

SB 379 -- Redline

Engrossed to Enrolled -- NATURAL RESOURCES DEPT: Provides for the Department of Conservation and Energy.
(8/1/26)

Deletions ~~struck~~ · Insertions underlined

~~SLS 26RS-576 REENGROSSED~~ Regular Session ENROLLED SENATE BILL NO.

379 BY SENATOR HENSGENS ~~NATURAL RESOURCES DEPT. Provides for the Department of Conservation and Energy. AN ACT~~
To amend and reenact R.S.

~~(8/1/26) 30:3(7), 4(C)(14), (D)(1)(a) and AN(5), ACT(G), To amend and reenact R.S. and (I)(2), 5(C)(1), the~~
introductory paragraph of (C)(2), and (6), and (D)(1), 5.1(A)(1) and (B)(1), 6.1(A) and (C), 12(A)(2),
21.1(A)(3) and (D)(5), 23(D)(2), 26, 29(A) and (I)(4), 73(1),
74(A)(3) and (B), 98.3(B), 101.2(A), 101.5(A), 127(A), 136.3(B)(1) and (C), 153(A), the introductory paragraph of
548, 917(F), 1110(A)(2) and (C)(1)(f) and (g), R.S.

~~30:3(7), 4(C)(14), (D)(1)(a) and 36:356.1(D) (5), (G), and (I)(2), 358(B), 5(C)(1), (E)(2), and the (G).~~
introductory paragraph of (C)(2), and (6), and (D)(1), 5.1(A)(1) and (B)(1), 6.1(A) and (C), 21(D)(5),
23(D)(2), 26, 29(A) and (I)(4), 73(1), 74(A)(3) and (B), 98.3(B),
101.2(A), 101.5(A), 127(A), 136.3(B)(1), 153(A), the introductory paragraph of 548, 917(F), 1110(C)(1)(f) and (g),
and R.S.

~~36:358(B), 49:214.35(B), (E), and (F) and to (E)(2), and (G), to~~ enact R.S.

~~30:84(A)(9) 30:12(A)(3), 84(A)(9) and (10), and to 2050.22(C) repeal and~~ R.S.

49:214.35(G) and 978.1(A)(3), and to repeal R.S.

to provide for definitions; for definitions;

to provide for judicial review of administrative decisions;

to provide for investment of funds;

to provide for an effective date;

30:3(7), 4(C)(14), (D)(1)(a) and (5), (G), and (I)(2), 5(C)(1), the introductory paragraph introductory
paragraph of (C)(2), and (6), and (D)(1), 5.1(A)(1) and (B)(1), 6.1(A) and

~~(C), (C), 12(A)(2), 21.1(A)(3) and (D)(5), 23(D)(2), 26, 29(A) and (I)(4), 73(1), 74(A)(3) and (B), 21(D)(5), 98.3(B),~~
23(D)(2), 101.2(A), 26, 101.5(A), 29(A), 127(A), 136.3(B)(1) and (I)(4), (C), 73(1), 153(A), 74(A)(3) the
introductory paragraph of 548, 917(F), 1110(A)(2) and (B), (C)(1)(f) 98.3(B), and 101.2(A), (g) Page are
hereby amended 20 and Coding, reenacted and R.S.

30:12(A)(3), 84(A)(9) and (10), and 2050.22(C) are hereby enacted to read as follows:

Sec.3.

Definitions Unless the context otherwise requires, the words defined in this Section have Page 1 of 23 Coding:

~~SLS 26RS-576 REENGROSSED~~ SB NO.

379 ~~101.5(A), ENROLLED 127(A), 136.3(B)(1), 153(A), the introductory following paragraph meaning of when~~
548, found 917(F), in 1110(C)(1)(f) this and Subtitle: (g) are hereby amended and reenacted and R.S.

~~30:84(A)(9) and (10) are hereby enacted to read as follows:~~

~~Sec.3.~~

~~Definitions Unless the context otherwise requires, the words defined in this Section have the following meaning~~
~~when found in this Subtitle:~~

These secretary has authority to ~~make, after~~ make, after notice ~~notice and~~ and hearings ~~hearings~~ as provided in this
Chapter, any reasonable rules, regulations, and orders that are necessary from time to time in
the proper administration and enforcement of this Chapter, including rules, regulations, or orders for the
following purposes:

* * * (14) To require interested persons to place uniform meters of a type approved by the secretary wherever the
secretary designates on all pipelines, gathering systems, barge terminals, loading racks, refineries, or
other places necessary or proper to prevent waste and the transportation of illegally produced oil or gas. These
meters shall be ~~under the supervision and control of the department of conservation.~~ under
the supervision and control of the department of conservation.

