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**HOUSE COMMITTEE AMENDMENTS**

2025 Regular Session

Amendments proposed by House Committee on Natural Resources and Environment to  
Reengrossed Senate Bill No. 244 by Senator Hensgens

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1    AMENDMENT NO. 1

2    On page 1, line 2, change "R.S. 30:1(A)" to "R.S. 30:1(Section heading), (A)" and after "and  
3    (C)," and before "3(3)," insert "the introductory paragraph of 3,"

4    AMENDMENT NO. 2

5    On page 2, delete line 7 in its entirety and insert "introductory paragraph of (I)(1)(a), (d), and  
6    (g), and (J), 29(A), (B)(1), (C)(1), (3)(a), (5), and (6)(b) and (c), (D)(1) through (3), (E)(1),  
7    (F), (H)(1), (I)(2) and (4), the introductory paragraph of (M)(1), and (M)(1)(c), 41, 42, 44,"

8    AMENDMENT NO. 3

9    On page 2, line 12, after "(H)," and before "88(B)" insert "87(A), the introductory paragraph  
10   of (F)(1)(a), and introductory paragraph of (b) as enacted by Section 1 of Act 16 of the 2024  
11   Third Extraordinary Session of the Legislature of Louisiana,"

12   AMENDMENT NO. 4

13   On page 3, line 11, after "921," and before "(14)," change "1102(B), 1103(10)," to "1102,  
14   1103(3), (10),"

15   AMENDMENT NO. 5

16   On page 3, line 13, delete "and (F)," and before "1108(A)(1)," insert "1107(B),"

17   AMENDMENT NO. 6

18   On page 3, line 16, after "and (I)," and before "introductory" delete "2200, 2455," and insert  
19   "1115, 2200, 2455, and"

20   AMENDMENT NO. 7

21   On page 3, line 17, after "of" and before "R.S. 31:115(C)(1)(b)" change "R.S. 30:2456(A)"  
22   to "2456(A)"

23   AMENDMENT NO. 8

24   On page 3, at the end of line 28, delete the comma "," and insert "and"

25   AMENDMENT NO. 9

26   On page 3, line 29, after "21.1," and before "86(I)" insert "29(N),"

27   AMENDMENT NO. 10

28   On page 4, line 1, after "1950," delete the remainder of the line and insert "to be comprised  
29   of 98.1 through 98.13, 124.1,"

30   AMENDMENT NO. 11

31   On page 4, line 2, after "209(6)," and before "2454(33)," insert "and"

1 AMENDMENT NO. 12

2 On page 4, line 3, after "and (D)," and before "R.S. 38:3098(G)," insert "and 600,"

3 AMENDMENT NO. 13

4 On page 4, line 4, after "45:251(4)" and before "and" insert a comma "," and at the end of  
5 the line, insert "136.3(E), Part III of Chapter 2 of Subtitle I of Title 30 of the Revised  
6 Statutes of Louisiana, comprised of R.S. 30:186 through 188, 1104(F), and after "30:4(N),  
7 insert "29(M)(1)(d),"

8 AMENDMENT NO. 14

9 On page 4, line 5, after "2458," and before "and 2470" insert "2469,"

10 AMENDMENT NO. 15

11 On page 4, line 19, after "procedures;" and before "and to provide" insert "to provide for the  
12 issuance of certificates of public convenience and necessity; to provide for carbon dioxide  
13 sequestration policy; to provide for notice; to provide for remediation; to provide for an  
14 administrative process for resolution of disputes within the department's jurisdiction; to  
15 provide for oilfield site restoration;"

16 AMENDMENT NO. 16

17 On page 4, line 21, change "R.S. 30:1(A)" to "R.S. 30:1(section heading), (A)" and after  
18 "and (C)," and before "3(3)," insert "introductory paragraph of 3,"

19 AMENDMENT NO. 17

20 On page 5, line 12, after "(J)," and before "41" delete "29(A) and (B)(1),"

21 AMENDMENT NO. 18

22 On page 5, line 16, after "(H)," and before "88(B)" insert "87(A), introductory paragraph of  
23 (F)(1)(a), and introductory paragraph of (b) as enacted by Section 1 of Act 16 of the 2024  
24 Third Extraordinary Session of the Legislature of Louisiana,"

25 AMENDMENT NO. 19

26 On page 6, line 8, after "paragraph of" and before "(B)," change "R.S. 30:905.3(A)(1)," to  
27 "905.3(A)(1)"

28 AMENDMENT NO. 20

29 On page 6, at the beginning of line 14, change "1102(B), 1103(10)," to "1102, 1103(3),  
30 (10),"

31 AMENDMENT NO. 21

32 On page 6, line 15, after "and (F)," and before "1108(A)(1)" insert "1107(B),"

33 AMENDMENT NO. 22

34 On page 6, line 18, after "and (I)," and before "2200," insert "1115,"

35 AMENDMENT NO. 23

1 On page 6, line 21, after "comprised of" and before "124.1," delete "98.1, through 98.11"  
2 and insert "98.1 through 98.13"

