
DIGEST

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HB 1072 Engrossed

2026 Regular Session

Bourriaque

Abstract: Modifies certain powers, duties, and responsibilities of the office of Louisiana Highway Construction, including in cases of emergencies.

Present law (R.S. 48:196(C)) requires that monies appropriated from the State Hwy. Improvement Fund be exclusively used by the Dept. of Transportation and Development (DOTD) for funding projects for any road which is part of the state hwy. system but not part of the federal system and ineligible for federal hwy. funding assistance.

Proposed law modifies present law by changing from the DOTD to office of La. Hwy. Construction (OLHC).

Present law (R.S. 49:220.51) creates the OLHC within the office of the governor 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 authorizes the OLHC to enter into agreements with the DOTD for the design, construction, remediation, rehabilitation, or replacement of any segment of a federal-aid hwy. if no federal funds are used for the work as permitted by federal law. Requires a letter of agreement outline the scope of the work, funding allocations, and regulatory compliance standards required for the administration of federal-aid hwy. projects.

Present law (R.S. 49:220.52) provides for certain powers, duties, and responsibilities of the OLHC.

Proposed law authorizes the OLHC to solicit, receive, and administer interagency transfers, state general fund allocations, or any other sources of funding allowed under the law necessary to support the delivery of its functions. Extends the office's ability to utilize emergency procurement procedures from Jan. 1, 2026 to Dec. 31, 2027.

Proposed law (R.S. 49:220.54) specifies that in emergency cases, when certified by the executive director, the requirements of bidding for the OLHC projects may be waived to meet the minimum demands of the emergency. Further specifies that upon the executive director's recommendation, certain resources may be negotiated and made without requesting bids, except for purchases or leases, which must be in writing with the explicit reasons supporting the necessity of the leases or purchases. Authorizes the executive director to waive bidding for necessary emergency purchases to temporarily repair certain damages to nonfederal aid hwys. and associated components that are under the control of the OLHC until permanent repairs can be made.

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

(Amends R.S. 48:196(C) and R.S. 49:220.51(D) and 220.52(C)(2) and (4); Adds R.S. 49:220.51(E) and 220.54)

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Transportation, Highways and Public Works to the original bill:

1. Make technical changes.
2. Remove references to the exercise of procurement procedures, including emergency procurement.
3. Remove the provisions that would have empowered the office of Louisiana Highway Construction to execute the design, construction, remediation, rehabilitation, or replacement of federal-aid highways through a mutual letter of agreement between the office and the secretary of the Department of Transportation and Development.
4. Modify present law by changing from the Department of Transportation and Development to the office of Louisiana Highway Construction as the entity authorized to exclusively use monies appropriated from the State Highway Improvement Fund for projects related to any road apart of the state highway system but not apart of the federal system.
5. Add the authorization that the office of Louisiana Highway Construction may enter into agreements with the Department of Transportation and Development for the design, construction, remediation, rehabilitation, or replacement of any segment of a federal-aid highway if no federal funds are used for the work as permitted by federal law.
6. Remove a provision that would have given the office of Louisiana Highway Construction plenary control and administrative oversight over the State Highway Improvement Fund.
7. Remove a provision that would have created a restricted special account within the division of administration for deposit of proceeds designated for the State Highway Fund.
8. Remove a provision that would have authorized the office of Louisiana Highway Construction to transfer or share funds, maintained by the division of administration, via agreement or memorandum of understanding with any department, political subdivision, or public entity, including the Department of Transportation and Development.
9. Remove a provision that would have granted the executive director emergency powers to unilaterally issue formal emergency declarations, to invoke emergency protocols when public health, safety, and welfare was at risk, and to execute summary contracts for remediation of infrastructure.
10. Add that the office of Louisiana Highway Construction may solicit, receive, and administer interagency transfers, state general fund allocations, or any other sources of funding allowed under the law necessary to support the delivery of its functions.

11. Add that the executive director may waive certain requirements in emergency circumstances to meet the demands of the emergency, including certain resources, with the exception of purchases or leases, which must be in writing with the explicit reasons supporting the necessity of the leases or purchases. Add the authorization of the executive director to waive bidding for necessary emergency purchases to temporarily repair certain damages to nonfederal aid highways and associated components that are under the control of the office of Louisiana Highway Construction until permanent repairs can be made.