
DIGEST

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HB 355 Engrossed

2022 Regular Session

Charles Owen

Abstract: Preempts parishes, municipalities, other local governmental entities, and public and private groups from adopting regulations that would have the effect of prohibiting the siting, development, or redevelopment of fuel retailers or necessary related transportation infrastructure for providing fuel to fuel retailers.

Proposed law preempts parishes, municipalities, other local governmental entities, and public and private groups from adopting ordinances, policies, resolutions, directives, executive orders, and other regulations that prohibit the siting, development, or redevelopment of a fuel retailer or the related transportation infrastructure that is necessary to provide fuel to fuel retailers within the entirety of their jurisdictional boundaries within the appropriate zoning classification of each entity.

Proposed law defines "fuel retailer" as a fuel station or retail establishment that sells fuel. Defines "related transportation infrastructure" as storage tanks, pipelines, or related equipment necessary to deliver fuel to a fuel retailer.

Proposed law provides that nothing in proposed law preempts a parish, municipality, other local governmental entity, or any public or private group having jurisdiction over a specific geographic area from further defining and regulating fuel retailers or related transportation infrastructure.

(Adds R.S. 33:32)

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Municipal, Parochial and Cultural Affairs to the original bill:

1. Prohibit the adoption of any directive or executive order that prohibits the siting, development, or redevelopment of a fuel retailer or related transportation infrastructure.
2. Remove provisions that prohibit the adoption of ordinances and other regulations that result in defacto prohibition of a fuel retailer or related transportation infrastructure.
3. Remove provisions that prohibit requiring a fuel retailer to install or invest in a particular kind of fueling infrastructure.
4. Remove provisions that authorize the adoption of ordinances and other regulations that

are not inconsistent with state law regarding the siting, development, or redevelopment of a fuel retailer or related transportation infrastructure.

5. Add provisions that authorize parishes, municipalities, other local governmental entities, and public and private groups to further define and regulate fuel retailers and related transportation infrastructure.