3 AMENDMENT NO. 24

4 On page 6, line 25, after "appointment of" delete the remainder of the line and insert  
5 "secretary;"

6 AMENDMENT NO. 25

7 On page 6, line 26, after "jurisdiction" delete the remainder of the line

8 AMENDMENT NO. 26

9 On page 7, between lines 27 and 28, insert the following:

10 "Unless the context otherwise requires, the words defined in this Section have  
11 the following meaning when found in this ~~Chapter~~ Subtitle:"

12 AMENDMENT NO. 27

13 On page 16, line 13, after "removed" and before "in" delete "after abandonment"

14 AMENDMENT NO. 28

15 On page 16, line 20, after "secretary" change "shall" to "may"

16 AMENDMENT NO. 29

17 On page 16, delete lines 21 through 23 and insert:

18 "require each pipeline operator to inspect the line; however,"

19 AMENDMENT NO. 30

20 On page 16, at the end of line 26, delete "The" and delete lines 27 through 29

21 AMENDMENT NO. 31

22 On page 21, line 7, after "services." delete the remainder of the line, delete line 8 in its  
23 entirety, at the beginning of line 9, delete "limited to R.S. 30:21.1, a" and insert "(b) A"

24 AMENDMENT NO. 32

25 On page 21, at the beginning of line 17, delete "(b)" and insert "(2)"

26 AMENDMENT NO. 33

27 On page 21, delete lines 21 through 29 and on page 22, delete lines 1 through 25 and insert:

28 "(a) The procedure for requesting expedited processing.  
29 (b) The procedure for the department to approve or deny a request for  
30 expedited processing.  
31 (c) A timeline for the administrative and technical review portion of the  
32 expedited processing.  
33 (d) The method of providing public notice of Subparagraphs (a) through  
34 (c) of this Paragraph through posting on the department's website.  
35 (e) All documentation required to implement this Subsection, including  
36 but not limited to necessary forms, costs statements, and schedules.

(f) A process for the applicant to claim portions of the records submitted to the department pursuant to this Subsection as confidential, proprietary, or trade secret or otherwise exempt from public disclosure in accordance with the Public Records Law. At least three days prior to their release, the department shall notify the applicant of any public records request for records submitted to the department pursuant to this Subsection and claimed by the applicant as confidential, proprietary, trade secret, or otherwise exempt from public disclosure in accordance with the Public Records Law.

(3) An applicant for the issuance, review, or approval of any permit, modification, license, registration, plan proposal, exception, or variance under the jurisdiction of the department may request expedited processing.

(4) The secretary may decline, or revoke when previously approved, any request for expedited processing with written reasons subject to reconsideration for up to ten calendar days.

(5) The expedited processing timeline commences on the date the secretary grants the request for expedited processing. Expedited processing shall be deemed complete when the final decision is transmitted in writing or when the department notifies the applicant that a decision is ready.

(6) The First Circuit Court of Appeals shall have jurisdiction over a request for judicial review of a decision by the department pursuant to this Subsection. Judicial review pursuant to this Paragraph shall be subject to the provisions of R.S. 30:12."

#### AMENDMENT NO. 34

On page 58, line 24, after "R.S. 33:2955," and before "and" insert "including the use of the Louisiana Asset Management Pool,"

#### AMENDMENT NO. 35

On page 59, between lines 6 and 7, insert:

"(5) At the end of each fiscal year, the state treasurer is hereby authorized and directed to transfer to the Natural Resources Financial Security Fund any portion of a state general fund appropriation made to the Department of Conservation and Energy for a specific purpose in the General Appropriation Act that remains unexpended or unobligated."

#### AMENDMENT NO. 36

On page 59, delete lines 10 through 12

#### AMENDMENT NO. 37

On page 59, at the beginning of line 13, change "(3)" to "(2)"

#### AMENDMENT NO. 38

On page 59, at the beginning of line 15, change "(4)" to "(3)"

#### AMENDMENT NO. 39

On page 59, at the beginning of line 19, change "(5)" to "(4)"

#### AMENDMENT NO. 40

On page 59, at the beginning of line 25, change "(6)" to "(5)"

AMENDMENT NO. 41

On page 59, line 29, after "by the" change "**Board**" to "**board**", after "**implement**" delete the remainder of the line, and on page 60, at the beginning of line 1, delete "**Chapter**" and insert in lieu thereof "**any purpose for which monies in the Mineral and Operations Fund may be used**"

AMENDMENT NO. 42

On page 60, line 3, after "E." change "**Effective**" to "**By**"

AMENDMENT NO. 43

On page 71, delete lines 5 through 29 in their entirety

AMENDMENT NO. 44

On page 83, between lines 27 and 28, insert the following:

