

SENATE BILL NO. 502

BY SENATOR CATHEY

1 AN ACT

2 To amend and reenact R.S. 3:3602(18) and to enact R.S. 3:3602(19) and 3607(E), relative  
3 to sugarcane bagasse biomass storage; to provide for definitions; to prohibit certain  
4 ordinances; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 3:3602(18) is hereby amended and reenacted and R.S. 3:3602(19) and  
7 3607(E) are hereby enacted to read as follows:

8 §3602. Definitions

9 As used in this Part, the following terms shall have the following meanings:

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11 (18) **"Sugarcane bagasse biomass" means the solid, heterogeneous,**  
12 **fibrous material that remains after extracting the liquid from sugarcane stalks,**  
13 **which may include but is not limited to the following:**

14 **(a) Biomass derived from factory bagasse which is obtained from the**  
15 **industrial extraction process and contains only trace amounts of the sugarcane**  
16 **liquid.**

17 **(b) Biomass derived from pressed cane stalks or farm bagasse which is**  
18 **obtained from on-farm or small factory extraction and contains higher amounts**  
19 **of sugarcane liquid.**

20 **(c) Dewatered pulp derived from bagasse, recognized by the United**  
21 **States Environmental Protection Agency as a fuel pursuant to 40 CFR 241.4.**

22 (19) "Traditional farm practices" means those accepted and customary  
23 standards established by similar agricultural operations under similar circumstances  
24 using established best management practices. Best management practices for animal  
25 feeding operations and confined animal feeding operations shall be determined by  
26 the Louisiana Department of Agriculture and Forestry in conjunction with the LSU  
27 AgCenter.

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§3607. Local ordinances

**E. No parish or municipal governing authority may enact or enforce any ordinance prohibiting the storage of sugarcane bagasse biomass when it is stored in accordance with a best management practice plan that has been approved by the Department of Agriculture and Forestry in writing and provided to the Department of Environmental Quality.**

Section 2. This Act shall become effective upon signature by the governor or, if not signed by the governor, upon expiration of the time for bills to become law without signature by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If vetoed by the governor and subsequently approved by the legislature, this Act shall become effective on the day following such approval.

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PRESIDENT OF THE SENATE

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

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GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: \_\_\_\_\_