
DIGEST

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HB 1098 Engrossed

2026 Regular Session

McFarland

Abstract: Limits liability for aerospace flight entities when certain written agreements exist.

Proposed law defines "aerospace flight activities" and "aerospace flight entity".

Proposed law provides that an aerospace flight entity is not liable for any cause of action arising from nuisance, trespass, inverse condemnation, strict liability, or any other claim based upon noise, sonic boom, overflight, vibration, light, heat, exhaust, smoke, odor, visual intrusion, temporary access restrictions, or any other disturbance resulting from aerospace flight activities.

Proposed law provides that an aerospace flight entity is not responsible for injury or damage to an aerospace flight participant resulting from aerospace flight activities if the participant signed an agreement and gave consent as required by certain federal law.

Proposed law does not apply to any of the following:

- (1) Gross negligence or willful or wanton misconduct of the aerospace flight entity.
- (2) Intention injury caused by the aerospace flight entity to the aerospace flight participant.
- (3) A violation of a condition of a Federal Aviation Administration (FAA) license, experimental permit, or federal authorization.
- (4) Physical damage caused by falling debris that exceeds the normal risk associated with aerospace flight activities.

Proposed law provides that a reciprocal waiver of claims between parties engaged in aerospace flight activities pursuant to certain federal law is effective and enforceable in the state of La.

Proposed law provides that aerospace flight entities are presumed to be acting lawfully if in compliance with federal, state, and local licenses, permits, or authorizations.

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

(Adds R.S. 9:2800.31)