not be compensated for their services, except that
17 the board may, by regulation, provide for the payment of expenses for travel outside
18 the district on official business.

19 I. A member of a parish governing authority within the district may serve as
20 a commissioner.

21 §2443. Meetings; election of officers

22 A. On or before November 15, 2026, the board shall meet at the call of the
23 governor. At its organizational meeting, the board shall:

24 (1) Elect a chairman, vice chairman, secretary, and treasurer.

25 (2) Establish its domicile within the district.

26 (3) Begin consideration of the study required by R.S. 38:2454.

27 B. The board shall meet at least once per quarter and the location of the
28 meetings shall rotate between the parishes of Assumption, Avoyelles, Caldwell,
29 Catahoula, Concordia, East Carroll, Franklin, Iberia, Iberville, LaSalle, Madison,

1 Morehouse, Ouachita, Point Coupee, Richland, St. Landry, St. Martin, St. Mary,
2 Tensas, West Baton Rouge, and West Carroll. Once a meeting has been held in a
3 parish, no other board meeting shall be held in that parish until a meeting has been
4 held in each of the other parishes. However, the board may hold a meeting in any
5 of the aforementioned parishes to address concerns particular to that parish.

6 §2444. Powers of the board

7 A. The board shall conduct a study and survey of the groundwater resources
8 in the district, including but not limited to consideration of what is necessary or
9 advisable to conserve groundwater resources and where appropriate, prevent or
10 alleviate damaging or potentially damaging drawdowns, land surface subsidence, and
11 groundwater quality degradation.

12 B. For the purposes of this Section, the board shall hold hearings and may
13 do any of the following:

14 (1) Cooperate with and enter into contracts or cooperative agreements with
15 other governmental units and agencies of this state, with governments and agencies
16 of other states and of the United States, and with private agencies or other
17 groundwater conservation districts for the achievement of the purposes of this Part.

18 (2) Receive and expend funds from any source, public or private, for the
19 achievement of the purposes of this Part.

20 (3) Hire personnel and retain consultants as shall be reasonably necessary to
21 the performance of its functions. Personnel from other agencies shall be used
22 wherever practical and possible.

23 (4) Advise and consult with the secretary of the Department of Conservation
24 and Energy on matters that impact water resources within the board's jurisdiction.

25 §2445. Hearings

26 A. At hearings conducted by the board, members of the board or members
27 of its staff may testify and present exhibits or other evidence.

28 B. Notice of hearings by the board shall be given by publication in the
29 official journal of each parish within the district.

1 C. When authorized by the board, the chairman of the board may subpoena
2 witnesses and require their attendance and testimony before the board. The chairman
3 may require the production of any books, papers, or records material to the questions
4 lawfully before the board. Subpoenas shall be served by any agent of the board, by
5 the sheriff, or by any other officer authorized by law to serve process in this state.
6 No person shall be excused from attending and testifying or producing books, papers,
7 or records, or from obeying the subpoena of the board or of a court of record on the
8 ground that the testimony or evidence required by such person may tend to
9 incriminate or subject the person to penalty or forfeiture. Nothing in this Section
10 shall be construed as requiring any person to produce books, papers, or records, or
11 to testify in response to any inquiry not pertinent to some question lawfully before
12 the board or a court for determination. No natural person shall be subject to criminal
13 prosecution or to any penalty or forfeiture relative to any testimony or evidence
14 required to be provided to the board or a court. However, no person testifying shall
15 be exempt from prosecution and punishment for perjury.

16 D. In the case of failure or refusal of a person to comply with a subpoena
17 issued by the chairman of the board, or in the case of the refusal of a witness to
18 testify or answer as to a matter regarding which the person may be lawfully
19 interrogated, any district court on application of the board may, in term time or in
20 vacation, issue an attachment to compel the person to comply with the subpoena and
21 to appear before the board with the requested documents and to give testimony upon
22 whatever matters are lawfully required. The court may punish for contempt those
23 disobeying its orders as in the case of disobedience of a subpoena issued by the court
24 or refusal to testify therein.

25 E. The board shall make a record of all hearings which shall be available for
26 public inspection at the office of the board during reasonable office hours.