~~It shall be a violation of this Chapter, subject to the penalties provided in~~
Chapter, subject to the penalties provided in R.S. 30:18, R.S. ~~for any person to refuse to attach or install a~~
~~meter when ordered to do so by the secretary, or in any way to tamper with the meters so as to produce a~~
~~false or inaccurate reading, or to have any device through which the oil or gas can be passed around the~~
~~meter, unless expressly authorized by written permit of the secretary.~~

30:18, for any person to refuse to attach or install a meter when ordered to do so by the secretary, or
in any way to tamper with the meters so as to produce a false or inaccurate reading, or to have
any device through which the oil or gas can be passed around the meter, unless expressly authorized by
written permit of the secretary.

The secretary may make, after notice and public hearing as provided in ~~Page 20~~ this Chapter, of any reasonable Coding: rules, regulations, and orders that are necessary:

(1) To require that all pipelines, all wells, and all associated structures, including any fittings, tie-overs, appliances, and equipment, which are constructed on state water bottoms pursuant to the grant of a right-of-way by the secretary of the Department of Conservation and Energy or the issuance of a lease by the State Mineral and Energy Board shall conform to the following provisions:

Page 2 of 23 Coding:

~~SLS 26RS-576 REENGROSSED~~ SB NO.

~~379 this ENROLLED Chapter, (a) The owner or operator of a pipeline constructed on a right-of-way granted any on reasonable state rules, water bottoms regulations, shall be responsible for burying the line to a depth consistent with regulations promulgated by the office of conservation department and orders for that maintaining are it necessary, at said depth to the extent feasible and practical, as determined by the secretary, taking into account the changes wrought by natural forces.~~

~~(1) To require that all pipelines, all wells, and all associated structures, including any fittings, tie-overs, appliances, and equipment, which are constructed on state water bottoms pursuant to the grant of a right-of-way by the secretary of the Department of Conservation and Energy or the issuance of a lease by the State Mineral and Energy Board shall conform to the following provisions:~~

~~(a) The owner or operator of a pipeline constructed on a right-of-way granted on state water bottoms shall be responsible for burying the line to a depth consistent with regulations promulgated by the office of conservation department and for maintaining it at said depth to the extent feasible and practical, as determined by the secretary, taking into account the changes wrought by natural forces.~~

~~* * * G. The Department of Conservation and Energy, through the secretary, shall implement the provisions of Subsections D, E, and F of this Section as to interstate pipelines insofar as those requirements may be consistent with the regulations for interstate pipelines adopted by the United States Department of Transportation.~~

~~The Department of Conservation and Energy, through the secretary, shall implement the provisions of Subsections D, E, and F of this Section as to interstate pipelines insofar as those requirements may be consistent with the regulations for interstate pipelines adopted by the United States Department of Transportation.~~

~~* * * I. The secretary shall make, after notice and public hearing as provided in this Chapter, any reasonable rules, regulations, and orders that are necessary to control the offsite disposal at commercial facilities of drilling mud, saltwater and other related nonhazardous wastes generated by the drilling and production of oil and gas Page wells. Such regulations shall contain provisions identifying the waste material to be 3 regulated. of 20 Coding:~~

Such regulations shall at a minimum require:

* * * (2) At least thirty days prior to filing such application with the office department, the applicant shall publish a notice of intent to file the application, which notice shall contain sufficient information to identify the applicant, the proposed site at which disposal operations will occur, the nature and content of the Page 3 of 23 Coding:

~~SLS 26RS-576 REENGROSSED~~ SB NO.

~~379 wells. Such regulations shall contain provisions identifying the waste material to be ENROLLED regulated, waste streams to be disposed of, and the method of disposal to be used.~~

~~Such regulations shall at a minimum require:~~

~~* * * (2) At least thirty days prior to filing such application with the office department, the applicant shall publish a notice of intent to file the application, which notice shall contain sufficient information to identify the applicant, the proposed site at which disposal operations will occur, the nature and content of the waste streams to be disposed of, and the method of disposal to be used.~~

(2) In connection with such an order of unit operation, the secretary of the Page office 4 of 20 conservation Coding: shall have the right to unitize, pool, and consolidate all separately owned tracts and other property ownerships.

Any order for such a unit operation shall be issued only after notice and hearing and shall be based on all of the following findings:

* * * (6) No order of the secretary entered pursuant hereto shall have the effect of enlarging, displacing, varying, altering, or in anywise whatsoever modifying or changing contracts in existence on the effective date of this Act August 15, 1984, Page 4 of 23 Coding:

~~SLS 26RS-576 REENGROSSED~~ SB NO.