"§87. Oilfield site restoration fees

A. There is hereby imposed on crude petroleum produced from producing wells in this state a fee on each barrel of oil and condensate as provided in this Section, **payable upon the initial disposition of each barrel of oil and condensate.** The fee is in addition to any tax imposed pursuant to Title 47 of the Louisiana Revised Statutes of 1950. The provisions of Chapters 17 and 18 of Subtitle II of Title 47 of the Louisiana Revised Statutes of 1950 shall apply to the administration, collection, and enforcement of the fee imposed in this Section, and the penalties provided by that code shall apply to any person who fails to pay or report the fee. Proceeds from the fee, including any penalties collected in connection with the fee, shall be deposited into the Oilfield Site Restoration Fund. B. There is hereby imposed on gas produced from producing wells in this state a fee for each thousand cubic feet as provided in this Section. The fee is in addition to any tax imposed pursuant to Title 47 of the Louisiana Revised Statutes of 1950. The provisions of R.S. 47:1 et seq. shall apply to the administration, collection, and enforcement of the fee, and the penalties provided by that Title shall apply to any person who fails to pay or report the fee. Proceeds from the fee, including any penalties collected in connection with the fee, shall be deposited into the Oilfield Site Restoration Fund.

\* \* \*

F. The site restoration fee shall be the following:

(1) Full rate production shall include all production from oil or gas wells except for production from reduced rate production wells as set forth in R.S. 47:633(7).

(a) **For crude oil and condensate, the fee shall be based on the oil price on July first of each year for the ensuing twelve months based upon the Light Louisiana Sweet First Purchase Price per barrel of crude oil monthly average published by the United States Energy Information Administration for the preceding January first through December thirty-first available as of April first.** The amount of the fee for a well that produces crude oil and condensate shall be as follows:

\* \* \*

(b) **For natural gas and casing head gas, the fee shall be based on the natural gas price on July first of each year for the ensuing twelve months based upon the Henry Hub Natural Gas Spot Price average monthly price in dollars per million BTU published by the United States Energy Information Administration for the preceding January first through December thirty-first available as of April first.** For natural gas and casing head gas, the fee shall be as follows:

\* \* \*"

1 AMENDMENT NO. 45

2 On page 96, line 9, after "this" and before "drilled" change "part" to "Part"

3 AMENDMENT NO. 46

4 On page 101, between lines 10 and 11, insert the following:

5 "§98.11. Agricultural use exemption

6 Notwithstanding any other provision of law to the contrary, nothing in  
 7 this Part shall be construed to impact, burden, or impose regulatory  
 8 requirements or fees upon agricultural water users. Agricultural water use,  
 9 including but not limited to irrigation, livestock watering, and other customary  
 10 agricultural and horticultural purposes, shall be explicitly exempt from any  
 11 regulatory or administrative oversight established pursuant to this Part.  
 12 Participation in programs or initiatives established in this Part by agricultural  
 13 users shall be strictly voluntary and without a fee.

14 §98.12. Public water supply prioritization

15 Notwithstanding any other provision of law to the contrary, in carrying  
 16 out its authorities established by this Part the department shall prioritize and  
 17 protect the sustainability of public water supplies in its management and  
 18 regulatory decisions, consistent with the policy established in R.S. 38:3097.6. In  
 19 exercising its authority under this Part, the department shall ensure that no  
 20 regulatory or permitting action undermines or adversely impacts the  
 21 availability or quality of water necessary for public water supply systems."

22 AMENDMENT NO. 47

23 On page 101, at the beginning of line 11, change "§98.11" to "§98.13"

24 AMENDMENT NO. 48

25 On page 106, delete line 28 in its entirety and insert "A. Information submitted to the  
 26 board, the office of mineral resources, or the office of state resources"

27 AMENDMENT NO. 49

28 On page 107, line 2, after "the" delete "Board or office of mineral resources" and insert  
 29 "board or office"

30 AMENDMENT NO. 50

31 On page 107, at the beginning of line 4, change "A." to "(1)"

32 AMENDMENT NO. 51

33 On page 107, at the beginning of line 6, change "B." to "(2)"

34 AMENDMENT NO. 52

35 On page 107, at the beginning of line 7, delete "Information" and insert "B. Unless  
 36 otherwise exempt from public release in accordance with the Public Records Law,  
 37 information "

38 AMENDMENT NO. 53

39 On page 107, line 8, after "disclosure" delete "in accordance with Public Records Law"

AMENDMENT NO. 54

On page 107, delete line 11 in its entirety and insert the following:

**"C. The board, the office of mineral resources, or the office of state resources may promulgate rules or regulations establishing procedures for the submission, designation, handling, and protection of information designated as confidential pursuant to this Section."**

AMENDMENT NO. 55

On page 107, line 16, after "application" delete the remainder of the line and at the beginning of line 17, delete "resources" and insert **"in the form required by the department"**

AMENDMENT NO. 56

On page 109, line 9, after "office of" change "mineral" to **"state"**

AMENDMENT NO. 57

On page 109, at the end of line 23, after **"R.S. 33:2955"** and before the period "." insert **"including the use of the Louisiana Asset Management Pool"**

AMENDMENT NO. 58

On page 113, line 22, after **"office of"** change **"mineral"** to **"state"**

AMENDMENT NO. 59

On page 125, at the beginning of line 9, change "\$50,000,000.00" to **"fifty million dollars"**

AMENDMENT NO. 60

On page 166, delete line 25 in its entirety and insert the following in lieu thereof:

"A. It is declared to be in the public interest for a public purpose and the policy of Louisiana that:

(1) ~~The geologic storage of carbon dioxide will benefit the citizens of the state and the state's environment by reducing greenhouse gas emissions.~~

(2) Carbon dioxide is a valuable commodity to the citizens of the state.