27 §2446. Reports regarding groundwater resources

28 A. The commission shall provide a report, on or before April first annually,
29 regarding the district's groundwater resources to the secretary, the Senate Committee

1 on Natural Resources, and the House Committee on Natural Resources and
2 Environment.

3 B. The report shall include but not be limited to the following:

4 (1) The amount of water used for public supply, industrial purposes, and
5 agricultural purposes, respectively.

6 (2) Actual and projected saltwater intrusion or encroachment.

7 (3) Any current or projected sale of water for use outside of the state,
8 including the amount of water so sold and the price paid by each out-of-state user.

9 C. For the purposes of this report, the amount of water used for agricultural
10 or industrial purposes may be estimated.

11 PART II. CHICOT GROUNDWATER CONSERVATION DISTRICT

12 §2451. District and board; creation

13 A. The Chicot Groundwater Conservation District is hereby established as
14 a political subdivision of the state.

15 B. The district shall be administered by a board of commissioners whose
16 members shall be commissioned as provided by this Part.

17 §2452. Board of commissioners; membership

18 A. The board of commissioners for the district shall consist of twenty-two
19 voting members appointed and commissioned by the governor as follows:

20 (1) One member from each of the parishes of Acadia, Allen, Beauregard,
21 Calcasieu, Cameron, Evangeline, Iberia, Jefferson Davis, Lafayette, Rapides, St.
22 Landry, Vermillion, and Vernon. The governor shall designate the term of office for
23 each member appointed pursuant to this Paragraph so that, insofar as possible, one-
24 third of the initial members shall serve a one-year term, one-third a two-year term,
25 and one-third a three-year term.

26 (2) Three members from nominees provided by industrial and agricultural
27 user groups in the district commissioned in such manner that the wood products
28 industry, agriculture, and other industries are each represented by one member. The
29 governor shall designate the term of office for each member appointed pursuant to

1 this Paragraph so that one member shall serve a one-year term, one shall serve for
2 a two-year term, and one shall serve a three-year term.

3 (3) Six members from nominees provided by municipalities within the
4 district which have a minimum use of five hundred thousand gallons per day. The
5 governor shall designate the term of office for each member commissioned pursuant
6 to this Paragraph so that two members shall serve a one-year term, two members
7 shall serve a two-year term, and two members shall serve a three-year term.

8 B. The initial voting members shall be nominated by the appropriate
9 nominating entity or group and presented to the governor on or before September 15,
10 2026. The members shall be commissioned by the governor on or before October
11 15, 2026.

12 C. Commissions pursuant to this Section, other than the initial commissions,
13 shall be for three-year terms.

14 D. Each commission by the governor shall be submitted to the Senate for
15 confirmation.

16 E. In addition, the following may serve at their pleasure as ex officio
17 nonvoting members of the board and shall not be considered in determining a
18 quorum for the purpose of board meetings:

19 (1) The secretary of the Department of Environmental Quality or his
20 designee.

21 (2) The commissioner of agriculture and forestry or his designee.

22 (3) A representative of the United States Geological Survey.

23 (4) The secretary of the Department of Wildlife and Fisheries or his
24 designee.

25 (5) The secretary of the Department of Conservation and Energy or his
26 designee.

27 (6) A representative of the Louisiana Rural Water Association appointed by
28 the association.

1 (7) A representative of the Louisiana Cattlemen's Association appointed by
2 the association.

3 (8) A representative of the Louisiana Farm Bureau Federation appointed by
4 the federation.

5 (9) Each senator whose senatorial district includes any portion of any parish
6 included within the district or his designee.

7 (10) Each member of the House of Representatives whose representative
8 district includes any portion of any parish included within the district or his designee.

9 (11) One or more representatives of industrial users of the groundwater
10 appointed by the board to serve at its pleasure.

11 (12) The secretary of the Louisiana Department of Health.

12 (13) One representative from each university located within any portion of
13 the district.

14 F.(1) Terms of members commissioned pursuant to Subsection A of this
15 Section shall commence for those initially commissioned on October 15, 2026.
16 Terms for commissioners subsequently commissioned shall commence on each
17 October fifteenth thereafter.

18 (2) Notwithstanding the provisions of R.S. 42:2, a commissioner shall not
19 continue to discharge the duties of his office upon expiration of his term.