~~379 office ENROLLED concerning the unitization of conservation any shall pool have (reservoir) the or right pools to (reservoirs) unitize, or pool, field and (as consolidated defined all in separately the owned contract) tracts for and the other production property of ownerships, oil, gas, brine, or any combination thereof.~~

~~Any order for such a unit operation shall be issued only after notice and hearing and shall be based on all of the following findings:~~

~~* * * (6) No order of the secretary entered pursuant hereto shall have the effect of enlarging, displacing, varying, altering, or in anywise whatsoever modifying or changing contracts in existence on the effective date of this Act August 15, 1984, concerning the unitization of any pool (reservoir) or pools (reservoirs) or field (as defined in the contract) for the production of oil, gas, brine, or any combination thereof.~~

(1) In order to prevent waste and to avoid the drilling of ~~unnecessary wells,~~ unnecessary wells, and to encourage the development of deep oil and gas pools in Louisiana, the ~~Page~~ secretary ~~5 of 20~~ conservation ~~Coding;~~ is authorized, as provided in this Subsection, to establish a single unit to be served by one or more wells for a deep pool and to adopt a development plan for such deep unit.

~~Words which are struck through are deletions from existing law;
words in boldface type and underscored are additions.~~

~~SLS 26RS-576 REENGROSSED SB NO.~~

~~379 secretary of conservation is authorized, as provided in this Subsection, to establish a single unit to be served by one or more wells for a deep pool and to adopt a development plan for such deep unit.~~

(1) In order to prevent waste and to avoid the drilling of ~~unnecessary wells,~~ unnecessary wells, and to encourage the development of ultra deep oil and gas structures in Louisiana, the secretary of conservation is authorized, as provided in this Subsection, to establish a single unit to be served by one or more wells for an ultra deep structure ~~and~~ Page ~~to 5~~ adopt a plan of development ~~23 for~~ Coding; ~~such ultra deep structure unit.~~

~~Words which are struck through are deletions from existing law;
words in boldface type and underscored are additions.~~

~~SB NO.~~

~~379 ENROLLED~~ and to adopt a plan of development for such ultra deep structure unit.

When an emergency situation is declared, the department secretary is authorized to undertake the containment and abatement of the pollution source and pollutants and ~~may retain personnel or contract for~~ may retain personnel or contract for these purposes with ~~these purposes with~~ persons who shall operate under his direction.

However, the department secretary may employ an informal bidding ~~Page~~ procedure ~~6 by which bids are solicited from at least three bidders and may order the operator of~~ 20 record ~~Coding;~~ or owner to undertake the containment, abatement, or cleanup of such pollution source and pollutants.

~~Words which are struck through are deletions from existing law;
words in boldface type and underscored are additions.~~

~~SLS 26RS-576 REENGROSSED SB NO.~~

~~379 procedure by which bids are solicited from at least three bidders and may order the operator of record or owner to undertake the containment, abatement, or cleanup of such pollution source and pollutants.~~

~~* * * Sec.12.~~

Court review and injunction;

venue;

procedure;

burden of proof A.

~~* * * Page 6 of 23 Coding;~~

~~Words which are struck through are deletions from existing law;
words in boldface type and underscored are additions.~~

~~SB NO.~~

~~379 ENROLLED~~ (2) Suit for review shall be instituted in the district court of the parish in which the principal office of the secretary is located and must be brought within sixty days of the administrative action that is the subject of the suit.

In cases of judicial review of adjudication proceedings, the sixty days sixty-day period shall begin to run after mailing of notice of the final decision or order, or if a rehearing is requested within sixty days after the decision thereon.

as follows:

(a) If a rehearing is not requested, the sixty-day period shall begin to run after the final decision or order is posted on the official website for the department.

(b) If a rehearing is requested, the sixty-day period shall begin to run after the decision regarding the rehearing is posted on the official website for the department.

(3) A third person having an interest in the matters subject to review has the right to intervene as a party in an action under this Section when the intervention is unlikely to unduly broaden the issues or

to unduly impede the resolution of the action.

A "third person having an interest" with the right to intervene under this Section shall include but not be limited to any applicant, permittee, or party to the underlying administrative process, action, or proceeding that resulted in the issuance of the rule, regulation, order, or permit that is the subject of the suit for review.

For avoidance of doubt, the provisions of this Paragraph shall be given prospective and retroactive application.

Natural Resources Financial Security Fund ~~*A.* * D.~~

* * * (3) The funds received shall be placed in the Natural Resources Financial Security Fund in the custody of the state treasurer to be used only in accordance with this Part and shall not be placed in the general fund.

The funds provided to the trust authority pursuant to this Section shall at all times be and remain the property of the trust authority.

The monies in this fund shall be used solely as provided in this Section and only in the amount appropriated by the legislature.

All unexpended and Page 7 of 23 Coding:

Words which are struck through are deletions from existing law;

words in boldface type and underscored are additions.

