

2026 Regular Session

ACT No. 341

HOUSE BILL NO. 1232
Bourriaque)

(Substitute for House Bill No. 647 by Representative

BY REPRESENTATIVE BOURRIAQUE

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AN ACT

To amend and reenact R.S. 34:3471(6) and (7), 3472(A) and (D), 3473, 3475(A), 3477(A) and (D), and 3478 and to repeal R.S. 34:3474, relative to waterways; to provide for the Waterway Assistance Program and Fund; to provide for timelines for submitting applications for funding of any waterway projects by a governmental entity; to provide for an annual basis for application submissions; to provide for definitions; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 34:3471(6) and (7), 3472(A) and (D), 3473, 3475(A), 3477(A) and (D), and 3478 are hereby amended and reenacted to read as follows:

§3471. Definitions

As used in this Chapter, unless the context clearly indicates otherwise, the following definitions shall apply:

* * *

(6) "Waterway ~~dredging and deepening priority program~~ Assistance Program" means the ~~priority list of projects submitted by~~ to the office and selected and approved by the joint committee pursuant to this Chapter.

(7) "Waterway project" means a ~~program~~ project, either new or continuing, that is planned and implemented with the primary goal of dredging and deepening waterways in the state to include cost share projects with the federal government and

1 construction and maintenance costs associated with dredging and disposing of
2 dredged material.

3 §3472. Methodology for ~~dredging and deepening project~~ Waterway Assistance
4 Program evaluation

5 A.(1) Applications for funding of any waterway project may be submitted
6 by any governmental entity, including but not limited to a parish, municipality, port
7 authority, or levee district on a quarterly basis, except as provided in R.S. 34:3476.
8 Applications shall be submitted to the office no later than the first of ~~March, June,~~
9 ~~September, and December~~ of each calendar year ~~for consideration of funding or~~
10 ~~funding obligation authority in the following fiscal years.~~ Applications submitted
11 in accordance with the provisions of this Chapter shall be subject to the provisions
12 of R.S. 39:101 through 128. Information to be provided in the application shall
13 include but not be limited to the following:

14 (a) Description of the project and demonstration of immediate need for the
15 project.

16 (b) Preliminary project design and cost estimate.

17 (c) Description of project area.

18 (2) No project shall be considered without any and all local, state, and
19 federal permits obtained and required by the department, as determined per project,
20 pursuant to applicable law.

21 ~~(2)~~ (3) Project applications shall not be subject to formal review and
22 evaluation until the information required in the application has been submitted.

23 * * *

24 D. ~~The office may contract for any of the duties associated with the~~
25 ~~development of the waterway dredging and deepening priority program, including~~
26 ~~but not limited to the development, review, and evaluation of plans and~~
27 ~~specifications, and the development of the waterway dredging and deepening priority~~
28 ~~program list. However, development of and authority over the final determination~~
29 ~~of the waterway dredging and deepening priority list shall remain with the~~
30 ~~department and the joint committee as provided in this Chapter. The project~~

1 evaluation process shall be submitted by the office for approval by the joint
2 committee no later than September 1, 2026.

3 * * *

4 §3473. ~~Priority list~~ List of projects; public hearings; final program

5 ~~Each quarter, the~~ The office shall prepare and furnish to the joint committee
6 a ~~prioritized~~ list of qualifying projects based on the applications received by the
7 office, ~~during that quarter.~~ The joint committee shall receive the prioritized list of
8 ~~projects from the office for each of the first three quarters of the year, and shall call~~
9 ~~a public hearing within thirty days of receiving the list in order to receive public~~
10 ~~testimony regarding any project on the list. At such hearing, the joint committee~~
11 ~~shall vote to either accept, reject, or modify the list. Each quarter, the office shall~~
12 ~~reprioritize the list of projects to reflect the cumulative list of projects recommended~~
13 ~~by the office. After application recommendations for the last quarter are made by~~
14 ~~the office, the office shall submit the final waterway dredging and deepening priority~~
15 ~~program for the ensuing fiscal year to the joint committee for approval. Prior to the~~
16 ~~convening of the regular session of the legislature, the~~ The joint committee shall hold
17 a public hearing for the purpose of reviewing the final program for the ~~ensuing~~
18 current fiscal year. ~~Prior to such hearing, the office shall publish the appropriate~~
19 ~~official notice on the department's website. The final program shall be based upon~~
20 ~~the anticipated revenues to be appropriated by the legislature or other funding~~
21 ~~obligation authority and the projects shall be listed in order of priority. Upon review~~
22 ~~of eligible projects, the joint committee shall establish a list based on the amount~~
23 ~~appropriated to the program established by the legislature. When this final~~
24 ~~construction program list~~ is presented to the legislature for funding or funding
25 ~~obligation authority for the ensuing fiscal year, the legislature shall not add any~~
26 ~~projects to this final construction program. Any project recommended by the office~~
27 ~~and approved~~ considered by the joint committee for which funds are unavailable in
28 the fiscal year but for which it was approved shall remain on the ~~prioritized~~ list of
29 projects and shall not be removed unless voted on by the joint committee the
30 following year be carried forward to the next fiscal year.

1 §3475. Projects undertaken by the office

2 A. After adoption of the office's recommendations by the joint committee,
3 the approved list of projects shall be forwarded to the office for implementation. The
4 approved list shall be implemented by the office by the use of funds appropriated,
5 funding obligation authority, or pursuant to the cash management program as
6 provided by R.S. 48:251(D). Funding or funding obligation authority shall be
7 allocated to projects in accordance with the ~~prioritized~~ list of projects approved by
8 the joint committee. Funding obligation authority may be granted or authorized for
9 a project from funds appropriated or obligated for another project or projects within
10 the Waterway ~~Dredging and Deepening Priority Assistance~~ Assistance Program provided that
11 such authority does not impede ~~such~~ any project or projects. ~~Such~~ The funding
12 obligation authority shall be extinguished for a project at such time as funds are
13 made available for obligation for the project. The office shall not delete, add, or
14 substitute any projects for those approved by the joint committee, except as provided
15 in R.S. 34:3476.

16 * * *

17 §3477. Allocation, reallocation of funds; deposit to ~~Dredging and Deepening~~
18 Waterway Assistance Fund

19 A. The ~~Dredging and Deepening~~ Waterway Assistance Fund is hereby
20 created within the state treasury and shall be a source of state funds in addition to
21 capital outlay projects, the general fund, and other sources, provided for any
22 waterway project on the ~~priority~~ list approved pursuant to the provisions of this
23 Chapter.

24 * * *

25 D. Any monies allocated for any project not needed for said project may be
26 reallocated for the completion of any other project or projects specified. Any monies
27 not needed for the completion of said projects shall be deposited in and credited to
28 the ~~Dredging and Deepening~~ Waterway Assistance Fund.

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