

HOUSE COMMITTEE AMENDMENTS

2026 Regular Session

Amendments proposed by House Committee on Natural Resources and Environment to Reengrossed Senate Bill No. 379 by Senator Hensgens

1 AMENDMENT NO. 1

2 On page 1, line 4, after "(C)," and before "21(D)(5)" insert "12(A)(2),"

3 AMENDMENT NO. 2

4 On page 1, line 6, after "(g)," and before "R.S. 36:358(B)" delete "and" and after "(G)," and
5 before "to enact" insert "and R.S. 49:214.35(B), (E), and (F),"

6 AMENDMENT NO. 3

7 On page 1, at the beginning of line 7, delete "30:84(A)(9) and (10)" and insert "30:12(A)(3),
8 84(A)(9) and (10), and 2050.22(C) and R.S. 49:214.35(G) and 978.1(A)(3)"

9 AMENDMENT NO. 4

10 On page 1, line 12, after "Fund;" and before "to provide for instructions" insert "to provide
11 for judicial review of administrative actions;"

12 AMENDMENT NO. 5

13 On page 1, at the end of line 16, insert "12(A)(2),"

14 AMENDMENT NO. 6

15 On page 2, line 2, after "reenacted and" delete the remainder of the line and insert "R.S.
16 30:12(A)(3), 84(A)(9) and (10), and 2050.22(C) are"

17 AMENDMENT NO. 7

18 On page 7, between lines 8 and 9, insert the following:

19 "§12. Court review and injunction; venue; procedure; burden of proof

20 A.

21 * * *

22 (2) Suit for review shall be instituted in the district court of the parish in
23 which the principal office of the secretary is located and must be brought within sixty
24 days of the administrative action that is the subject of the suit. In cases of judicial
25 review of adjudication proceedings, the ~~sixty days~~ **sixty-day period** shall begin to
26 run ~~after mailing of notice of the final decision or order, or if a rehearing is requested~~
27 ~~within sixty days after the decision thereon.~~ **as follows:**

28 **(a) If a rehearing is not requested, the sixty-day period shall begin to run**
29 **after the final decision or order is posted on the official website for the**
30 **department.**

31 **(b) If a rehearing is requested, the sixty-day period shall begin to run**
32 **after the decision regarding the rehearing is posted on the official website for**
33 **the department.**

34 **(3) A third person having an interest in the matter subject to review has**
35 **the right to intervene as a party in an action under this Section when the**
36 **intervention is unlikely to unduly broaden the issues or to unduly impede the**
37 **resolution of the action. A "third person having an interest" with the right to**
38 **intervene under this Section shall include but not be limited to any applicant,**

permittee, or party to the underlying administrative process, action, or proceeding that resulted in the issuance of the rule, regulation, order, or permit that is the subject of the suit for review. For avoidance of doubt, the provisions of this Paragraph shall be given prospective and retroactive application.

* * *

AMENDMENT NO. 8

On page 17, between lines 13 and 14, insert the following:

"§2050.22. Judicial review; appeal; stays; **intervention**

* * *

C. A third person having an interest in the matter subject to review has the right to intervene as a party in an action commenced pursuant to R.S. 30:2050.21 when the intervention is unlikely to unduly broaden the issues or to unduly impede the resolution of the action. A "third person having an interest" with the right to intervene under this Section shall include but not be limited to any applicant, permittee, or party to the underlying administrative process, action, or proceeding that resulted in the issuance of a final permit action, final enforcement action, or a declaratory ruling that is the subject of the petition for review. For avoidance of doubt, the provisions of this Subsection shall be given prospective and retroactive application.

AMENDMENT NO. 9

On page 18, between lines 20 and 21, insert the following:

"Section 3. R.S. 49:214.35(B), (E), and (F) are hereby amended and reenacted and R.S. 49:214.35(G) and 978.1(A)(3) are enacted to read as follows:

§214.35. Reconsiderations, judicial review

* * *

B. A decision or determination shall be subject to reconsideration by the secretary if a petition for reconsideration is filed in writing with the secretary within ten days following ~~public notice of a~~ **posting of the** final coastal use permit, or local program approval decision, **or determination made under R.S. 49:214.34 on the official website for the Department of Conservation and Energy** or receipt of written notice of a determination made under R.S. 49:214.30(C)(1) ~~or R.S. 49:214.34~~. The grounds for reconsideration shall be ~~either that~~ **one of the following**:

(1) The decision or determination is clearly contrary to the law or the evidence before the secretary;

(2) The petitioner has discovered, since the decision or determination, evidence important to the issues which he could not, with due diligence, have presented to the secretary prior to the decision;

(3) There is a showing that issues not previously considered, through no fault of the petitioner, ought to be examined in order to properly dispose of the matter; ~~or,~~

(4) There exist other good grounds for further consideration of the issues and the evidence in the public interest.

* * *

E. Proceedings for review may be instituted by filing a petition in the district court of the parish in which the proposed use is to be situated within ~~thirty days after mailing of notice of the final decision by the secretary or, if a reconsideration is requested, within thirty days after the decision thereon.~~ **the following time periods**:

(1) If a petition for reconsideration is not filed, the proceeding for review shall be instituted within thirty days after the final decision by the secretary under this Subpart is posted on the official website for the Department of Conservation and Energy.