20 G.(1) Sixty days prior to the expiration of the term of any voting member,
21 the board shall notify the appropriate nominating entity or group entitled to make
22 nomination for the member's successor.

23 (2) In case a vacancy occurs more than ninety days prior to the end of the
24 member's term, the governor shall commission a replacement within thirty days of
25 its occurrence to fill the unexpired term, such replacement to be the nominee of the
26 appropriate nominating entity or group.

27 (3) In case a vacancy occurs ninety or less days prior to the end of the
28 member's term, the position shall remain vacant for the remainder of the term.

1 H. Commissioners shall not be compensated for their services, except that
2 the board may, by regulation, provide for the payment of expenses for travel outside
3 the district on official business.

4 I. A member of a parish governing authority within the district may serve as
5 a commissioner.

6 §2453. Meetings; election of officers

7 A. On or before November 15, 2026, the board shall meet at the call of the
8 governor. At its organizational meeting, the board shall:

9 (1) Elect a chairman, vice chairman, secretary, and treasurer.

10 (2) Establish its domicile within the district.

11 (3) Begin consideration of the study required by R.S. 38:2464.

12 B. The board shall meet at least once per quarter and the location of the
13 meetings shall rotate between the parishes of Acadia, Allen, Beauregard, Calcasieu,
14 Cameron, Evangeline, Iberia, Jefferson Davis, Lafayette, Rapides, St. Landry,
15 Vermillion, and Vernon. Once a meeting has been held in a parish, no other board
16 meeting shall be held in that parish until a meeting has been held in each of the other
17 parishes. However, the board may hold a meeting in any of the aforementioned
18 parishes to address concerns particular to that parish.

19 §2454. Powers of the board

20 A. The board shall conduct a study and survey of the groundwater resources
21 in the district, including but not limited to consideration of what is necessary or
22 advisable to conserve groundwater resources and where appropriate, prevent or
23 alleviate damaging or potentially damaging drawdowns, land surface subsidence, and
24 groundwater quality degradation.

25 B. For the purposes of this Section, the board shall hold hearings and may
26 do any of the following:

27 (1) Cooperate with and enter into contracts or cooperative agreements with
28 other governmental units and agencies of this state, with governments and agencies

1 of other states and of the United States, and with private agencies or other
2 groundwater conservation districts for the achievement of the purposes of this Part.

3 (2) Receive and expend funds from any source, public or private, for the
4 achievement of the purposes of this Part.

5 (3) Hire personnel and retain consultants as shall be reasonably necessary to
6 the performance of its functions. Personnel from other agencies shall be used
7 wherever practical and possible.

8 (4) Advise and consult with the secretary of the Department of Conservation
9 and Energy on matters that impact water resources within the board's jurisdiction.

10 §2455. Hearings

11 A. At hearings conducted by the board, members of the board or members
12 of its staff may testify and present exhibits or other evidence.

13 B. Notice of hearings by the board shall be given by publication in the
14 official journal of each parish within the district.

15 C. When authorized by the board, the chairman of the board may subpoena
16 witnesses and require their attendance and testimony before the board. The chairman
17 may require the production of any books, papers, or records material to the questions
18 lawfully before the board. Subpoenas shall be served by any agent of the board, by
19 the sheriff, or by any other officer authorized by law to serve process in this state.
20 No person shall be excused from attending and testifying or producing books, papers,
21 or records, or from obeying the subpoena of the board or of a court of record on the
22 ground that the testimony or evidence required by such person may tend to
23 incriminate or subject the person to penalty or forfeiture. Nothing in this Section
24 shall be construed as requiring any person to produce books, papers, or records, or
25 to testify in response to any inquiry not pertinent to some question lawfully before
26 the board or a court for determination. No natural person shall be subject to criminal
27 prosecution or to any penalty or forfeiture relative to any testimony or evidence
28 required to be provided to the board or a court. However, no person testifying shall
29 be exempt from prosecution and punishment for perjury.

