

2026 Regular Session

HOUSE BILL NO. 1232 (Substitute for House Bill No. 647 by Representative Bourriaque)

BY REPRESENTATIVE BOURRIAQUE

PORTS/HARBORS/TERMINALS: Provides relative to waterway projects

1 AN ACT

2 To amend and reenact R.S. 34:3471(6) and (7), 3472(Section heading), (A), and (D), 3473,
3 3475(A), 3477(Section heading), (A), and (D), and 3478 and to repeal R.S. 34:3474,
4 relative to waterways; to provide for the Waterway Assistance Program and Fund;
5 to provide for timelines for submitting applications for funding of any waterway
6 projects by a governmental entity; to provide for an annual basis for application
7 submissions; to provide for definitions; and to provide for related matters.

8 Be it enacted by the Legislature of Louisiana:

9 Section 1. R.S. 34:3471(6) and (7), 3472(Section heading), (A), and (D), 3473,
10 3475(A), 3477(Section heading), (A), and (D), and 3478 are hereby amended and reenacted
11 to read as follows:

12 §3471. Definitions

13 As used in this Chapter, unless the context clearly indicates otherwise, the
14 following definitions shall apply:

15 * * *

16 (6) "Waterway ~~dredging and deepening priority program~~ Assistance
17 Program" means the ~~priority list of projects submitted by to~~ the office and selected
18 and approved by the joint committee pursuant to this Chapter.

19 (7) "Waterway project" means a ~~program~~ project, either new or continuing,
20 that is planned and implemented with the primary goal of dredging and deepening

1 waterways in the state to include cost share projects with the federal government and
2 construction and maintenance costs associated with dredging and disposing of
3 dredged material.

4 §3472. Methodology for ~~dredging and deepening project~~ Waterway Assistance
5 Program evaluation

6 A.(1) Applications for funding of any waterway project may be submitted
7 by any governmental entity, including but not limited to a parish, municipality, port
8 authority, or levee district on a quarterly basis, except as provided in R.S. 34:3476.
9 Applications shall be submitted to the office no later than the first of ~~March, June,~~
10 ~~September, and December~~ of each calendar year ~~for consideration of funding or~~
11 ~~funding obligation authority in the following fiscal years.~~ Applications submitted
12 in accordance with the provisions of this Chapter shall be subject to the provisions
13 of R.S. 39:101 through 128. Information to be provided in the application shall
14 include but not be limited to the following:

15 (a) Description of the project and demonstration of immediate need for the
16 project.

17 (b) Preliminary project design and cost estimate.

18 (c) Description of project area.

19 (2) No project shall be considered without any and all local, state, and
20 federal permits obtained and required by the department, as determined per project,
21 pursuant to applicable law.

22 ~~(2)~~ (3) Project applications shall not be subject to formal review and
23 evaluation until the information required in the application has been submitted.

24 * * *

25 D. ~~The office may contract for any of the duties associated with the~~
26 ~~development of the waterway dredging and deepening priority program, including~~
27 ~~but not limited to the development, review, and evaluation of plans and~~
28 ~~specifications, and the development of the waterway dredging and deepening priority~~
29 ~~program list. However, development of and authority over the final determination~~

1 ~~of the waterway dredging and deepening priority list shall remain with the~~
2 ~~department and the joint committee as provided in this Chapter. The project~~
3 ~~evaluation process shall be submitted by the office for approval by the joint~~
4 ~~committee no later than September 1, 2026.~~

