

2026 Regular Session

HOUSE BILL NO. 1072

BY REPRESENTATIVE BOURRIAQUE

1 AN ACT

2 To amend and reenact R.S. 48:196(C) and R.S. 49:220.51(D) and 220.52(C)(2) and (4) and
3 to enact R.S. 49:220.51(E) and 220.54, relative to the office of Louisiana Highway
4 Construction; to expand the powers, duties, and responsibilities in the office of
5 Louisiana Highway Construction; to provide for the authority of the office of
6 Louisiana Highway Construction to use certain appropriated monies; to authorize the
7 executive director to waive certain bidding requirements during emergencies; to
8 provide for an effective date; and to provide for related matters.

9 Be it enacted by the Legislature of Louisiana:

10 Section 1. R.S. 48:196(C) is hereby amended and reenacted to read as follows:

11 §196. State Highway Improvement Fund

12 * * *

13 C. Monies appropriated from the fund shall be used exclusively by the
14 ~~Department of Transportation and Development~~ office of Louisiana Highway
15 Construction for funding projects for any road which is part of the state highway
16 system but not part of the federal system and, thus, is ineligible for federal highway
17 funding assistance. Such projects shall include but not be limited to design,
18 preventive maintenance, rehabilitation, restoration, and improvement of the
19 state-maintained system of roads. In addition, these funds may be used to complete
20 all of the preconstruction activities such as planning, survey, design, engineering,
21 right-of-way acquisition, and utility relocations associated with such projects. These
22 funds may also be used to compensate a parish or municipal governing authority for
23 the acceptance of ownership of any road on the state highway system that is not part
24 of the federal system pursuant to R.S. 48:224.1.

25 * * *

1 Section 2. R.S. 49:220.51(D) and 220.52(C)(2) and (4) are hereby amended and
2 reenacted and R.S. 49:220.51(E) and 220.54 are hereby enacted to read as follows:

3 §220.51. Office of Louisiana Highway Construction; creation

4 * * *

5 D.(1) The office of Louisiana Highway Construction is hereby authorized
6 to enter into agreements with the Department of Transportation and Development for
7 the design, construction, remediation, rehabilitation, or replacement of any segment
8 of a federal-aid highway, provided that no federal funds are used for the work and
9 to the extent permitted by federal law.

10 (2) The agreement shall delineate the specific scope of work, funding
11 allocations, and regulatory compliance standards required for the administration of
12 federal-aid highway projects.

13 ~~Ð. E.~~ For purposes of this Part, the term "office" shall mean the office of
14 Louisiana Highway Construction.

15 §220.52. Powers, duties, and responsibilities

16 * * *

17 C. The office of Louisiana Highway Construction may:

18 * * *

19 (2) ~~Receive~~ Solicit, receive, and administer interagency transfers, state
20 general fund allocations, or any other sources of funding allowed under the law
21 necessary to support the delivery of its functions.

22 * * *

23 (4) ~~The office of Louisiana Highway Construction may engage~~ Engage in
24 and utilize emergency procurement procedures for any purpose until ~~January 1, 2026~~
25 December 31, 2027.

26 * * *

27 §220.54. Emergency authority

28 A. In cases of emergency where the emergency has been certified by the
29 executive director, the requirements of R.S. 48:252 et seq. may be waived by the

1 executive director to the minimum extent necessary to meet the demands of the
2 emergency.

3 B. Upon the recommendation of the executive director, emergency purchases
4 of commodities, materials, supplies, equipment and miscellany, or purchases or
5 leases of noncompetitive or patented articles, devices, equipment, or commodities
6 may be negotiated and made without requesting bids, except that essential documents
7 authorizing these purchases or leases shall have written on their face the explicit
8 reasons supporting the necessity for these leases or purchases.

9 C. When sections of nonfederal aid highway, the component parts thereof,
10 or any facility under the control of the office are damaged, obstructed, or destroyed
11 by flood or other disaster, so as to impede or interrupt the normal use of the
12 nonfederal aid highway or facility, the executive director may make, or authorize to
13 be made, without requesting bids, such emergency purchases as are required to
14 temporarily repair the highway or facility until permanent repairs can be made. The
15 temporary repairs shall be held to minimum necessities and planning shall
16 immediately begin for the permanent rehabilitation of the highway or facility.

17 Section 3. This Act shall become effective upon signature by the governor or, if not
18 signed by the governor, upon expiration of the time for bills to become law without signature
19 of the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
20 vetoed by the governor and subsequently approved by the legislature, this Act shall become
21 effective on the day following such approval.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____