SB NO.

379 ENROLLED unencumbered monies remaining in this fund at the end of the fiscal year shall remain in the fund.

Except for the pledge of the revenues provided in R.S.

30:83.1, it is the intent of the legislature that this fund and its increments shall remain intact and inviolate.

Monies in the fund shall be invested by the state treasurer in the same manner as monies in the state general fund.

At the request of the Natural Resources Trust Authority, the state treasurer may invest monies in the fund, or any portion thereof, in accordance with the provisions of R.S.

33:2955, including the use of the Louisiana Asset Management Pool, a separate portfolio and any interest earned on such investments shall be credited to the fund.

* * * D.

Underground storage of liquid or gaseous hydrocarbons or both, carbon dioxide, hydrogen, nitrogen, ammonia, compressed air, or noble gases not otherwise prohibited by law * * * D.(1) * * * (2) Upon presentation of the findings and determination by the secretary to the committees on natural resources of the Senate and House of Representatives and approval by said committees of any such projects, the secretary shall authorize the secretary to initiate such procedures as the secretary deems necessary within the scope of his authority under Chapter 7 of this Title and the constraints of this Section Page 78 of 2023 Coding:

~~SLS-26RS-576 REENGROSSED~~ SB NO.

379 ~~scope of his authority under Chapter 7 of this Title and the constraints of this Section~~ ENROLLED to accomplish the purposes hereof.

Notwithstanding any other law to the contrary, the secretary of the Department of Conservation and Energy shall, after notification by the department to the applicant that the application is complete, grant ~~or deny all applications for all or~~ deny all applications for all or permits, licenses, registrations, or compliance in this or ~~any any other other~~ Title within sixty days.

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, water, are to~~ are to be protected, be conserved, 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 Conservation and Energy, office of Page 89 of 2023 Coding:

~~SLS-26RS-576 REENGROSSED~~ SB NO.

379 ~~resolution~~ ENROLLED ~~of claims for environmental damage to property arising from activities subject to the jurisdiction of the Department of Conservation and Energy, office of~~ conservation.

(1) "Commissioner" means the secretary of the Department of Conservation and Energy or his authorized ~~representatives from~~ representatives from the injection and mining division of that office.

clean up A.(1) * * * (3)(a) Prior to any sheriff's sale or public auction of any property related to the operation of oil and gas wells, the person seeking such sale shall notify the Page ~~910~~ of ~~2023~~ Coding: SLS 26RS-576 REENGROSSED SB NO.

379 A.(1)~~ENROLLED~~ * * * (3)(a) Prior to any sheriff's sale or public auction of any property related to the operation of oil and gas wells, the person seeking such sale shall notify the secretary of such sale not less than thirty days prior to such sale.

~~(b)The~~(b) The secretary may, if he deems it ~~appropriate~~appropriate to insure ensure the proper plugging and abandonment of the wells and closure of the associated oilfield pits, retain a first lien and privilege on such property, which lien and privilege shall follow such property into the hands of third persons whether such persons are in good or bad faith.

Page ~~10~~ of ~~20~~ Sec.84. Coding:

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SLS 26RS-576 REENGROSSED SB NO.

379 * * * Sec.84.

*Page ~~11~~ of Sec.85(A)(3)(9)~~23~~ The Coding: ~~secretary shall perform all regulatory functions imposed by this Part.~~

Words which are struck through are deletions from existing law;
words in boldface type and underscored are additions.

SB NO.

379 ENROLLED * * * Sec.85(A)(3)(9) The secretary shall perform all regulatory functions imposed by this Part.

The program and fund account shall be administered, for purposes of ~~Page~~fishermen's ~~11~~gear compensation, by the secretary of the office of coastal management and, for purposes of ~~20~~underwater ~~Coding: obstruction, by the secretary of the Department of Conservation and Energy.~~

* * * Sec.101.5.

Powers of the secretary Page 12 of 23 Coding:

SLS 26RS-576 REENGROSSED SB NO.

379 ~~fishermen's~~ENROLLED ~~gear compensation, by the secretary of the office of coastal management A. and, for purposes of underwater obstruction, by the secretary of the Department of Conservation and Energy.~~

* * * Sec.101.5.

~~Powers of the secretary A.~~

Sec.101.6(A)(6)(9) Administer and manage the Fishermen's Gear Compensation ~~Page and 12~~Underwater of Obstruction ~~20~~Removal Coding: Dedicated Fund Account.

Sec.101.6(A)(8)(10) Maintain a file on the location of known underwater obstructions.

Sec.101.6(A)(9)(11) Administer the payment of appropriate compensation for commercial fishermen whose fishing gear is damaged by underwater obstructions in the Louisiana territorial waters that overlie state-owned water bottoms that are Page 13 of 23 Coding:

SLS 26RS-576 REENGROSSED SB NO.