1 D. In the case of failure or refusal of a person to comply with a subpoena
 2 issued by the chairman of the board, or in the case of the refusal of a witness to
 3 testify or answer as to a matter regarding which the person may be lawfully
 4 interrogated, any district court on application of the board may, in term time or in
 5 vacation, issue an attachment to compel the person to comply with the subpoena and
 6 to appear before the board with the requested documents and to give testimony upon
 7 whatever matters are lawfully required. The court may punish for contempt those
 8 disobeying its orders as in the case of disobedience of a subpoena issued by the court
 9 or refusal to testify therein.

10 E. The board shall make a record of all hearings which shall be available for
 11 public inspection at the office of the board during reasonable office hours.

12 §2456. Reports regarding groundwater resources

13 A. The commission shall provide a report, on or before April first annually,
 14 regarding the district's groundwater resources to the secretary, the Senate Committee
 15 on Natural Resources, and the House Committee on Natural Resources and
 16 Environment.

17 B. The report shall include but not be limited to the following:

18 (1) The amount of water used for public supply, industrial purposes, and
 19 agricultural purposes, respectively.

20 (2) Actual and projected saltwater intrusion or encroachment.

21 (3) Any current or projected sale of water for use outside of the state,
 22 including the amount of water so sold and the price paid by each out-of-state user.

23 C. For the purposes of this report, the amount of water used for agricultural
 24 or industrial purposes may be estimated.

25 PART III. SOUTHERN HILLS GROUNDWATER

26 CONSERVATION DISTRICT

27 §2461. District and board; creation

28 A. The Southern Hills Groundwater Conservation District is hereby
 29 established as a political subdivision of the state.

1 B. The district shall be administered by a board of commissioners whose
2 members shall be commissioned as provided by this Part.

3 §2462. Board of commissioners; membership

4 A. The board of commissioners for the district shall consist of twenty-four
5 voting members appointed and commissioned by the governor as follows:

6 (1) One member from each of the parishes of Ascension, East Baton Rouge,
7 East Feliciana, Jefferson, Lafourche, Livingston, Orleans, St. Charles, St. Helena, St.
8 James, St. John the Baptist, St. Tammany, Tangipahoa, Washington, and West
9 Feliciana. The governor shall designate the term of office for each member
10 appointed pursuant to this Paragraph so that, insofar as possible, one-third of the
11 initial members shall serve a one-year term, one-third a two-year term, and one-third
12 a three-year term.

13 (2) Three members from nominees provided by industrial and agricultural
14 user groups in the district commissioned in such manner that the wood products
15 industry, agriculture, and other industries are each represented by one member. The
16 governor shall designate the term of office for each member appointed pursuant to
17 this Paragraph so that one member shall serve a one-year term, one shall serve for
18 a two-year term, and one shall serve a three-year term.

19 (3) Six members from nominees provided by municipalities within the
20 district which have a minimum use of five hundred thousand gallons per day. The
21 governor shall designate the term of office for each member commissioned pursuant
22 to this Paragraph so that two members shall serve a one-year term, two members
23 shall serve a two-year term, and two members shall serve a three-year term.

24 B. The initial voting members shall be nominated by the appropriate
25 nominating entity or group and presented to the governor on or before September 15,
26 2026. The members shall be commissioned by the governor on or before October
27 15, 2026.

28 C. Commissions pursuant to this Section, other than the initial commissions,
29 shall be for three-year terms.

1 D. Each commission by the governor shall be submitted to the Senate for
2 confirmation.

3 E. In addition, the following may serve at their pleasure as ex officio
4 nonvoting members of the board and shall not be considered in determining a
5 quorum for the purpose of board meetings:

6 (1) The secretary of the Department of Environmental Quality or his
7 designee.

8 (2) The commissioner of agriculture and forestry or his designee.

9 (3) A representative of the United States Geological Survey.

10 (4) The secretary of the Department of Wildlife and Fisheries or his
11 designee.

12 (5) The secretary of the Department of Conservation and Energy or his
13 designee.

14 (6) A representative of the Louisiana Rural Water Association appointed by
15 the association.

16 (7) A representative of the Louisiana Cattlemen's Association appointed by
17 the association.

18 (8) A representative of the Louisiana Farm Bureau Federation appointed by
19 the federation.

20 (9) Each senator whose senatorial district includes any portion of any parish
21 included within the district or his designee.