(3) ~~Geologic storage of carbon dioxide may allow for the orderly withdrawal as appropriate or necessary, thereby allowing carbon dioxide to be available for commercial, industrial, or other uses, including the use of carbon dioxide for enhanced recovery of oil and gas.~~

~~(4)~~(2) It is the public policy of Louisiana and the purpose of this Chapter to provide for a coordinated statewide program related to the storage of carbon dioxide and to also fulfill the state's primary responsibility for assuring compliance with the federal Safe Drinking Water Act, including any amendments thereto related to the underground injection of carbon dioxide."

AMENDMENT NO. 61

On page 167, between lines 4 and 5, insert the following:

~~"(3) "Commissioner" has the same meaning as provided in R.S. 30:3~~  
**"Common carrier" means a transporter of carbon dioxide by pipeline for storage where there exists a reasonable probability that the pipeline will serve the public by transporting carbon dioxide for storage for one or more third parties.**

1 \* \* \*

2 AMENDMENT NO. 62

3 On page 170, delete lines 4 through 11 in their entirety

4 AMENDMENT NO. 63

5 On page 170, between lines 12 and 13, insert the following:

6 "§1107. Certificates of public convenience and necessity; certificate of completion  
7 of injection operations

8 \* \* \*

9 B. The ~~commissioner shall~~ secretary may issue a certificate of public  
10 convenience and necessity to ~~each a~~ transporter of carbon dioxide applying therefor,  
11 whether or not such transporter is also the storage operator, for the laying,  
12 maintaining, and operating of a pipeline for the transportation of carbon dioxide to  
13 a storage facility, and such rights necessary and incidental thereto if, after a public  
14 hearing pursuant to the provisions of R.S. 30:6, the ~~commissioner~~ secretary  
15 determines that it is or will be in the present or future public interest to do so: and  
16 finds one of the following:

17 (1) The applicant requires the use of expropriation due solely to the  
18 presence of absentee owners that cannot be located after a reasonable attempt  
19 to do so.

20 (2) The applicant is or intends to operate as a common carrier.

21 \* \* \*

22 AMENDMENT NO. 64

23 On page 174, line 9, after "33:2955," and before "and" insert "including the use of the  
24 Louisiana Asset Management Pool,"

25 AMENDMENT NO. 65

26 On page 177, between lines 10 and 11, insert the following:

27 "§1115. Notifications regarding applications

28 A. No public or private legal entity shall engage in, nor shall any  
29 government agency permit, activity associated with carbon capture, use, or  
30 sequestration unrelated to enhanced oil and gas recovery, without first having  
31 delivered advance written notice via United States Postal Service certified mail  
32 to any person or persons owning or having any interest, including mineral  
33 rights, in property whose planned use includes such activities. Every applicant  
34 for a Class VI permit or a Class V permit related to a geologic sequestration  
35 project shall comply with the following:

36 ~~A.(1)~~ Within thirty days of receiving notice of an application for a Class VI  
37 injection well being In order for an application for a Class VI permit to be  
38 deemed administratively complete, the owner or operator shall make a good faith  
39 effort to provide notice of the submission of the application via United States  
40 certified mail to all of the following located within the surface or subsurface  
41 extent of the area of review delineated in the permit application:

42 ~~(1)(a)~~ The last operator of record for any oil or gas well located within the  
43 area of review delineated in the application.

44 ~~(2)(b)~~ Any person known to the applicant after reasonable search that,  
45 including owners and operators, acting on behalf of the person, that presently has the  
46 right to drill into and produce from a pool and to appropriate production either for  
47 himself or others within the predicted or modeled carbon dioxide plume, as that term  
48 is defined in administrative rules and regulations providing for Class VI injection  
49 wells: All mineral interest owners known to the applicant after a reasonable

search, including owners in interest, mineral servitude owners, mineral lessees, and operators acting on behalf of such mineral interest owners.

(c) All surface owners.

~~B.(2) Within ten days of filing an application with the commissioner for a Class V stratigraphic test well~~ In order for an application for a Class V stratigraphic test well permit to be considered complete, the owner or operator shall make a good faith effort to provide notice of the submission of the application via United States certified mail to all of the following located within five hundred feet of the proposed well:

~~(1)(a) The last operator of record for any oil or gas well located within five hundred feet of the proposed Class V stratigraphic test well location.~~

~~(2)(b) Any person known to the applicant after reasonable search, including owners and operators, acting on behalf of the person, that presently has the right to drill into and produce from a pool and to appropriate production either for himself or others within five hundred feet of the proposed Class V stratigraphic test well location~~ All mineral interest owners known to the applicant after a reasonable search, including owners in interest, mineral servitude owners, mineral lessees, and operators acting on behalf of such mineral interest owners.

(c) All surface owners.

