

SENATE RESOLUTION NO. 155

BY SENATOR MILLER

A RESOLUTION

To urge and request the Louisiana State Law Institute to study and evaluate legislation relative to the creation of mineral servitudes in connection with certain economic development projects.

WHEREAS, R.S. 31:149 generally addresses the circumstances under which a mineral servitude will be imprescriptible, such that the prescription accruing against a mineral servitude will not run for the period of time, and under the circumstances, specified in R.S. 31:149; and

WHEREAS, Subsection I of R.S. 31:149 exists as an exception to Subsection A through H of R.S. 31:149 under circumstances involving certain economic development projects in which a cooperative endeavor agreement is executed and the project is certified by the secretary of Louisiana Economic Development, and the mineral servitude is subject to the prescription of nonuse for a period of twenty years; and

WHEREAS, significant issues have arisen concerning the circumstances proposed in Senate Bill No. 492 of the 2026 Regular Session of the Legislature as they pertain to the established regime of mineral servitudes.

THEREFORE, BE IT RESOLVED that the Senate of the Legislature of Louisiana does hereby urge and request the Louisiana State Law Institute to study and recommend legislation relative to the issues raised in Senate Bill No. 492 of the 2026 Regular Session of the Legislature and make recommendations and to report its findings to the Legislature of Louisiana no later than February 1, 2027.

BE IT FURTHER RESOLVED that a copy of this Resolution be transmitted to the director of the Louisiana State Law Institute.

BE IT FURTHER RESOLVED that the Louisiana State Law Institute shall report its findings and propose recommendations, together with specific proposals for legislation by written report to the Legislature of Louisiana and the David R. Poynter Legislative Research Library as required by R.S. 24:771 and 772 no later than February 1, 2027.

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PRESIDENT OF THE SENATE