22 (10) Each member of the House of Representatives whose representative
23 district includes any portion of any parish included within the district or his designee.

24 (11) One or more representatives of industrial users of the groundwater
25 appointed by the board to serve at its pleasure.

26 (12) The secretary of the Louisiana Department of Health.

27 (13) One representative from each university located within any portion of
28 the district.

1 F.(1) Terms of members commissioned pursuant to Subsection A of this
2 Section shall commence for those initially commissioned on October 15, 2026.
3 Terms for commissioners subsequently commissioned shall commence on each
4 October fifteenth thereafter.

5 (2) Notwithstanding the provisions of R.S. 42:2, a commissioner shall not
6 continue to discharge the duties of his office upon expiration of his term.

7 G.(1) Sixty days prior to the expiration of the term of any voting member,
8 the board shall notify the appropriate nominating entity or group entitled to make
9 nomination for the member's successor.

10 (2) In case a vacancy occurs more than ninety days prior to the end of the
11 member's term, the governor shall commission a replacement within thirty days of
12 its occurrence to fill the unexpired term, such replacement to be the nominee of the
13 appropriate nominating entity or group.

14 (3) In case a vacancy occurs ninety or less days prior to the end of the
15 member's term, the position shall remain vacant for the remainder of the term.

16 H. Commissioners shall not be compensated for their services, except that
17 the board may, by regulation, provide for the payment of expenses for travel outside
18 the district on official business.

19 I. A member of a parish governing authority within the district may serve as
20 a commissioner.

21 §2463. Meetings; election of officers

22 A. On or before November 15, 2026, the board shall meet at the call of the
23 governor. At its organizational meeting, the board shall:

24 (1) Elect a chairman, vice chairman, secretary, and treasurer.

25 (2) Establish its domicile within the district.

26 (3) Begin consideration of the study required by R.S. 38:2474.

27 B. The board shall meet at least once per quarter and the location of the
28 meetings shall rotate between the parishes of Ascension, East Baton Rouge, East
29 Feliciania, Jefferson, Lafourche, Livingston, Orleans, St. Charles, St. Helena, St.

1 James, St. John the Baptist, St. Tammany, Tangipahoa, Washington, and West
2 Feliciana. Once a meeting has been held in a parish, no other board meeting shall
3 be held in that parish until a meeting has been held in each of the other parishes.
4 However, the board may hold a meeting in any of the aforementioned parishes to
5 address concerns particular to that parish.

6 §2464. Powers of the board

7 A. The board shall conduct a study and survey of the groundwater resources
8 in the district, including but not limited to consideration of what is necessary or
9 advisable to conserve groundwater resources and where appropriate, prevent or
10 alleviate damaging or potentially damaging drawdowns, land surface subsidence, and
11 groundwater quality degradation.

12 B. For the purposes of this Section, the board shall hold hearings and may
13 do any of the following:

14 (1) Cooperate with and enter into contracts or cooperative agreements with
15 other governmental units and agencies of this state, with governments and agencies
16 of other states and of the United States, and with private agencies or other
17 groundwater conservation districts for the achievement of the purposes of this Part.

18 (2) Receive and expend funds from any source, public or private, for the
19 achievement of the purposes of this Part.

20 (3) Hire personnel and retain consultants as shall be reasonably necessary to
21 the performance of its functions. Personnel from other agencies shall be used
22 wherever practical and possible.

23 (4) Advise and consult with the secretary of the Department of Conservation
24 and Energy on matters that impact water resources within the board's jurisdiction.

25 §2465. Hearings

26 A. At hearings conducted by the board, members of the board or members
27 of its staff may testify and present exhibits or other evidence.

28 B. Notice of hearings by the board shall be given by publication in the
29 official journal of each parish within the district.