(3) Notice to all surface owners as required by this Section may be satisfied by notifying all persons shown on the parish assessor's rolls as the current owner of the surface rights for the land included within the applicable area of required notice.

B. The department shall also publish on its website a notice of each application for a Class VI permit or Class V permit related to a carbon dioxide sequestration project.

\* \* \*

## AMENDMENT NO. 66

On page 178, between lines 7 and 8, insert the following:

"Section 2. R.S. 30:29(A), (B)(1), (C)(1) and (3)(a) and (5) and (6)(b) and (c), (D)(1) through (3), (E)(1), (F), (H)(1), (I)(2) and (4), and the introductory paragraph of (M)(1) and (c) are hereby amended and reenacted and R.S. 30:29(C)(6)(d) and (N) are hereby enacted to read as follows:

### §29. Remediation of oilfield sites and exploration and production sites

A. The legislature hereby finds and declares that Article IX, Section 1 of the Constitution of Louisiana mandates that the natural resources and the environment of the state, including ground water, are to be protected, conserved, and replenished insofar as possible and consistent with the health, safety, and welfare of the people and further mandates that the legislature enact laws to implement this policy. It is the duty of the legislature to set forth procedures to ensure that damage to the environment is evaluated and if necessary remediated to a standard that protects the public interest. To this end, this Section provides the procedure for judicial resolution of claims for environmental damage to property arising from activities subject to the jurisdiction of the Department of Energy and Natural Resources, office of conservation. The provisions of this Section shall be implemented upon receipt of timely notice as required by Paragraph (B)(1) of this Section. The provisions of this Section shall not be construed to impede or limit provisions under private contracts imposing remediation obligations in excess of the requirements of the department or limit the right of a party to a private contract to enforce any contract provision in a court of proper jurisdiction.

B.(1) Notwithstanding any law to the contrary, immediately upon the filing or amendment of any litigation or pleading making a judicial demand arising from or alleging environmental damage, including actions based in whole or in part on R.S. 30:16 or 26, the provisions of this Section shall apply, and the party filing same shall provide timely notice to the state of Louisiana through the Department of

Energy and Natural Resources, commissioner of conservation and the attorney general. The litigation shall be stayed with respect to any judicial demand until thirty days after notice is issued and return receipt is filed with the court.

\* \* \*

C.(1) If at any time ~~during the proceeding~~ a party admits liability for environmental damage or the finder of fact determines that environmental damage exists and determines the party or parties who caused the damage or who are otherwise legally responsible therefor, the court shall order the party or parties who admit responsibility or whom the court finds legally responsible for the damage to develop a plan or submittal for the evaluation or remediation to applicable regulatory standards of the contamination that resulted in the environmental damage. The court shall order that the plan be developed and submitted to the department ~~and the court~~ within ~~a time that the court determines is reasonable and shall allow~~ one hundred eighty days from the first date a party admits responsibility or one hundred eighty days of the date the court finds a party legally responsible, whichever occurs later. ~~the~~ The plaintiff or any other party ~~at least~~ shall have thirty days from the date each plan or submittal was ~~made~~ submitted to the department ~~and the court~~ to review the plan or submittal and ~~to provide to the department and the court a~~ with an alternate plan, comment comments, or input in response thereto to the plan or plans submitted. The court may extend the time for filing any plan or comments for good cause shown. The department shall consider any plan, comment, or response provided timely by any party. The department shall submit to the court a schedule of estimated costs for review of the plans or submittals of the parties by the department and ~~the court~~ shall require the party admitting responsibility or the party found legally responsible by the court to deposit in the registry of the court sufficient funds to pay the cost of the department's review of the plans or submittals. Any plan or submittal shall include an estimation of cost to implement the plan.

\* \* \*

(3)(a) The department shall use and apply the applicable regulatory standards including but not limited to the Risk Evaluation and Corrective Action Program (RECAP) and may use other exceptions to LAC 43:XIX.1 et seq., otherwise identified as Statewide Order No. 29-B, in approving or structuring a plan that the department determines to be the most feasible plan to evaluate or remediate the environmental damage. In any action governed by the provisions of this Section, the department shall consult with the landowner to consider exceptions, including RECAP, but shall not be required to obtain landowner consent.

\* \* \*

(5) The court shall adopt the plan approved by the department as the most feasible plan, unless a party proves by a ~~preponderance of the~~ clear and convincing evidence that another timely submitted plan was provided to the department pursuant to this Subsection is a more feasible plan to adequately protect the environment and the public health, safety, and welfare. The court shall enter a judgment adopting a the most feasible plan with written reasons assigned. Upon adoption of a plan, the court shall order the party or parties admitting responsibility or the party or parties found legally responsible by the court to fund the implementation of the plan. The trial on the merits shall be stayed from the filing of a limited admission until the court adopts the most feasible plan.

(6)

\* \* \*

(b) Any appeal under this Section of a judgment adopting the most feasible plan shall be taken to the Court of Appeals for the First Circuit. The appeal of a judgment adopting the most feasible plan ~~a de novo review~~ and shall be heard with preference and on an expedited basis.