379 ~~and~~ENROLLED Underwater contained Obstruction within Removal the Dedicated coastal Fund zone ~~Account boundaries as defined in R.S.~~

~~Sec.101.6(A)(8)(10) Maintain a file on the location of known underwater obstructions.~~

~~Sec.101.6(A)(9)(11) Administer the payment of appropriate compensation for commercial fishermen whose fishing gear is damaged by underwater obstructions in the Louisiana territorial waters that overlie state-owned water bottoms that are contained within the coastal zone boundaries as defined in R.S.~~

If the bidder remains unregistered by the close of business of the second business day following the day the mineral lease sale at which the bid was ~~conditionally accepted, conditionally accepted, the~~ the conditionally accepted bid shall be deemed rejected.

The provisions of this Subsection shall also

~~apply in cases where there is no more than one bid made by unregistered prospective~~ apply in cases where there is no more than one bid made by unregistered prospective leaseholders. Bids may be for the whole or any particularly described portion of land advertised.

However, the minimum royalties to be stipulated in any mineral lease, other than a ~~Page~~mineral 13 ~~lease~~ executed by or on behalf of ~~20a~~ Coding: school board, shall be:

Words which are struck through are deletions from existing law;
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SLS 26RS-576 REENGROSSED SB NO.

379 ~~mineral lease executed by or on behalf of a school board, shall be:~~

~~(5)(e) Five percent of the value per ton on a dry salt basis for all salt produced shall yield not less than ten cents per ton.~~ Page and 14 saved, of which 23 shall

Words which are struck through are deletions from existing law;
words in boldface type and underscored are additions.

SB NO.

379 ENROLLED (5)(e) Five percent of the value per ton on a dry salt basis for all salt produced and saved, which shall yield not less than ten cents per ton.

* * * Page C. -14 of 20 Coding:

Monies in the fund shall be invested by the state treasurer in the same manner as monies in the state general fund.

At the request of the Natural Resources Trust Authority, the state treasurer may invest monies in the fund, or any portion thereof, in accordance with the provisions of R.S.

33:2955, including the use of the Louisiana Asset Management Pool.

Interest a separate portfolio and any interest earned on investment of monies in the fund shall be credited to the fund.

* * * Sec. 153.

Agencies may lease or administer through State Mineral and Energy Board Page 15 of 23 Coding:

~~SLS 26RS-576 REENGROSSED~~ SB NO.

379 ~~Sec. 153~~ ENROLLED A.

Agencies Any agency may by resolution may direct lease the or State administer Mineral through and State Energy Board Mineral to lease or otherwise contract for the exploration, development, or use of its land for the development and Energy production Board of A. minerals, oil, gas, or alternative energy sources and for the purposes set forth in R.S.

~~Any agency may by resolution direct the State Mineral and Energy Board to lease or otherwise contract for the exploration, development, or use of its land for the development and production of minerals, oil, gas, or alternative energy sources and for the purposes set forth in R.S.~~

The secretary shall by regulation establish methods by which the provisions of this Subsection will be monitored and enforced by the secretary, including appropriate provisions for the filing by such employees in the review of statements and supplements thereto concerning any financial interest which may be effected by this Subsection.

This Subsection shall not be given effect (1) if the Secretary of the Interior does not require the inclusion of similar provisions in state laws as a

~~Page condition for approval by the Secretary of the Interior of state programs of regulation 15 of 20 surface Coding: coal mining and reclamation operations pursuant to Section 503 of P.L.~~

Page 16 of 23 Coding:

~~SLS 26RS-576 REENGROSSED~~ SB NO.

379 ~~condition for approval by the Secretary of the Interior of state programs of regulation~~ ENROLLED 95-87 or (2) if any such requirement of surface the coal Secretary mining of and the reclamation Interior operations is pursuant declared to invalid Section by final 503 decree of P.L. a court of competent jurisdiction: 95-87 or (2) if any such requirement of the Secretary of the Interior is declared invalid by final decree of a court of competent jurisdiction:

Carbon Dioxide Geologic Storage Trust Fund ~~A. * * C.~~

* * * (2) After compliance with the requirements of Article VII, Section 9(B) of the Constitution of Louisiana relative to the Bond Security and Redemption Fund, and after a sufficient amount is allocated from that fund to pay all of the obligations secured by the full faith and credit of the state which become due and payable within any fiscal year, the treasurer shall pay into the fund, an amount equal to the monies received by the state treasury pursuant to this Chapter. The monies in this fund shall be used solely as provided in this Section and only in the amount appropriated by the legislature.

All unexpended and unencumbered monies remaining in this fund at the end of the fiscal year shall remain in the fund.

