

2026 Regular Session

HOUSE BILL NO. 776

BY REPRESENTATIVE BOURRIAQUE

1 AN ACT

2 To amend and reenact R.S. 34:3452(A)(1)(introductory paragraph) and (D), 3453,
3 3457(A)(introductory paragraph) and 3473 and to enact R.S. 34:3451(6) through (8)
4 and 3457(C), relative to the Port Construction and Development Priority Program;
5 to modify the entities the department can contract with to assist in the development
6 of the port priority program; to provide for the maximum amounts allotted to port
7 projects; to provide for definitions; to direct the Louisiana State Law Institute to
8 alphabetize and renumber definitions; to provide for proper notice of public hearings;
9 to require a local match based on the appropriate project category; and to provide for
10 related matters.

11 Be it enacted by the Legislature of Louisiana:

12 Section 1. R.S. 34:3452(A)(1)(introductory paragraph) and (D), 3453,
13 3457(A)(introductory paragraph) and 3473 are hereby amended and reenacted and R.S.
14 34:3451(6) through (8) and 3457(C) are hereby enacted to read as follows:

15 §3451. Definitions

16 As used in this Chapter, unless the context clearly indicates otherwise, the
17 following definitions shall apply:

18 * * *

1 limited to the development, review, and evaluation of plans and specifications, and
2 the development of the port priority program list. However, development of and
3 authority over the final determination of the port priority list shall remain with the
4 department and the joint committee as provided in this Chapter.

5 * * *

6 §3453. Priority list of projects; public hearings; final program

7 Each quarter, the department shall prepare and shall furnish a prioritized list
8 of projects, based on the applications received by the department during that quarter,
9 to the joint committee. The joint committee shall receive the prioritized list of
10 projects from the department for each of the first three quarters of the year, and shall
11 call a public hearing within thirty days of receiving the list in order to receive public
12 testimony regarding any project on the list. At such hearing, the joint committee
13 shall vote to either accept, reject, or modify the list. Each quarter, the department
14 shall reprioritize the list of projects to reflect the cumulative list of projects
15 recommended by the department. After application recommendations for the last
16 quarter are made by the department, the department shall submit the final port
17 construction and development priority program for the ensuing fiscal year to the
18 joint committee for approval. Prior to the convening of the regular session of the
19 legislature, the joint committee shall hold a public hearing for the purpose of
20 reviewing the final program for the ensuing fiscal year. Prior to such hearing, the
21 department shall publish the appropriate official notice in the ~~necessary journals~~
22 Official Journal of the State, as provided for in R.S. 43:81, beginning on July 1,
23 2027. The final program shall be based upon the anticipated revenues to be
24 appropriated by the legislature or other funding obligation authority and the projects
25 shall be listed in order of priority. When this final construction program is presented
26 to the legislature for funding or funding obligation authority for the ensuing fiscal
27 year, the legislature shall not add any projects to this final construction program.
28 Any project recommended by the department and approved by the joint committee
29 but for which funds are unavailable in the fiscal year for which it was approved shall
30 remain on the prioritized list of projects and shall be carried forward to the next

1 fiscal year. Such project shall retain its place on the prioritized list of projects and
2 shall receive a higher priority over newly recommended projects in the next fiscal
3 year.

4 * * *

5 §3457. Allocation, reallocation of funds; deposit to Transportation Trust Fund

6 A. The Transportation Trust Fund shall be the source of state funds provided
7 for any port project on the priority list approved pursuant to the provisions of this
8 Chapter. Prior to the commencement of any work, the department shall require the
9 presiding officer of each port authority involved in a project to execute an agreement
10 and statement of sponsorship to provide ~~a ten percent~~ the local match requirement
11 in the appropriate category of projects pursuant to Subsection C of this Section for
12 the cost of construction of the project including the cost of any items stipulated under
13 the provisions of Paragraph (1) of this Subsection. The department shall further
14 stipulate that such agreement include but not be limited to the following:

15 * * *

16 C. The following project categories shall require the stipulated local match
17 as defined by the department:

18 (1) A standard project shall require a ten percent local match.

19 (2) A large project shall require a twenty percent local match, subject to the
20 legislature allocating additional Transportation Trust Fund dollars to the Port
21 Construction and Development Priority Program.

22 * * *

23 §3473. Priority list of projects; public hearings; final program

24 Each quarter, the office shall prepare and furnish to the joint committee a
25 prioritized list of projects based on the applications received by the office during that
26 quarter. The joint committee shall receive the prioritized list of projects from the
27 office for each of the first three quarters of the year, and shall call a public hearing
28 within thirty days of receiving the list in order to receive public testimony regarding
29 any project on the list. At such hearing, the joint committee shall vote to either
30 accept, reject, or modify the list. Each quarter, the office shall reprioritize the list of

1 projects to reflect the cumulative list of projects recommended by the office. After
2 application recommendations for the last quarter are made by the office, the office
3 shall submit the final waterway dredging and deepening priority program for the
4 ensuing fiscal year to the joint committee for approval. Prior to the convening of the
5 regular session of the legislature, the joint committee shall hold a public hearing for
6 the purpose of reviewing the final program for the ensuing fiscal year. Prior to such
7 hearing, the office shall publish the appropriate official notice ~~on the department's~~
8 website in the Official Journal of the State, as provided for in R.S. 43:81, beginning
9 on July 1, 2027. The final program shall be based upon the anticipated revenues to
10 be appropriated by the legislature or other funding obligation authority and the
11 projects shall be listed in order of priority. When this final construction program is
12 presented to the legislature for funding or funding obligation authority for the
13 ensuing fiscal year, the legislature shall not add any projects to this final construction
14 program. Any project recommended by the office and approved by the joint
15 committee for which funds are unavailable in the fiscal year but for which it was
16 approved shall remain on the prioritized list of projects and shall be carried forward
17 to the next fiscal year.

18 Section 2. The Louisiana State Law Institute is hereby authorized and directed to
19 alphabetize and renumber the definitions contained in R.S. 34:3451 and to correct any cross-
20 references to the renumbered paragraphs if necessary, consistent with the provisions of this
21 Act.

22 Section 3. The office of multimodal commerce shall promulgate rules in accordance
23 with the Administrative Procedure Act, establishing the following:

24 (1) The project cost range, benefit cost ratio, return on state investment for
25 a project to qualify as a large project.

26 (2) The benefit cost ratio and return on state investment required for a project
27 to qualify as a standard project.

1 (3) The maximum amount of state participation in standard projects and large
2 projects, and the maximum annual allotment per port for each.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____