(c) The appellate court may affirm the trial court's adoption of a the most feasible plan or may adopt a most feasible plan in conformity with this Section and shall issue written reasons for its decision.

(d) In the absence of an express contractual provision providing for remediation to original condition or some other specific remediation standard,

**a party's legal responsibility is satisfied by meeting the standards set forth in applicable regulatory standards.**

D.(1) Whether or not the department or the attorney general intervenes, and except as provided in Subsection H of this Section, all damages or payments in any civil action, including interest thereon, awarded for the evaluation or remediation of environmental damage shall be paid exclusively into the registry of the court in an interest-bearing account with the interest accruing to the account for ~~clean-up~~ **evaluation or remediation.**

(2) The court may allow any funds to be paid into the registry of the court to be paid in increments as necessary to fund the evaluation or remediation and implementation of ~~any~~ **the most feasible** plan or submittal adopted by the court **under Paragraph (C)(5) of this Section.** In any instance in which the court allows the funds to be paid in increments, whether or not an appeal is taken, the court shall require the posting of a bond for the implementation of the **most feasible** plan in such amount as provided by and in accordance with the procedures set forth for the posting of suspensive appeal bonds. Any such bond shall be valid through completion of the remediation. **In lieu of paying funds into the registry of the court, the responsible party may at its option pay directly the cost of implementing the most feasible plan and post bond in an amount equal to the total cost of the most feasible plan as provided by and in accordance with the procedures set forth for the posting of suspensive appeal bonds. If a responsible party directly pays the cost of implementing the most feasible plan, then the responsible party shall provide to the district court a summary of costs paid each quarter until the earlier of when the most feasible plan is fully implemented or the district court orders that no further summaries are required.**

(3) The court shall issue such orders as may be necessary to ensure that any such funds are actually expended in a manner consistent with the adopted ~~and~~ **most feasible** plan for the evaluation or remediation of the environmental damage for which the award or payment is made.

\* \* \*

E.(1) In any civil action in which a party is responsible for ~~damages or payments for the evaluation or remediation of~~ environmental damage, a party providing evidence, in whole or in part, upon which the judgment is based shall be entitled to recover from the party or parties ~~admitting responsibility or the party or parties~~ found legally responsible by the court, ~~in addition to any other amounts to which the party may be entitled;~~ all costs attributable to producing that portion of the evidence that directly relates to the establishment of environmental damage, including, but not limited to, expert witness fees, environmental evaluation, investigation, and testing, the cost of developing a plan of **evaluation or remediation, and reasonable attorney fees incurred in the trial court and the department. Upon adoption of the most feasible plan by the trial court, a party admitting responsibility or a party found to be legally responsible for environmental damage shall not be responsible for any further attorney fees or costs including but not limited to expert witness fees, environmental evaluation, monitoring, investigation, and testing. Upon a finding by the court that a defendant did not cause or is otherwise not legally responsible for the alleged environmental damage, that defendant shall be entitled to recover from the plaintiff reasonable attorney fees and all costs including expert witness fees, environmental evaluation, monitoring, investigation, and testing if that defendant is found at trial not to have caused or is otherwise not legally responsible for the alleged environmental damage.**

\* \* \*

F. The court and the department shall retain oversight to ensure compliance with the plan. The party or parties admitting responsibility or the party or parties found legally responsible ~~by the court~~ shall file progress reports periodically as the court or the department may require.

\* \* \*

H.(1) This Section shall not preclude an owner of land from pursuing a judicial remedy or receiving a judicial award for private claims suffered as a result of environmental damage, except as otherwise provided in this Section. Any award granted in connection with the judgment for additional remediation in excess of the requirements of the feasible plan adopted by the court ~~is not required to~~ shall not be paid into the registry of the court. Any award granted in connection with the judgment for damages awarded to fund the most feasible plan shall be paid into the registry of the court.

\* \* \*

I. For the purposes of this Section, the following terms shall have the following meanings:

\* \* \*

(2) "Environmental damage" shall mean any actual or potential impact, damage, or injury to environmental media caused by actual or potential contamination resulting from activities associated with oilfield sites or exploration and production sites. Environmental media shall ~~include but not be limited to~~ mean soil, surface water, ground water, or sediment.

\* \* \*

(4) "~~Feasible Plan~~ Most feasible plan" means the most reasonable plan which addresses environmental damage in conformity with the requirements of Article IX, Section 1 of the Constitution of Louisiana to protect the environment, public health, safety and welfare, and is in compliance with the specific relevant and applicable standards and regulations promulgated by a state agency in accordance with the Administrative Procedure Act in effect at the time of ~~clean up~~ the most feasible plan to ~~evaluate or if necessary~~ remediate contamination ~~environmental damage~~ resulting from oilfield or exploration and production operations or waste.

