
DIGEST

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HB 1232 Engrossed

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)