AN ACT

To enact Chapter 49 of Title 51 of the Louisiana Revised Statues of 1950, to be comprised of R.S. 51:3051 through 3053, relative to consumer access to certain energy types; to prohibit the adoption of local ordinances limiting access to certain energy types; to provide for definitions; to provide for an effective date; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. Chapter 49 of Title 51 of the Louisiana Revised Statutes of 1950, comprised of R.S. 51:3051 through 3053, is hereby enacted to read as follows:

CHAPTER 49. LOUISIANA CONSUMER FUEL CHOICE ACT

§3051. Short Title

This Chapter shall be known and may be cited as the "Louisiana Consumer Fuel Choice Act".

§3052. Energy type; defined

For the purposes of this Chapter, "energy type" includes aviation fuel, biofuel, compressed natural gas, diesel, electricity to be utilized for the charging of electric vehicles, gasoline, gas distillates, hydrogen, liquified petroleum gas.
and renewable diesel.

§3053. Consumer access; prohibitions

A. No local governing authority shall adopt an ordinance, rule, or law that limits consumer access to an energy type or that results in the prohibition of a wholesaler, retailer, energy producer, or the related infrastructure necessary to provide consumer access to a specific energy type within the jurisdiction of the local governing authority.

B. Nothing in this Chapter shall be construed to restrict, impair, or diminish the regulatory authority of the Louisiana Energy and Power Authority, a municipally owned electric system, the Louisiana Public Service Commission in accordance with Article IV, Section 21 of the Constitution of Louisiana, or any governing authority of a political subdivision that regulates a public utility in accordance with Article IV, Section 21 of the Constitution of Louisiana.

Section 2. It is the intent of the legislature that the provisions of this Act shall apply both retroactively and prospectively. It is further the intent of the legislature that any ordinance, rule, or law by local governing authority described in Section 1 of this Act shall be void ab initio.

Section 3. This Act shall become effective upon signature by the governor or, if not signed by the governor, upon expiration of the time for bills to become law without signature by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If vetoed by the governor and subsequently approved by the legislature, this Act shall become effective on the day following such approval.

The original instrument was prepared by Curry J. Lann. The following digest, which does not constitute a part of the legislative instrument, was prepared by Xavier Alexander.
hydrogen, liquified petroleum gas, and renewable diesel.

Proposed law provides that no local governing authority shall adopt an ordinance, rule, or law that limits consumer access to an energy type or that results in the prohibition of a wholesaler, retailer, energy producer, or the related infrastructure that is necessary to provide consumer access to a specific energy type within the local governing authority.

Proposed law prohibits construing any provision of proposed law to restrict, impair, or diminish the regulatory authority of the Louisiana Energy and Power Authority, a municipally owned electric system, the Louisiana Public Service Commission, or of any governing authority of a political subdivision that regulates a public utility in accordance with Const. Art. IV, Section 21.

Proposed law provides for retroactive and prospective application.

Effective upon signature of the governor or lapse of time for gubernatorial action.

(Adds R.S. 51:3051-3053)

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Commerce, Consumer Protection, and International Affairs to the original bill

1. Adds proposed law shall not be construed to restrict, impair, or diminish the regulatory authority of the Louisiana Energy and Power Authority.