

ACT No. 332

2026 Regular Session

HOUSE BILL NO. 1037

BY REPRESENTATIVE BOURRIAQUE

1 AN ACT

2 To amend and reenact R.S. 36:502(A) and (B), 503, 505(A) and (B), 506(A) through (C),
3 508(A) through (C) and (F), 508.2(A) through (C), (E), and (F), and 508.6(C) and
4 (D) and to enact R.S. 36:505.1, relative to operational reforms within the Department
5 of Transportation and Development; to provide for the creation of the position of
6 chief operating officer within the department; to provide for the duties of the chief
7 operating officer; to provide for the duties of the deputy secretary within the office
8 of transformation; to extend the deadline for the department to implement certain
9 changes and reforms; to extend the deadline for the department to remitting payment
10 to vendors and contractors; to provide for an effective date; and to provide for related
11 matters.

12 Be it enacted by the Legislature of Louisiana:

13 Section 1. R.S. 36:502(A) and (B), 503, 505(A) and (B), 506(A) through (C), 508(A)
14 through (C) and (F), 508.2(A) through (C), (E), and (F), and 508.6(C) and (D) are hereby
15 amended and reenacted and R.S. 36:505.1 is hereby enacted to read as follows:

16 §502. Officers of the department; compensation for one office only

17 A.(1) The officers of the department shall be the secretary, undersecretary,
18 deputy secretary, chief operating officer, assistant secretary of project delivery,
19 commissioner of multimodal commerce, and assistant secretary of operations, each
20 of whom shall be selected and shall perform functions as provided in this Title.

21 (2) The secretary, undersecretary, deputy secretary, chief operating officer,
22 assistant secretary of project delivery, assistant secretary of operations, executive

1 director of the Offshore Terminal Authority, commissioner of multimodal
 2 commerce, and such other positions which may be authorized by the State Civil
 3 Service Commission or the state constitution shall be unclassified positions in the
 4 Department of Transportation and Development. All other positions in the
 5 department may be in the classified state service. The secretary shall fill such
 6 positions as in his opinion and judgment are necessary to the operation of the
 7 department in accordance with applicable rules and regulations of the State Civil
 8 Service Commission and applicable law.

9 B. No person serving as a secretary, undersecretary, deputy secretary, chief
 10 operating officer, assistant secretary of project delivery, assistant secretary of
 11 operations, commissioner of multimodal commerce, or in any other office in the
 12 department shall receive any additional salary from the state other than that salary
 13 which he receives by virtue of serving in any one of such offices. Any statewide
 14 elected official appointed to serve as a secretary or deputy secretary shall not receive
 15 any additional salary from the state other than that salary which he receives as a
 16 statewide elected official.

17 * * *

18 §503. Secretary of transportation and development

19 There shall be a secretary of transportation and development who shall be
 20 appointed by the governor with consent of the Senate. He shall serve at the pleasure
 21 of the governor at a salary fixed by the governor, which salary shall not exceed the
 22 amount approved for such position by the legislature while in session. He shall be
 23 the appointing authority for the department in accordance with civil service rules and
 24 regulations. The secretary shall serve as the executive head ~~and chief administrative~~
 25 ~~officer~~ of the Department of Transportation and Development and shall have the
 26 responsibility for the policies of the department, except as specifically provided for
 27 particular agencies transferred to or placed within the department by other provisions
 28 of this Title. He shall also be responsible for the administration, control, and
 29 operation of the functions, programs, and affairs of the department; provided that the

1 secretary shall perform his functions under the general control and supervision of the
 2 governor.

3 * * *

4 §505. Deputy secretary; functions; office of transformation

5 A. There shall be a deputy secretary of the department, who shall be
 6 appointed by the governor and shall serve as the appointing authority for the office
 7 of transformation. He shall serve at the pleasure of the governor at a salary fixed by
 8 the governor, which salary shall not exceed the amount approved for such position
 9 by the legislature while in session. The duties and functions of the deputy secretary
 10 shall be to serve as the chief administrative officer and oversee the office of
 11 transformation which shall include all duties, responsibilities, and authorities
 12 necessary and lawful to optimize the department and those otherwise assigned by the
 13 secretary. He shall serve as acting secretary in the absence of the secretary.

14 B. If the position of deputy secretary is not filled during the absence of the
 15 secretary, the secretary may designate either the undersecretary or the ~~assistant~~
 16 ~~secretary for project delivery~~ chief operating officer to serve as acting secretary in
 17 his absence. The secretary shall notify the governor in writing of his temporary
 18 appointment of an acting secretary in his absence. The governor shall have the full
 19 authority to revoke the appointment. In no event shall the temporary appointment
 20 exceed thirty days in length, except with the specific written approval of the
 21 governor. The governor may appoint a temporary secretary to act in the absence or
 22 incapacity of the secretary if an acting secretary has not been appointed.

