

2025 Regular Session

SENATE BILL NO. 32

BY SENATOR ALLAIN

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

FARMING. Provides for limitation of liability related to the utilization of gypsum. (8/1/25)

1 AN ACT

2 To enact R.S. 3:1424, relative to gypsum utilization; to provide for limitation of liability to
3 agricultural producers and suppliers; to provide relative to gypsum analysis; and to
4 provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 3:1424 is hereby enacted to read as follows:

7 **§1424. Gypsum; analysis; limitation of liability**

8 **A. The Legislature of Louisiana hereby finds:**

9 **(1) That gypsum, one of the earliest forms of fertilizer and soil**
10 **amendment used in the United States, is a byproduct of many manufacturing**
11 **facilities in Louisiana.**

12 **(2) Byproduct gypsum that is not recycled for other uses results in costly**
13 **on-site storage and disposal in landfills.**

14 **(3) Gypsum (calcium sulphate) is widely used in agricultural crop**
15 **production to provide essential plant nutrients and can improve overall plant**
16 **growth.**

17 **(4) Gypsum can also improve the physical properties of soils, reducing**

1 erosion losses of soil and nutrient concentrations.

2 B. Any agricultural producer that utilizes gypsum, and any supplier of
 3 gypsum to the agricultural producer, shall not be liable for any civil damages
 4 arising out of the utilization of the gypsum if all the following requirements are
 5 met:

6 (1) The requirements of this Section, and any rules and regulations
 7 adopted pursuant to this Section, are complied with.

8 (2) The agricultural producer obtains gypsum, without any cost, from a
 9 source where the gypsum is being stored as a byproduct of a manufacturing
 10 process.

11 (3)(a) The agricultural producer shall only use gypsum on his land or
 12 with written authorization from the landowner once the gypsum is analyzed and
 13 passes analytical tolerances established by the department, in consultation with
 14 the Louisiana State University Agricultural Center. Such analysis shall be
 15 conducted by an accredited laboratory.

16 (b) The tolerances shall be established using as a guide the most recent
 17 version of the Conservation Practice Standard, Amending Soil Properties with
 18 Gypsum Products, Code 333 as published by the Natural Resources
 19 Conservation Service of the United States Department of Agriculture.

20 C. The commissioner is authorized to promulgate rules and regulations
 21 in accordance with the Administrative Procedure Act to implement the
 22 provisions of this Section, including the establishment of analytical tolerances
 23 for gypsum.

The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Senate Legislative Services. The keyword, summary, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

Proposed law requires all of the following be executed to limit liability:

- (1) All requirements of proposed law and any rules or regulations adopted and are complied with.
- (2) The agricultural producer obtains gypsum at no cost from a source where the gypsum is being stored as a byproduct of a manufacturing process.
- (3) Agricultural producers must use gypsum that has been analyzed and passes analytical tolerances established by the department on his land or with written authorization from the landowner.

Proposed law provides that tolerances will be established using the Conservation Practice Standard, Amending Soil Properties with Gypsum Products from the U.S. Department of Agriculture as a guide.

Effective August 1, 2025.

(Adds R.S. 3:1424)

Summary of Amendments Adopted by Senate

Senate Floor Amendments to engrossed bill

1. Makes technical changes.
2. Requires tolerances be established based off the U.S. Department of Agriculture.