\* \* \*

M.(1) In an action governed by the provisions of this Section, and notwithstanding any provision contained in this Section to the contrary, damages, including without limitation, remediation and nonremediation damages, may be awarded only for the following:

\* \* \*

(c) ~~The cost of evaluating, correcting or repairing environmental damage upon a showing that such damage was caused by unreasonable or excessive operations based on rules, regulations, lease terms and implied lease obligations arising by operation of law, or standards applicable at the time of the activity complained of, provided that such damage is not duplicative of damages awarded under Subparagraph (a) or (b) of this Paragraph.~~ Economic loss damages may be recovered if proven by a preponderance of the evidence. All other nonremediation damages shall be limited no less than the fair market value and no more than three hundred percent of the fair market value, as determined by the court, of the property impacted by environmental damage.

\* \* \*

N. Any provision of any sale, transfer, or assignment of all or part of the rights to any oil and gas mineral lease, mineral servitude, surface lease, predial lease, or use servitude which requires the purchaser, transferee, or assignee to defend against or indemnify the seller, transferor, or assignor for remediation of soil, sediment, groundwater, or provisions of this Subsection shall be null, void, and unenforceable. The provisions of this Subsection shall apply to any remediation obligations imposed by any statute, law, or regulation, including but not limited to R.S. 30:29 and to the State and Local Coastal Zone Resources Management Act of 1978 (R.S. 49:214.21 et seq.) and regulations thereunder, applicable to any "oilfield site" or "exploration and production (E&P) site" as defined in R.S. 30:29(I)(5), and applicable to any uses of an oilfield site or exploration and production site. The provisions of this Subsection shall also be applicable to any claims for injunctive relief under R.S. 30:16. The provisions of this Subsection shall apply both retrospectively and prospectively, but if retrospective application of this Paragraph, generally or to any person or circumstance, is held to be invalid, unenforceable, or unconstitutional, then this

1 entire Paragraph including its prospective application shall be invalid and  
2 unenforceable."

3 AMENDMENT NO. 67

4 On page 178, at the beginning of line 8, change "Section 2." to "Section 3."

5  
6 AMENDMENT NO. 68

7 On page 178, at the beginning of line 24, change "Section 3." to "Section 4."

8 AMENDMENT NO. 69

9 On page 178, line 27, after "and (D)" and before "are hereby" insert a comma "," and insert  
10 "and 600"

11 AMENDMENT NO. 70

12 On page 180, between lines 27 and 28, insert the following:

13 "(8) The executive director of the State Soil and Water Conservation  
14 Commission."

15 AMENDMENT NO. 71

16 On page 181, between lines 21 and 22, insert the following:

17 "F. The legislature may establish advisory committees to advise the  
18 Natural Resources Commission on any matter within the jurisdiction of the  
19 commission. Advisory committees shall be established by resolution which, at  
20 a minimum, provides for the purpose of the advisory committee, either the  
21 membership of the committee or how the members will be appointed, and such  
22 other matters as the legislature deems appropriate. An advisory committee  
23 established pursuant to this Subsection shall terminate one year after the  
24 effective date of the resolution creating it unless a different term is expressly  
25 provided in the resolution or the advisory committee is reauthorized by  
26 subsequent resolution."

27 AMENDMENT NO. 72

28 On page 189, line 9, after "Ensure" delete "robust"

29 AMENDMENT NO. 73

30 On page 190, line 6, after "management of" change "this Section" to "the department"

31 AMENDMENT NO. 74

32 On page 190, delete lines 25 and 26 and insert:

33 "D. The authority may request that the state treasurer invest funds, or  
34 any portion thereof, under the control of the authority in accordance with the  
35 provisions of R.S. 33:2955, including the use of the Louisiana Asset  
36 Management Pool."

37 AMENDMENT NO. 75

38 On page 192, line 15, after "law." delete the remainder of the line and delete lines 16 through  
39 19 in their entirety

AMENDMENT NO. 76

On page 194, line 4, after "law." insert "The secretary and the commissioner of administration shall enter into and maintain a memorandum of understanding regarding receipt, administration, and control of these payments to memorialize necessary arrangements associated with funding their respective departments."

AMENDMENT NO. 77

On page 196, between lines 7 and 8, insert the following:

"\*       \*       \*

**§600. Administrative process for resolution of disputes**

**A. It is the intent of the legislature to establish a voluntary administrative process to provide an alternative means of resolving disputes arising from activities under the jurisdiction of the Department of Conservation and Energy. This process may be utilized upon mutual agreement of all parties involved as an alternative to any other administrative or judicial processes provided by law.**

**B. Procedural requirements.**

**(1) The administrative process shall initiate upon the submission of written requests by all involved parties to the secretary of the Department of Conservation and Energy. The secretary may deny the request at his discretion, but notice of such denial shall be sent to all parties at the addresses provided in the written requests. If the secretary does not deny the request to utilize the administrative process, then the secretary shall forward to all parties an agreement setting forth the details of the process, how the hearing master's costs shall be paid, and other details of the process along with the retired judges list provided for in Paragraph (2) of this Subsection. The administrative process shall not proceed until all parties have signed the agreement and the secretary appoints a hearing officer as set forth in Paragraph (2) of this Subsection.**