23 * * *

24 §505.1. Chief operating officer; functions; office of project delivery

25 There shall be a chief operating officer of the department, who shall be
 26 appointed by the secretary. He shall serve at the pleasure of the secretary at a salary
 27 fixed by the governor, which shall not exceed the amount approved for the position
 28 by the legislature while in session. The duties and functions of the chief operating
 29 officer shall be to supervise and direct the assistant secretary of the office of project

1 delivery and the assistant secretary of operations and those duties otherwise assigned
2 by the secretary.

3 §506. Undersecretary; functions; office of management and finance

4 A. There shall be an undersecretary of the Department of Transportation and
5 Development who shall be appointed by the governor. He shall serve at the pleasure
6 of the secretary at a salary fixed by the governor, which salary shall not exceed the
7 amount approved for such position by the legislature while in session, and shall
8 receive an annual salary payable monthly out of funds appropriated therefor, and
9 shall be allowed his actual necessary traveling expenses incurred in the discharge of
10 his official duties. The undersecretary shall be directly responsible to and shall
11 perform his functions under the supervision and control of the secretary and the
12 deputy secretary.

13 B. The undersecretary shall direct and be responsible for the functions of the
14 office of management and finance within the Department of Transportation and
15 Development. In ~~such~~ this capacity he shall be responsible for accounting and
16 budget control, procurement, data processing, management and program analysis,
17 personnel management, and grants management for the department and all of its
18 offices, including all agencies transferred to the Department of Transportation and
19 Development, except as otherwise specifically provided in this Title. He shall
20 employ, appoint, remove, assign, and promote such personnel as is necessary for the
21 efficient administration of the office of management and finance and the
22 performance of its powers, duties, functions, and responsibilities, in accordance with
23 applicable civil service laws, rules, and regulations, and with policies and rules of
24 the department, all subject to budgetary control and applicable laws. The
25 undersecretary shall exercise all powers and authority granted to him in this Title
26 subject to the overall direction and control of the secretary and the deputy secretary.

27 C. The duties and functions of the office of management and finance and of
28 the undersecretary shall be as provided in this Section, and these duties and functions
29 shall not be subject to change by the secretary or the deputy secretary, except that the

1 secretary or the assistant secretary, by the provisions of this Chapter, or by the laws
 2 of this state. He shall report ~~the~~ his proceedings ~~of his office~~ annually to the
 3 secretary of the department and at such other times as the secretary may designate,
 4 and he shall make any additional reports as are required by the secretary.

5 * * *

6 §508.2. Office of operations; functions; assistant secretary; powers and duties

7 A. There is hereby created within the Department of Transportation and
 8 Development, the office of operations, which shall administer all matters related to
 9 the operations of the department's district offices and other matters as may be
 10 directed by the secretary or the chief operating officer.

11 B. The office of operations shall be under the immediate supervision of the
 12 assistant secretary, who shall be appointed by the governor and shall serve at the
 13 pleasure of the secretary and under the direct supervision of the chief operating
 14 officer.

15 C. The assistant secretary shall have authority, subject to approval of the
 16 secretary or the chief operating officer and in accordance with applicable rules and
 17 regulations of the civil service commission, to employ, appoint, transfer, assign, and
 18 promote such personnel as is necessary for the efficient administration of the office
 19 of operations.

20 * * *

21 E. The assistant secretary shall administer all department functions and
 22 duties for which the office of operations is responsible. He shall also have such other
 23 duties as may be assigned to him by the secretary or the chief operating officer, by
 24 the provisions of this Chapter, or by the laws of this state. He shall report ~~the~~ his
 25 proceedings ~~of his office~~ annually to the ~~secretary of the department~~ chief operating
 26 officer and at such other times as the ~~secretary~~ chief operating officer may designate,
 27 and he shall make any additional reports as are required by the ~~secretary~~ chief
 28 operating officer.

29 F. The secretary or the chief operating officer is specifically authorized and
 30 empowered to perform any of the duties of the assistant secretary when the assistant

1 secretary is absent or incapacitated or when in the opinion of the secretary or the
 2 chief operating officer it would be in the best interest of the department. The
 3 assistant secretary with approval of the ~~secretary~~ chief operating officer may
 4 designate a senior staff member in the office of operations to perform any duties
 5 required of the assistant secretary.

6 * * *

7 §508.6. Departmental reform; directive and authority to restructure and organize

8 * * *

9 C. The department shall have enacted comprehensive, department-wide
 10 reforms of the access permit process to include the policy, administrative code,
 11 engineering directives and standards manual, and online application processes by
 12 June 30, ~~2026~~ 2027.

13 D. The department shall modernize and reform project development and
 14 execution across the entire department to stabilize letting and to remit payments to
 15 vendors and contractors on a bi-monthly basis, consistent with the terms of its
 16 contracts, no later than June 30, ~~2026~~ 2027.

17 Section 2. 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 in 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: _____