

2025 Regular Session

SENATE BILL NO. 167

BY SENATOR FOIL

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

PUBLIC CONTRACTS. Provides for work performed by certain public entities to restore or rehabilitate certain levees. (8/1/25)

AN ACT

To amend and reenact R.S. 38:2212(C)(3), relative to public contracts; to provide for an increase to the annual limit on work performed by a public entity to restore or rehabilitate a levee which is not maintained with federal funds, including mitigation on public lands owned by the state or a political subdivision; to provide for a sunset date; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 38:2212(C)(3) is hereby amended and reenacted to read as follows:

§2212. Advertisement and letting to lowest responsible and responsive bidder; public work; electronic bidding; participation in mentor-protégé program; exemptions; subpoena

* * *

C. * * *

(3)(a) The annual limit by a public entity for any work to restore or rehabilitate a levee that is not maintained with federal funds, including mitigation on public lands owned by the state or a political subdivision, shall not exceed the sum of one million **five hundred thousand** dollars, including labor, materials, and

equipment, which is not publicly bid, as per the rates in the latest edition of the Associated Equipment Distributors Rental Rate Book, and administrative overhead not to exceed fifteen percent; provided that the work is undertaken by the public entity with its own resources and employees, or with the resources and employees of another public entity through a cooperative endeavor or other agreement with such entity.

(b) The provisions of this Paragraph shall remain effective until ~~December 31, 2028~~ **June 30, 2036**.

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The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Archana D. Cadge.

DIGEST

SB 167 Engrossed

2025 Regular Session

Foil

Present law provides that the contract limit for any contract by a public entity to restore or rehabilitate a levee which is not maintained with federal funds or to perform mitigation on public lands owned by the state or a political subdivision shall be equal to the sum of \$1,000,000, including labor, materials, and equipment, which is not publicly bid, as per the rates in the latest edition of the Associated Equipment Distributors Rental Rate Book.

Present law further provides administrative overhead cannot exceed fifteen percent; provided that the work is undertaken by the public entity with its own resources and employees, or with the resources and employees of another public entity through a cooperative endeavor or other agreement with another entity.

Proposed law retains present law and increases the annual limit not to exceed \$1,500,000.

Proposed law changes the sunset date on the provisions of the contract amount limits for levee rehabilitation under certain requirements from December 31, 2028 to June 30, 2036.

Effective August 1, 2025.

(Amends R.S. 38:2212(C)(3))

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Transportation, Highways, and Public Works to the original bill

1. Adds sunset date.