**(2) Upon receipt of the agreement signed by the parties, the secretary shall appoint a hearing master as follows:**

**(a) Qualified hearing masters shall be retired judges included in the retired judges list maintained by the Louisiana Supreme Court, licensed to practice law in the state, and in good standing with the Louisiana State Bar Association. They shall not have conflicts or relationships that could compromise impartiality, and they shall disclose any potential conflicts upon discovery.**

**(b) Preference shall be given to retired judges with expertise in administrative law, regulatory compliance, environmental matters, or relevant industry practices. The department may maintain and update a list of preferred candidates meeting these criteria.**

**(c) The parties shall jointly select a hearing master from the provided list within ten days. If agreement on selecting the hearing officer is not reached within fifteen days, the parties shall alternately strike names from the list until only one candidate remains, who shall be appointed by the secretary, subject to their availability. If unavailable, the process shall be repeated until an appointment is finalized.**

**C. Scope. The parties may mutually define the scope of matters subject to resolution through this administrative process, provided those matters involve activities that are within the jurisdiction and authority of the department as provided by law.**

**D. Recordation. The signed agreement to utilize this administrative process shall be recorded in the conveyance records of the parish where the regulated activity or disputed issue occurred. If the activity or issue is located in more than one parish, then the agreement shall be recorded in the conveyance records of all parishes where it is located.**

**E. Decision and remedies.**

(1) The hearing master may grant any appropriate remedy or combination of remedies permissible under applicable law, including but not limited to monetary damages, injunctive relief, or specific performance.

(2) The hearing master shall issue a draft decision and provide copies via certified mail to the parties and the department for their review and comments, which shall be provided to the hearing master, other parties, and the department within thirty days.

(3) Any decision issued by the hearing master is final unless a review is requested by any party. A review, if requested, shall be conducted en banc by a panel of three hearing masters selected by the secretary.

F. Publication. All final decisions and the rationale therefor shall be published on the department's website within thirty days of issuance.

G. Preemption. Unless all parties agree otherwise at the time they request the administrative process, any pre-existing and duly recorded contractual agreements or leases governing the relationship between the parties shall supersede this administrative process. A settlement agreed to by the parties after initiation of the administrative process but prior to the final decision of the hearing master shall supersede the administrative process as to the parties to the settlement.

H. Rulemaking authority. The department shall promulgate rules as necessary to implement the provisions of this Section."

AMENDMENT NO. 78

On page 196, at the beginning of line 8, change "Section 4." to "Section 5."

AMENDMENT NO. 79

On page 208, at the beginning of line 18, change "Section 5." to "Section 6."

AMENDMENT NO. 80

On page 209, at the beginning of line 2, change "Section 6." to "Section 7."

AMENDMENT NO. 81

On page 209, at the beginning of line 14, change "Section 7." to "Section 8."

AMENDMENT NO. 82

On page 211, at the beginning of line 1, change "Section 8." to "Section 9."

AMENDMENT NO. 83

On page 211, at the beginning of line 8, change "Section 9." to "Section 10."

AMENDMENT NO. 84

On page 212, at the end of line 21, delete "fisherman"

AMENDMENT NO. 85

On page 212, delete line 25 in its entirety and insert "Section 11. R.S. 17:200 through 220, R.S. 30:4(N), 29(M)(1)(d), 85(D)(11), 86(F), 136.3(E), Part III of Chapter 2 of Subtitle I of Title 30 of the Revised Statutes of Louisiana, comprised of R.S. 30:186 through 188, 1104(F), 2458, 2469, and 2470"

1 AMENDMENT NO. 86

2 On page 212, at the beginning of line 27, change "Section 11." to "Section 12."

3 AMENDMENT NO. 87

4 On page 213, at the beginning of line 1, change "Section 12." to "Section 13."

5 AMENDMENT NO. 88

6 On page 213, line 2, after "redesignate" change "R.S. 101.1" to "R.S. 30:101.1"

7 AMENDMENT NO. 89

8 On page 213, after line 3, insert the following:

9 "Section 14. In the event the Act which originated as House Bill No. 605 of the 2025  
10 Regular Session becomes law, the Louisiana State Law Institute shall redesignate R.S.  
11 30:21.1 as enacted by Section 1 of that Act as R.S. 30:4(Q)(1)(b), which shall supersede R.S.  
12 30:4(Q)(1)(b) as enacted by Section 1 of this Act.

13 Section 15. The provisions of R.S. 30:29 in existence prior to the enactment of  
14 Section 2 of this Act shall apply to any case in which the lawsuit for damages has been filed  
15 within twenty-six months of the effective date of Section 2 of this Act. All lawsuits which  
16 arise out of conduct that occurs on or after the effective date of Section 2 of this Act shall  
17 be governed by R.S. 30:29 as amended by this Act.

18 Section 16.(A) Sections 2, 15, and 16 of this Act shall become effective upon  
19 signature of the governor or, if not signed by the governor, upon expiration of the time for  
20 bills to become law without signature by the governor, as provided by Article III, Section  
21 18 of the Constitution of Louisiana. If vetoed by the governor and subsequently approved  
22 by the legislature, this Act shall become effective on the day following such approval.

23 (B) All remaining Sections of this Act shall become effective on October 1, 2025."