The monies in the fund shall be invested by the state treasurer in the same manner as monies in the state general fund and all returns of such investment shall be deposited to the fund.

At the request of the Natural Resources Trust Authority, the state treasurer may invest monies in the fund, or any portion thereof, in accordance with the provisions of R.S.

33:2955, including the use of the Louisiana Asset Management Pool, in a separate portfolio and any interest earned on such investments shall be credited to the fund.

The funds received shall be placed in the special trust fund in the custody of the state treasurer to be used only in accordance with this Chapter and shall not be placed in the general fund.

The funds provided to the secretary pursuant to this Section shall at all times be and remain the property of the secretary.

The funds shall be used only for the purposes set forth in this Chapter and for no other governmental purposes, nor shall any branch of government be allowed to borrow any portion of the funds.

It is the Page 17 of 23 Coding:

Words which are struck through are deletions from existing law;

words in boldface type and underscored are additions.

SB NO.

379 ENROLLED intent of the legislature that this fund and its increments shall remain intact and inviolate.

* * * C.

(g) Notwithstanding the total ~~number of~~ number of storage facilities ~~owned or operated by a storage operator, once ten million dollars has been contributed to the fund by~~ ~~astorageoperator, the fee assessment to that storage operator under this Section shall~~ cease until such time as funds begin to be expended for any storage facility ~~owned or operated~~ ~~Page by 16 that of storage~~ ~~20 operator. -Coding-~~

The secretary of the Department of Conservation and Energy shall certify to the secretary in writing the date on which the balance in the fund for a storage operator equals or exceeds ten million dollars.

The fund fees shall not be collected or required to be paid on or after the first day of the second month following the certification, except that the secretary shall resume collecting the fees upon receipt of a certification from the secretary of the Page 18 of 23 Coding:

SLS-26RS-576 REENGROSSED-SB NO.

379 ~~by ENROLLED a Department storage of operator, Conservation once and ten Energy million that, dollars based has on been contributed to the fund expenditures by or~~ ~~astorageoperator, the fee assessment to that storage operator under this Section shall~~ ~~commitments~~ ~~cease until such time as funds begin to be expended~~ ~~expended monies, for the any fund storage has facility fallen owned below~~ ~~or eight operated million by dollars for that storage operator.~~

~~The * secretary* of* the Sec. 2050.22. Department of Conservation and Energy shall certify to the secretary in writing the date on which the balance in the fund for a storage operator equals or exceeds ten million dollars.~~

~~The Judicial fund review; fees shall not be collected or required to be paid on or after the first day of the second month following the certification, except that the secretary shall resume collecting the fees upon receipt of a certification from the secretary of the Department of Conservation and Energy that, based on the expenditures or commitments to expend monies, the fund has fallen below eight million dollars for that storage operator.~~

~~* appeal; * * Section 2.R.S. 36:358(B), (E)(2), and (G) are hereby amended and reenacted to read as follows:~~

~~Sec. 358, stays;~~

~~intervention * * * C.~~

A third person having an interest in the matter subject to review has the right to intervene as a party in an action commenced pursuant to R.S.

30:2050.21 when the intervention is unlikely to unduly broaden the issues or to unduly impede the resolution of the action. A "third person having an interest" with the right to intervene under this Section shall include but not be limited to any applicant, permittee, or party to the underlying administrative process, action, or proceeding that resulted in the issuance of a final permit action, final enforcement action, or a declaratory ruling that is the subject of the petition for review.

For avoidance of doubt, the provisions of this Subsection shall be given prospective and retroactive application.

Section 2.

R.S.

36:356.1(D), 358(B), (E)(2), and (G) are hereby amended and reenacted to read as follows:

Sec. 356.1.

Louisiana Natural Resources Trust Authority;

establishment;

powers * * * D.

The authority may request that the state treasurer invest funds, or any portion thereof, under the control of the authority in accordance with the provisions of R.S.

33:2955, including the use of the Louisiana Asset Management Pool in a separate portfolio and any interest earned on investment of monies in the fund shall be credited to the fund.

* * * Sec. 358.

The office of the executive office of the secretary shall be responsible for assisting the secretary in the exercise of the functions and duties established in law Page 19 of the 23 secretary. Coding:
Among the divisions included within the executive office are the geological hazards assessments and resource inventories;
~~of existing law; the secretary shall be the office of the natural resources commission to be headed by the deputy secretary and the office of legal services to be headed by an attorney designated by the secretary.~~

words in boldface type and underscored are additions.

SB NO.

379 ENROLLED of the secretary.

Among the divisions included within the executive office of the secretary shall be the office of the natural resources commission to be headed by the deputy secretary and the office of legal services to be headed by an attorney designated by the secretary.