5 * * *

6 §3473. Priority list List of projects; public hearings; final program

7 ~~Each quarter, the~~ The office shall prepare and furnish to the joint committee
8 a prioritized list of qualifying projects based on the applications received by the
9 office, ~~during that quarter. The joint committee shall receive the prioritized list of~~
10 ~~projects from the office for each of the first three quarters of the year, and shall call~~
11 ~~a public hearing within thirty days of receiving the list in order to receive public~~
12 ~~testimony regarding any project on the list. At such hearing, the joint committee~~
13 ~~shall vote to either accept, reject, or modify the list. Each quarter, the office shall~~
14 ~~reprioritize the list of projects to reflect the cumulative list of projects recommended~~
15 ~~by the office. After application recommendations for the last quarter are made by~~
16 ~~the office, the office shall submit the final waterway dredging and deepening priority~~
17 ~~program for the ensuing fiscal year to the joint committee for approval. Prior to the~~
18 ~~convening of the regular session of the legislature, the~~ The joint committee shall hold
19 a public hearing for the purpose of reviewing the final program for the ~~ensuing~~
20 current fiscal year. ~~Prior to such hearing, the office shall publish the appropriate~~
21 ~~official notice on the department's website. The final program shall be based upon~~
22 ~~the anticipated revenues to be appropriated by the legislature or other funding~~
23 ~~obligation authority and the projects shall be listed in order of priority. Upon review~~
24 ~~of eligible projects, the joint committee shall establish a list based on the amount~~
25 ~~appropriated to the program established by the legislature. When this final~~
26 ~~construction program~~ list is presented to the legislature for ~~funding or funding~~
27 ~~obligation authority for the ensuing fiscal year, the legislature shall not add any~~
28 ~~projects to this final construction program. Any project recommended by the office~~
29 ~~and approved~~ considered by the joint committee for which funds are unavailable in

1 the fiscal year but for which it was approved shall remain on the ~~prioritized~~ list of
2 projects and shall not be removed unless voted on by the joint committee the
3 following year ~~be carried forward to the next fiscal year.~~

4 §3475. Projects undertaken by the office

5 A. After adoption of the office's recommendations by the joint committee,
6 the approved list of projects shall be forwarded to the office for implementation. The
7 approved list shall be implemented by the office by the use of funds appropriated,
8 funding obligation authority, or pursuant to the cash management program as
9 provided by R.S. 48:251(D). Funding or funding obligation authority shall be
10 allocated to projects in accordance with the ~~prioritized~~ list of projects approved by
11 the joint committee. Funding obligation authority may be granted or authorized for
12 a project from funds appropriated or obligated for another project or projects within
13 the Waterway ~~Dredging and Deepening~~ Priority Assistance Program provided that
14 such authority does not impede ~~such~~ any project or projects. ~~Such~~ The funding
15 obligation authority shall be extinguished for a project at such time as funds are
16 made available for obligation for the project. The office shall not delete, add, or
17 substitute any projects for those approved by the joint committee, except as provided
18 in R.S. 34:3476.

19 * * *

20 §3477. Allocation, reallocation of funds; deposit to ~~Dredging and Deepening~~
21 Waterway Assistance Fund

22 A. The ~~Dredging and Deepening~~ Waterway Assistance Fund is hereby
23 created within the state treasury and shall be a source of state funds in addition to
24 capital outlay projects, the general fund, and other sources, provided for any
25 waterway project on the ~~priority~~ list approved pursuant to the provisions of this
26 Chapter.

27 * * *

28 D. Any monies allocated for any project not needed for said project may be
29 reallocated for the completion of any other project or projects specified. Any monies

1 not needed for the completion of said projects shall be deposited in and credited to
2 the ~~Dredging and Deepening~~ Waterway Assistance Fund.

3 * * *

4 §3478. Preparation of plans and specifications; letting of bids for construction;
5 supervision of construction

6 The ~~port~~ applying governing authority shall be responsible for the preparation
7 of plans and specifications for their respective project. The ~~port~~ applying governing
8 authority shall also be responsible for the letting of bids, ~~the public advertising,~~ and
9 the supervision of work for all projects, all in accordance with the provisions of this
10 Chapter.

11 Section 2. R.S. 34:3474 is hereby repealed in its 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 1232 Original

2026 Regular Session

Bourriaque

Abstract: Modifies certain procedures for the Waterway Assistance Program.

Present law (R.S. 34:3471) provides for definitions.

Proposed law changes from the "waterway dredging and deepening priority program" to the "Waterway Assistance Program" and defines it as the projects submitted to the office of multimodal commerce (OMC) and selected and approved by the joint committee pursuant to present law.

Proposed law defines "waterway project" as a project either new or continuing, that is planned and implemented with the primary goal of dredging and deepening of waterways in the state to include cost share projects with the federal government and construction and maintenance costs associated with dredging and disposing of dredged material.

Present law (R.S. 34:3472(A)) authorizes applications for funding of any waterway project to be submitted by any governmental entity on a quarterly basis, with the exception of provisions in present law. Requires applications be submitted to the OMC no later than the 1st of March, June, Sept., and Dec. of each calendar year for consideration of funding or funding obligation authority in the following fiscal years.

