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SENATE FLOOR AMENDMENTS

2024 Regular Session

Amendments proposed by Senator Womack to Engrossed Senate Bill No. 73 by Senator Womack

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1 AMENDMENT NO. 1

2 On page 4, line 23, change "ten" to "twenty"

3 AMENDMENT NO. 2

4 On page 4, line 29, change "violation" to "enforcement action"

5 AMENDMENT NO. 3

6 On page 5, line 3, after "federal" delete "or state"

7 AMENDMENT NO. 4

8 On page 5, line 4, after "list" insert "or is under state enforcement action" and after  
9 "federal" delete "or state"

10 AMENDMENT NO. 5

11 On page 5, line 5, after "list" insert "or is under state enforcement action"

12 AMENDMENT NO. 6

13 On page 5, line 6, change "ten" to "twenty"

14 AMENDMENT NO. 7

15 On page 5, line 18, change "ten" to "twenty"

16 AMENDMENT NO. 8

17 On page 6, delete lines 6 through 19 and insert the following:

18 "G.(1) Notwithstanding any provision of law to the contrary, a local  
19 governing authority that operates a community sewerage system shall not  
20 expend any money raised through payments made by customers for sewerage  
21 services or from any other sewerage system revenue for any item, debt payment,  
22 or public purpose other than the improvement and sustainability of the  
23 community sewerage system. For purposes of this Subsection "sustainabiliy"  
24 means the ability to be maintained at the required rate or level necessary to  
25 comply with applicable state and federal regulations. Sustainability may include  
26 but not be limited to the purchase and maintenance of equipment and  
27 employment of personnel whose primary functions are related to ensuring  
28 compliance with state and federal laws, rules, and regulations governing the  
29 effective operation of a sewer system.

30 (2) The provisions of this Subsection shall not be construed to prohibit  
31 the payment of bonded indebtedness secured by the sewerage system's revenue  
32 prior to August 1, 2024.

33 H.(1) Any community sewerage system that is not in compliance with the  
34 Department of Environmental Quality or the Louisiana Department of Health,  
35 is not financially sustainable based on the standards of the legislative auditor,  
36 or is in violation of the expenditure prohibitions of Subsection G of this Section  
37 shall, in addition to the provisions of Subsection C of this Section, be subject to  
38 either or both of the following, as appropriate:

1           **(a) An oversight and accountability hearing before the Legislative Audit**  
2           **Advisory Council.**

3           **(b) A hearing before the Fiscal Review Committee for potential initiation**  
4           **of an action for a court appointed fiscal administrator filed in accordance with**  
5           **R.S. 39:1351 et seq.**

6           **(2) Any community sewerage system that is not in compliance with the**  
7           **Department of Environmental Quality or the Louisiana Department of Health,**  
8           **is not financially sustainable based on the standards of the legislative auditor,**  
9           **or is in violation of the expenditure prohibitions of Subsection G of this Section**  
10           **may, in addition to the provisions of Subsection C of this Section, be subject to**  
11           **either or both of the following, as appropriate:**

12           **(a) A civil action for court appointed receivership filed in accordance**  
13           **with R.S. 30:2075.3 or R.S. 33:42.**

14           **(b) A criminal action for malfeasance in office pursuant to R.S. 14:134."**