Page prepare 17 geological of hazards 20 assessments Coding: and resource inventories;

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~~SLS 26RS-576 REENGROSSED SB NO.~~

~~370 prepare geological hazards assessments and resource inventories;~~

The office of energy shall organize, plan, supervise, direct, administer, execute, and be responsible for the functions and programs relating to the deployment and operation of alternative energy infrastructure in this state in a manner that results in ~~affordable~~ affordable and reliable energy. The ~~office of~~ office of energy shall also ~~work~~ work in cooperation with the Center for Energy Studies ~~Institute to create and carry out~~ Institute to create and carry out a central, comprehensive, and unified energy data and information program which will collect, evaluate, assemble, analyze, and disseminate data and information which is relevant to energy resource reserves, energy production, demand, and technology, and related economic and statistical information, or which is relevant to the adequacy of energy resources to meet demands in the near and longer term future of the state.

* * * ~~Section~~ Page 3-20 of 23 Coding:

Words which are struck through are deletions from existing law;

words in boldface type and underscored are additions.

SB NO.

379 ENROLLED Section 3.

30:4(0)(3), 49:214.35(B), 85,(E), and 101.6(F) are hereby repealed, hereby amended and reenacted and R.S. Section 49:214.35(G) 4, and 978.1(A)(3) are enacted to read as follows:

~~The Sec. 214.35. Louisiana State Law Institute is hereby directed to change all references to the commissioner of conservation whose duties and powers were transferred to the secretary of the Department of Conservation and Energy pursuant to Act No.~~

~~458 Reconsiderations, of judicial there review 2025* Regular* Session* from B. "commissioner of conservation" to "secretary of the Department of Conservation and Energy" and "commissioner" to "secretary" throughout the Louisiana Revised Statutes of 1950.~~

Section A 5- decision or determination shall be subject to reconsideration by the secretary if a petition for reconsideration is filed in writing with the secretary within ten days following public notice of a posting of the final coastal use permit, local program approval decision, or determination made under R.S. 49:214.34 Louisiana on State the Law official Institute website is for hereby the directed Department to of change Conservation all and references Energy to the receipt "office of mineral written resources" notice to "office of state resources" determination throughout made the under Page R.S. 18 of 20 Coding:

49:214.30(C)(1) or R.S.

49:214.34. The grounds for reconsideration shall be either that one of the following:

- (1) The decision or determination is clearly contrary to the law or the evidence before the secretary;.
- (2) The petitioner has discovered, since the decision or determination, evidence important to the issues which he could not, with due diligence, have presented to the secretary prior to the decision;.
- (3) There is showing that an issue not previously considered, through no fault of the petitioner, ought to be examined in order to properly dispose of the matter; or.
- (4) There exist other good grounds for further consideration of the issues and the evidence in the public interest.

* * * E. Proceedings for review may be instituted by filing a petition in the district court of the parish in which the proposed use is to be situated within thirty days after mailing of notice of the final decision by the secretary or, if a reconsideration is requested, within thirty days after the decision thereon. the following time periods:

- (1) If a petition for reconsideration is not filed, the proceeding for review shall be instituted within thirty days after the final decision by the secretary under this Subpart is posted on the official website for the

Department of Conservation and Energy.

(2) If a petition for reconsideration is filed, the proceeding for review Page 21 of 23 Coding:

~~SLS-26RS-576 REENGROSSED-SB NO.~~

379 Louisiana ~~ENROLLED Revised~~ shall Statutes be of instituted 1950 within ~~except~~ thirty in days after the provisions decision regarding the reconsideration is posted on the official website for the Department of R.S. Conservation and Energy.

~~30:124.1.F.~~

The A original third instrument person and having an interest in the following matter digest, subject which to constitutes review no has part the right to intervene as a party in an action for judicial review under this Section when the intervention is unlikely to unduly broaden the issues or to unduly impede the resolution of the action. A "third person having an interest" with the right to intervene under this Section shall include but not be limited to any applicant, permittee, or party to the underlying administrative process, action, or proceeding that resulted in the issuance of the legislative rule, instrument, regulation, ~~was~~ permit, prepared decision, by Senate or Legislative Determination Services, that is the subject of the suit for review.

The For keyword, avoidance summary, of and doubt, digest the provisions do not constitute part of the this law Subsection or shall proof be given or prospective indicia and of retroactive legislative application. intent.

~~[R.S.G.]~~

1:13(B) Judicial and review 24:177(E)] shall DIGEST otherwise SB be 379 pursuant Reengrossed to 2026 the Regular Louisiana Session Administrative Hensgens Procedure Present Act, law provided establishes that the all Dept. such cases shall be tried with preference and priority.

of Trial Conservation de and novo Energy and shall provides be for held jurisdiction, upon duties, request and powers of the any party. department and the secretary.