1 C. When authorized by the board, the chairman of the board may subpoena
2 witnesses and require their attendance and testimony before the board. The chairman
3 may require the production of any books, papers, or records material to the questions
4 lawfully before the board. Subpoenas shall be served by any agent of the board, by
5 the sheriff, or by any other officer authorized by law to serve process in this state.
6 No person shall be excused from attending and testifying or producing books, papers,
7 or records, or from obeying the subpoena of the board or of a court of record on the
8 ground that the testimony or evidence required by such person may tend to
9 incriminate or subject the person to penalty or forfeiture. Nothing in this Section
10 shall be construed as requiring any person to produce books, papers, or records, or
11 to testify in response to any inquiry not pertinent to some question lawfully before
12 the board or a court for determination. No natural person shall be subject to criminal
13 prosecution or to any penalty or forfeiture relative to any testimony or evidence
14 required to be provided to the board or a court. However, no person testifying shall
15 be exempt from prosecution and punishment for perjury.

16 D. In the case of failure or refusal of a person to comply with a subpoena
17 issued by the chairman of the board, or in the case of the refusal of a witness to
18 testify or answer as to a matter regarding which the person may be lawfully
19 interrogated, any district court on application of the board may, in term time or in
20 vacation, issue an attachment to compel the person to comply with the subpoena and
21 to appear before the board with the requested documents and to give testimony upon
22 whatever matters are lawfully required. The court may punish for contempt those
23 disobeying its orders as in the case of disobedience of a subpoena issued by the court
24 or refusal to testify therein.

25 E. The board shall make a record of all hearings which shall be available for
26 public inspection at the office of the board during reasonable office hours.

27 §2466. Reports regarding groundwater resources

28 A. The commission shall provide a report, on or before April first annually,
29 regarding the district's groundwater resources to the secretary, the Senate Committee

1 on Natural Resources, and the House Committee on Natural Resources and
2 Environment.

3 B. The report shall include but not be limited to the following:

4 (1) The amount of water used for public supply, industrial purposes, and
5 agricultural purposes, respectively.

6 (2) Actual and projected saltwater intrusion or encroachment.

7 (3) Any current or projected sale of water for use outside of the state,
8 including the amount of water so sold and the price paid by each out-of-state user.

9 C. For the purposes of this report, the amount of water used for agricultural
10 or industrial purposes may be estimated.

11 Section 2. The Louisiana State Law Institute is hereby directed to redesignate the
12 following as Part IV of Chapter 12 of Title 38 of the Louisiana Revised Statutes, comprised
13 of R.S. 38:2471 through 2476:

14 (1) Redesignate R.S. 38:3087.132 as R.S. 38:2471.

15 (2) Redesignate R.S. 38:3087.134 as R.S. 38:2472.

16 (3) Redesignate R.S. 38:3087.135 as R.S. 38:2473.

17 (4) Redesignate R.S. 38:3087.136 as R.S. 38:2474.

18 (5) Redesignate R.S. 38:3087.137 as R.S. 38:2475.

19 (6) Redesignate R.S. 38:3087.138 as R.S. 38:2476.

20 Section 3. R.S. 38:3087.131, 3087.133, and 3097.8(D) are hereby repealed in their
21 entirety.

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 1205 Original

2026 Regular Session

Marcelle

Abstract: Creates groundwater conservation districts for the Chicot, Mississippi Alluvial, and Southern Hills aquifers and provides for their boards, membership of the boards; appointment of members and hearings and reporting of the boards.

Present law establishes a Sparta groundwater conservation district and a board that governs the district. Present law further provides for membership of the board, appointment of board

members and their terms of service, hearings of the board, and reporting the board is required to perform.

Proposed law retains present law.

Proposed law establishes the same type of district in present law for three additional aquifers systems in the state, including the Chicot, Mississippi River Alluvial, and Southern Hills aquifer systems.

Proposed law provides that for each of the districts, the following representatives may serve as ex-officio members of the board:

- (1) The secretary of the Department of Environmental Quality or his designee.
- (2) The commissioner of agriculture and forestry or his designee.
- (3) A representative of the United States Geological Survey.
- (4) The secretary of the Department of Wildlife and Fisheries or his designee.
- (5) The secretary of the Department of Conservation and Energy or his designee.
- (6) A representative of the Louisiana Rural Water Association appointed by the association.
- (7) A representative of the Louisiana Cattlemen's Association appointed by the association.
- (8) A representative of the Louisiana Farm Bureau Federation appointed by the federation.
- (9) Each senator whose senatorial district includes any portion of any parish included within the district or his designee.
- (10) Each member of the House of Representatives whose representative district includes any portion of any parish included within the district or his designee.
- (11) One or more representatives of industrial users of the groundwater appointed by the board to serve at its pleasure.
- (12) The secretary of the Louisiana Department of Health.
- (13) One representative from each university located within any portion of the district.

