

2018 Regular Session

HOUSE BILL NO. 108

BY REPRESENTATIVE BISHOP

ENVIRONMENT/ENFORCEMENT: Provides for delegation of authority for issuing notices of violation

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AN ACT

To amend and reenact R.S. 30:2050.2(A), relative to enforcement actions by the Department of Environmental Quality; to provide for delegation of authority to issue notices of violation and corrected notices of violation; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 30:2050.2(A) is hereby amended and reenacted to read as follows:

§2050.2. Enforcement; compliance orders

A. When information indicates that a violation has occurred, is occurring, or is about to occur, the assistant secretary for the office of environmental compliance may issue a notice of violation or a compliance order within ten days after the completion of the investigation of the violation. Any notice of violation shall describe with reasonable specificity the nature of the violation and shall advise the respondent that further enforcement action may be taken if compliance is not promptly achieved. The assistant secretary shall notify the respondent of the issuance of the notice of violation or compliance order. The assistant secretary may designate an administrator employed by the department to exercise the authority granted by this Subsection to issue a notice of violation or a corrected notice of violation.

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DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

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HB 108 Original

2018 Regular Session

Bishop

**Abstract:** Authorizes the assistant secretary for the office of environmental compliance to delegate the authority to issue notices of violation or corrected notices of violation.

Present law authorizes the assistant secretary for the office of environmental compliance to issue a notice of violation or a compliance order within 10 days after the completion of the investigation that indicates a violation has occurred, is occurring, or is about to occur.

Proposed law retains present law and further allows the assistant secretary to delegate to a department administrator the authority to issue notices of violation and corrected notices of violation.

Present law requires any notice of violation to describe with reasonable specificity the nature of the violation and to advise the respondent of the consequences if compliance is not promptly achieved. Further requires the assistant secretary to notify the respondent of the issuance of the notice of violation or compliance order.

Proposed law retains present law.

(Amends R.S. 30:2050.2(A))