

2026 Regular Session

HOUSE BILL NO. 1095

BY REPRESENTATIVE HEBERT

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AN ACT

To amend and reenact R.S. 40:2009.24(C)(1)(introductory paragraph) and to enact Chapter 5 of Subtitle VII of Title 47 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 47:6401, relative to alternative power sources at nursing facilities; to require nursing facilities to have fuel or an alternative power generation source to power nursing facilities; to authorize a rebate to nursing facilities for costs of alternative energy power generation sources; to provide for requirements, limitations, and conditions; to provide for duties and functions of the Louisiana Department of Health and the Department of Revenue; to provide for administration of the rebate; to provide for definitions; to provide for effectiveness; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 40:2009.24(C)(1)(introductory paragraph) is hereby amended and reenacted to read as follows:

§2009.24. Alternative electrical power source required

* * *

1 C.(1) The generator or alternate electrical power source shall be permanently
2 installed onsite at the nursing facility and shall have fuel or other alternative power
3 generation source stored onsite at the nursing facility or delivered prior to the
4 emergency event, in the following quantities:

5 * * *

6 Section 2. Chapter 5 of Subtitle VII of Title 47 of the Louisiana Revised Statutes of
7 1950, comprised of R.S. 47:6401, is hereby enacted to read as follows:

8 CHAPTER 5. NURSING FACILITY ALTERNATIVE ELECTRICAL POWER

9 SOURCES REBATE

10 §6401. Rebate; eligible costs of alternative electrical power sources for certain
11 nursing facilities

12 A. As used in this Section, the following terms have the meanings ascribed
13 to them in this Subsection unless the context clearly indicates otherwise:

14 (1) "Alternative electrical power source" means a solar energy system placed
15 into service on or after January 1, 2026, and containing an array of photovoltaic
16 modules designed to convert sunlight into electrical energy for usage or storage and
17 related equipment, wiring, and mounting components.

18 (2) "Department" means the Louisiana Department of Health.

19 (3) "Eligible costs" means the costs incurred and actually expended by the
20 nursing facility or its designated contractor to acquire, install, and place into service
21 an alternative electrical power source in the nursing facility as required by R.S.
22 40:2009.24.

23 (4) "Nursing facility" has the same meaning as set forth in R.S. 40:2009.2(2)
24 and that is licensed by the Louisiana Department of Health in accordance with the
25 requirements of R.S. 40:2009.3, and that was eligible to receive federal grant funds
26 related to energy resilience through the U.S. Department of Energy Grid Resilience
27 and Innovation Partnerships Program prior to cancellation of the program.

28 B.(1) Subject to the limitations provided for in this Section, a nursing facility
29 shall be eligible for a rebate of eligible costs of an alternative electrical power source
30 installed at or on the nursing facility property.

1 (2) To claim the rebate, the nursing facility shall apply to the department
2 with satisfactory documentation demonstrating that the nursing facility is in
3 compliance with R.S. 40:2009.24. Such documentation shall include all of the
4 following:

5 (a) An itemized list of eligible costs.

6 (b) A sworn statement by the contractor certifying that the alternative
7 electrical power source is sufficient to simultaneously provide electrical power to
8 each of the systems, areas, and services enumerated in R.S. 40:2009.24(B).

9 (c) Additional documentation as may be deemed necessary by the
10 department.

11 (3) The department shall review the application and documentation to
12 determine compliance with R.S. 40:2009.24. Following its review, the department
13 shall certify for rebate the eligible costs and shall decline certification for any
14 ineligible costs. The department shall provide to the nursing facility and Department
15 of Revenue a certification letter with the eligible costs for rebate. The issuance of
16 certification shall be on a first-come, first-served basis.

17 C.(1) Upon receipt of the certification letter and subject to Paragraph (2) of
18 this Subsection, the Department of Revenue shall remit to the nursing facility the
19 rebate authorized by this Section from the current collections of revenues from
20 Chapter 2 of Subtitle II of Title 47 of the Louisiana Revised Statutes of 1950, as
21 amended.

22 (2) Prior to issuing a rebate, the Department of Revenue shall offset the
23 amount of the rebate against any other liability, tax or otherwise, collectible and due
24 to the state from the nursing home, its related parties, and its owners.

25 (3) The total amount of rebates paid by the Department of Revenue pursuant
26 to the provisions of this Section shall not exceed two million dollars.

27 D. The rebate authorized pursuant to the provisions of this Section shall
28 terminate on January 1, 2029, and the Department of Revenue shall not pay any
29 rebates on or after January 1, 2029.

1 Section 3.(A) Section 2 of this Act shall become effective on January 1, 2027.

2 (B) This Section and Section 1 of this Act shall become effective on August 1, 2026.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____