Proposed law further provides for procedural requirements for the election of officers and for the frequency and location of board meetings for each of the districts created under proposed law.

Proposed law establishes the powers of each of boards created under proposed law, including the study of groundwater resources and consideration of what is necessary or advisable for conservation of the groundwater resources.

Proposed law provides for board hearings, actions that may be taken at board hearings, and notice of hearings for each board created under proposed law.

Proposed law authorizes the chairman of each board to subpoena witnesses and documents and provides procedures related to the issuance of subpoenas for each board created by proposed law.

Proposed law requires each board of commissioners to annually report to the house and senate natural resources committee regarding at least the following:

- (1) The amount of water used for public supply, industrial purposes, and agricultural purposes, respectively.
- (2) Actual and projected saltwater intrusion or encroachment.
- (3) Any current or projected sale of water for use outside of the state, including the amount of water so sold and the price paid by each out-of-state user.

Proposed law provides that for each of the districts created in proposed law, the governor is to appoint the members of each board by Oct. 15, 2026, and requires Senate confirmation of each member.

Proposed law provides that the terms of service for each commissioner appointed to the board is three years and further provides for procedures when there is a vacancy on the board.

Proposed law provides that members of parish governing authorities may serve as commissioners on district boards.

Proposed law establishes the Mississippi River Alluvial Groundwater Conservation district and a board to govern the district. Further provides that the membership of the board includes representative from the following:

- (1) Assumption Parish.
- (2) Avoyelles Parish.
- (3) Caldwell Parish.
- (4) Catahoula Parish.
- (5) Concordia Parish.
- (6) East Carroll Parish.
- (7) Franklin Parish.
- (8) Iberia Parish.
- (9) Iberville Parish.
- (10) LaSalle Parish.
- (11) Madison Parish.
- (12) Morehouse Parish.
- (13) Ouachita Parish.
- (14) Point Coupee Parish.
- (15) Richland Parish.
- (16) St. Landry Parish.
- (17) St. Martin Parish.
- (18) St. Mary Parish.
- (19) Tensas Parish.
- (20) West Baton Rouge Parish.
- (21) West Carroll Parish.
- (22) Three members to represent industrial and agricultural users within the district.
- (23) Six members to represent municipalities within the district that use at least 500,000 gallons per day.

Proposed law establishes the Chicot Groundwater Conservation district and a board to govern the district. Further provides that the membership of the board includes representative from the following:

- (1) Acadia Parish.
- (2) Allen Parish.
- (3) Beauregard Parish.
- (4) Calcasieu Parish.
- (5) Cameron Parish.
- (6) Evangeline Parish.
- (7) Iberia Parish.
- (8) Jefferson Davis Parish.
- (9) Lafayette Parish.
- (10) Rapides Parish.
- (11) St. Landry Parish.
- (12) Vermillion Parish.
- (13) Vernon Parish.
- (14) Three members to represent industrial and agricultural users within the district.

- (15) Six members to represent municipalities within the district that use at least 500,000 gallons per day.

Proposed law establishes the Southern Hills Groundwater Conservation district and a board to govern the district. Further provides that the membership of the board includes representative from the following:

- (1) Ascension Parish.
- (2) East Baton Rouge Parish.
- (3) East Feliciana Parish.
- (4) Jefferson Parish.
- (5) Lafourche Parish.
- (6) Livingston Parish.
- (7) Orleans Parish.
- (8) St. Charles Parish.
- (9) St. Helena Parish.
- (10) St. James Parish.
- (11) St. John the Baptist Parish.
- (12) St. Tammany Parish.
- (13) Tangipahoa Parish.
- (14) Washington Parish.
- (15) West Feliciana Parish.
- (14) Three members to represent industrial and agricultural users within the district.
- (15) Six members to represent municipalities within the district that use at least 500,000 gallons per day.

(Adds R.S. 38:2431-2466; Repeals R.S. 38:3087.131, 3087.133, and 3097.8(D))