Provides* for* the* office Sec. 978.1. of mineral resources.

Proposed Judicial law review retains present law and changes the office of mineral adjudication resources A. to the office of state resources, changes references to the former position of commissioner of conservation to the secretary of the Dept.

of* Conservation* and* Energy, (3) and A other third technical person corrections, having an interest in the matters subject to review has the right to intervene as a party in an action under this Section when the intervention is unlikely to unduly broaden the issues or to unduly impede the resolution of the action.

Present A law "third authorizes person having an interest" with the State right Mineral to and intervene Energy under Board this Section shall include but not be limited to lease any state applicant, property permittee, for or mineral party exploration to and the alternative underlying energy, administrative such process, as action, solar, or wind, proceeding geothermal, that and resulted hydrokinetic, in the issuance of the decision or order that is the subject of the suit for review.

Proposed law clarifies that leases of state and other public lands may be for development and For production of minerals, oil, gas, or alternative energy sources and as provided in present law, avoidance of doubt, the provisions of this Paragraph shall be given prospective and retroactive application.

Present* law* sets* up Section a4. process for application, inspection, advertisement, and bids for leases.

Other R.S. political subdivisions, such as ports and school boards, may ask the board to lease for them.

Present 30:4(0)(3), law 85, limits minimum royalties for such leases, other than for school boards, to 1/8th for oil, gas, sulphur, and potash, 101.6 and are 1/20th hereby repealed. for lignite and salt.

Proposed law allows the board to Page set royalties at less than 1/8th 22 but greater than 1/16th upon of a 23 finding Coding: that market conditions, commodity prices, or other economic factors warrant the reduction.

Effective August 1, 2026.

~~(Amends R.S.~~

30:3(7), 4(C)(14), (D)(1)(a) and (5), (C), and (I)(2), 5(C)(1), (C)(2) (intro para), and (6), and (D)(1), 5.1(A)(1) and (B)(1), 6.1(A) and (C), 21(D)(5), 23(D)(2), 26, 29(A) and (I)(4), 73(1), 74(A)(3) and (B), 98.3(B), 101.2(A), 101.5(A), 127(A), 136.3(B)(1), 153(A), 548 (intro para), 917(F), 1110(C)(1)(f) and (g), and R.S. 36:358(B), (E)(2), and (G);

~~adds R.S.~~

30:84(A)(9) and (10);

~~repeals R.S.~~

30:4(0)(3), 85, and 101.6) Summary of Amendments Adopted by Senate Committee Amendments Proposed by Senate Committee on Natural Resources to the original bill 1.

Authorizes the State Mineral and Energy Board to lease with less than a 1/8th royalty in certain circumstances.

~~2-~~

~~Provides for the purposes of the State Mineral and Energy Board to lease other agencies' land.~~

~~3-~~

~~Make technical changes.~~

~~Page 19 of 20 Coding:~~

~~SLS 26RS-576 REENGROSSED SB NO.~~

~~379 Senate ENROLLED Floor Section Amendments 5. to engrossed bill 1.~~

~~Make The technical Louisiana changes State Law Institute is hereby directed to Title change 30 all references to align the with commissioner 2025 of reorganization conservation bill, whose duties and powers were transferred to the secretary of the Department of Conservation and Energy pursuant to Act No. 2-458 of the 2025 Regular Session from "commissioner of conservation" to "secretary of the Department of Conservation and Energy" and "commissioner" to "secretary" throughout the Louisiana Revised Statutes of 1950.~~

~~Change Section references 6. to commissioner of conservation to secretary.~~

~~3- The Louisiana State Law Institute is hereby directed to change all references to the "office of mineral resources" to "office of state resources" throughout the Louisiana Revised Statutes of 1950 except in the provisions of R.S.~~

~~Change 30:124.1. office of mineral resources to office of state resources.~~

~~4- Section 7.~~

~~Provide for funds This from royalty field audit collection to be deposited into the Act Mineral shall and become Energy effective Operation upon Fund. signature by the governor or, if not signed by the governor, upon expiration of the time for bill to become law without signature by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana.~~

~~5- If vetoed by the governor and subsequently approved by the legislature, this Act shall become effective on the day following such approval.~~

~~Remove PRESIDENT confirmation OF of THE directors SENATE appointed SPEAKER by the OF secretary. THE HOUSE OF REPRESENTATIVES GOVERNOR OF THE STATE OF LOUISIANA APPROVED:~~

~~6- Page 23 of 23 Coding:~~

~~Recognize name change from the Center for Energy Studies to the Energy Institute.~~

~~7-~~

~~Make technical corrections.~~

~~Page 20 of 20 Coding:~~