Proposed law adds that a parish, municipality, port authority, or levee district may be a governing entity capable of accepting applications for funding. Further changes the number of times a year applications may be submitted from quarterly to annually on Sept. 1st. Prohibits projects from being considered without the Dept. of Transportation and Development (DOTD) required local, state, and federal permits as determined per project based on applicable law.

Present law (R.S. 34:3472(D)) authorizes the OMC to contract for any of the duties associated with the development of the waterway dredging and deepening priority program, including but not limited to the development, review, and evaluation of plans and specifications, and the development of the waterway dredging and deepening priority program list. Requires the development of and authority over the final determination of the waterway dredging and deepening priority list remain with the department and the joint committee.

Proposed law removes present law and requires the OMC submit a project evaluation process for approval by the joint committee no later than Sept. 1, 2026.

Present law (R.S. 34:3473) requires the OMC, each quarter, prepare and furnish to the joint committee a prioritized list of projects based on the applications received. Requires the joint committee receive the list of projects from the OMC for each of the first three quarters of the year and call a public hearing within 30 days of receipt of the list prior to the public testimony. Requires that the joint committee vote to accept, reject, or modify the list. Specifies that at each quarter, the OMC must reprioritize the list of projects to reflect the list of project recommendations. Specifies that after the last quarter recommendations made by the OMC, it must submit the final waterways dredging and deepening priority program for the ensuing fiscal year to the joint committee for approval. Requires that prior to the convening of the regular session of the legislature, the joint committee hold a public hearing for the purpose of reviewing the final program for the ensuing fiscal year and before the hearing, the OMC publish the appropriate official notice on the DOTD's website. Requires the joint committee hold a public hearing to review the final program prior to the convening of the regular legislative session for the ensuing fiscal year. Specifies that the final program must be based upon the anticipated revenues to be appropriated by the legislature or other funding obligation authority and listed in the order of the priority. Requires the legislature not add any projects to the program after presentation by the OMC. Specifies that if funds are unavailable for approved projects, the projects will remain on the prioritized list of projects and be carried forward to the next fiscal year.

Proposed law modifies present law by changing the requirement that the OMC prepare and furnish projects to the joint committee from each quarter to once. Further modifies present law by changing from a prioritized list of projects to qualifying projects. Further removes the remaining provisions regarding public hearings. Removes the requirement that the OMC publish the appropriate official notice on its website. Removes the requirement that the final program be based upon the anticipated revenues to be appropriated by the legislature or other funding obligation authority and listed in the order of the priority. Further provides that upon the joint committee's review, it establish a list based on the appropriated amount to the program established by the legislature. Further retains present law that requires the legislature not add any projects to the program after presentation by the OMC, those projects remain on the list, and not be removed unless voted upon by the joint committee the following year.

Present law (R.S. 34:3474) requires the OMC provide a supplemental list of projects proposed for the next four years to the joint committee. Requires the list be capable of being changed by the OMC until the OMC approves each project.

Proposed law repeals present law.

Present law (R.S. 34:3475) references projects undertaken by the OMC within the Waterway Dredging and Deepening Priority Program. Specifies that funding or funding obligation authority will be allocated to projects in accordance with the prioritized list of projects approved by the joint committee.

Proposed law modifies present law by changing from the Waterway Dredging and Deepening Priority Program to Waterway Assistance Program. Also removes that funding be tied to a prioritized list.

Present law (R.S. 34:3477) references allocation of funds directed to the Dredging and Deepening Fund.

Proposed law modifies present law by changing from the Dredging and Deepening Fund to the Waterway Assistance Fund.

Present law (R.S. 34:3478) requires the port authority to be responsible for the preparation of plans and specifications for their respective project and for the letting of bids, the public advertising, and the supervision of work for all projects.

Proposed law modifies present law by changing from the port authority to the applying governing authority. Removes the requirement that the governing authority publicly advertise all projects.

(Amends R.S. 34:3471(6) and (7), 3472(Section heading), (A), and (D), 3473, 3475(A), 3477(Section heading), (A), and (D), and 3478; Repeals R.S. 34:3474)