

**SENATE FLOOR AMENDMENTS**

2026 Regular Session

Amendments proposed by Senator Cathey to Reengrossed House Bill No. 211 by Representative Villio

1 AMENDMENT NO. 1

2 On page 1, line 14, after "state fire marshal;" and before "to provide for" insert "to provide  
3 for limitation of liability;"

4 AMENDMENT NO. 2

5 On page 15, between lines 17 and 18, insert the following:

6 "E. The good-faith enforcement, investigation, citation, or prosecution of an  
7 alleged violation of this Section by a political subdivision or its officers or  
8 employees is a policymaking or discretionary act within the meaning of R.S.  
9 9:2798.1, and the immunity provided by that Section shall apply."

10 AMENDMENT NO. 3

11 On page 17, at the beginning of line 16, delete "continuous period of no longer than one  
12 year" and insert "period of one year and which may be redesignated annually"

13 AMENDMENT NO. 4

14 On page 18, between lines 25 and 26, insert the following:

15 "§581.3. Limitation of liability; public camping  
16 A. Definitions. As used in this Section, the following terms have the  
17 following meanings:

18 (1) "Covered entity" means any political subdivision, municipality, parish,  
19 governing authority, special district, or other unit of local government, and the  
20 officials, officers, employees, agents, contractors, and volunteers thereof acting  
21 within the course and scope of their duties.

22 (2) "Designated property" means property designated for public camping  
23 pursuant to R.S. 40:581.2, and any appurtenant access or service area.

24 (3) "Service provider" means any nonprofit, religious, faith-based, charitable,  
25 mutual-aid, harm-reduction, healthcare, or educational organization that provides  
26 covered services.

27 (4) "Volunteer" means any individual who, without compensation, provides  
28 covered services, whether independently or on behalf of a service provider.

29 (5) "Covered services" means the provision, without compensation from the  
30 recipient, of food, water, clothing, hygiene supplies, sanitation, transportation, basic  
31 medical or first-aid services, mental health or substance use counseling or referral,  
32 harm-reduction supplies and education to the extent permitted by law, legal aid,  
33 employment or housing navigation, religious or pastoral counseling, and childcare  
34 services to persons experiencing homelessness on or in connection with a designated  
35 property.

36 B. Discretionary act immunity. The exercise or non exercise of any duty,  
37 power, or function of a covered entity under this Part or under R.S. 14:107.6,  
38 including the decision to designate, refuse to designate, close, or non renew a  
39 designation; the adoption and enforcement of minimum standards under R.S.  
40 40:581.2(C); the removal or relocation of persons or property; the provision of or  
41 referral to services; and the response to a notice from the Louisiana Department of  
42 Health, is a policymaking or discretionary act within the meaning of R.S. 9:2798.1,  
43 and the immunity provided by that Section shall apply.

44 C. Premises immunity. A covered entity that designates, owns, leases,  
45 manages, controls, or supervises a designated property shall be deemed an owner of  
46 land used for purposes equivalent to recreational purposes within the meaning of

1 R.S. 9:2795, and the limitation of liability provided by R.S. 9:2795(B) and (E) shall  
2 apply to the designated property. The immunity extended by this Subsection  
3 includes, without limitation, claims for personal injury, illness, death, or property  
4 damage arising from fire, explosion, smoke inhalation, drug or alcohol overdose,  
5 communicable disease, exposure to weather, defects in the land or facilities, or the  
6 acts or omissions of any other camper, guest, vendor, service provider, volunteer, or  
7 third person on the designated property.

8 D. Service provider and volunteer immunity. A service provider, and any  
9 volunteer, who in good faith and without compensation provides covered services  
10 shall be deemed to be rendering service within the meaning of R.S. 9:2793, and the  
11 immunity provided by that Section shall apply, except that the immunity extended  
12 by this Subsection is not limited to emergency settings. This Subsection is in  
13 addition to, and does not limit, any greater protection available under R.S. 9:2793.1,  
14 2799, or 2799.1, the federal Volunteer Protection Act of 1997 (42 U.S.C. 14501 et  
15 seq.), or the federal Bill Emerson Good Samaritan Food Donation Act (42 U.S.C.  
16 1791).

17 E. Property removal and storage. Personal property of a person experiencing  
18 homelessness that is removed from public property in connection with enforcement  
19 of this Part or R.S. 14:107.6 shall be stored for not less than thirty days and returned  
20 to the owner upon request, in accordance with procedures adopted by the covered  
21 entity. A covered entity is not liable for property unclaimed after the storage period,  
22 or for property that is contaminated or perishable or constitutes a public health or  
23 safety hazard, when disposal is consistent with adopted procedures.

24 F. Federal and constitutional claims. Nothing in this Section limits any claim  
25 arising under the Constitution of Louisiana, the Constitution of the United States, or  
26 42 U.S.C. 1983.

27 G. Cumulative effect. The provisions of this Section are in addition to, and  
28 not in derogation of, the immunities cross-referenced herein and any other applicable  
29 immunity, indemnity, or limitation of liability under law."

30 AMENDMENT NO. 5

31 On page 20, line 4, after "Act" and before "shall become" insert ", including R.S. 40:581.3,"