

2020 Regular Session

HOUSE BILL NO. 298

BY REPRESENTATIVE MACK

TRANSPORTATION DEPT: Provides for certain requirements to transfer or exchange state and local roads from the state highway system to a parish or municipality

1 AN ACT

2 To amend and reenact R.S. 48:224.1(A) and (B), relative to the transfer or exchange of state
3 and local roads; to provide requirements for the transfer or exchange of state and
4 local roads from the state highway system to a parish or municipality; and to provide
5 for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 48:224.1(A) and (B) are hereby amended and reenacted to read as
8 follows:

9 §224.1. Transfer and exchange of state and local roads

10 A. Prior to the submission of a resolution by a parish or municipal governing
11 authority, a public hearing shall be held in the parish where the state highway to be
12 transferred is situated and formal, written notice shall be sent to all elected legislators
13 in the parish where the state highway to be transferred is situated. Upon receipt of
14 a proper resolution and two letters of support submitted by a parish or municipal
15 governing authority to the secretary indicating its conditions, willingness, and desire
16 to incorporate into the parish or municipal road system a road on the state highway
17 system and to assume the maintenance thereof and with the approval by a majority
18 of the legislative delegation from such parish or municipality, the secretary may at
19 his discretion accept the resolution and remove the road from the state highway
20 system and it shall thereafter form a part of the parish or municipal road system. As

1 a condition of such transfer, the department may provide a thing of value, including
 2 but not limited to credits towards future construction projects, payment of funds, or
 3 satisfaction of debt owed to the department. Such thing of value shall be equal to the
 4 amount of the present value of the forty-year projected future maintenance cost of
 5 the road to be transferred and may be funded by the department as a capital project.
 6 Any such condition of transfer shall be reduced to writing by the parties.

7 B. Prior to the submission of a resolution by a parish or municipal governing
 8 authority, a public hearing shall be held in the parish where the state highway to be
 9 exchanged is situated and formal, written notice shall be sent to all elected legislators
 10 in the parish where the state highway to be exchanged is situated. Upon receipt of
 11 a proper resolution and two letters of support submitted by a parish or municipal
 12 governing authority to the secretary indicating its conditions, willingness, and desire
 13 to exchange one or more roads on the parish or municipal road system for one or
 14 more roads on the state highway system and assume the maintenance thereof and
 15 with the approval by a majority of the legislative delegation from such parish or
 16 municipality, the secretary may at his discretion accept the resolution, incorporate
 17 said roads from the parish or municipal road system into and remove said roads from
 18 the state highway system, and they shall thereafter form respective parts of said
 19 system.

20 * * *

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, 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)]

HB 298 Original

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Mack

Abstract: Expands requirements for the transfer and exchange of state and local roads from the state highway system to a parish or municipality.

Present law requires a resolution, with the approval by a majority of the legislative delegation from such parish or municipality, be submitted by a parish or municipal governing authority to the secretary indicating its conditions, willingness, and desire to incorporate into the parish or municipal road system a road on the state highway system and to assume the maintenance.

Proposed law requires a public hearing to be held in the parish where the state highway to be transferred is situated and formal, written notice be sent to all elected legislators in the parish where the state highway to be transferred is situated prior to the submission of a resolution. Proposed law requires two letters of support be submitted with the resolution.

Present law requires a resolution, with the approval by a majority of the legislative delegation from such parish or municipality, be submitted by a parish or municipal governing authority to the secretary indicating its conditions, willingness, and desire to exchange one or more roads on the parish or municipal road system for one or more roads on the state highway system and to assume the maintenance.

Proposed law requires a public hearing to be held in the parish where the state highway to be exchanged is situated and formal, written notice be sent to all elected legislators in the parish where the state highway to be exchanged is situated prior to the submission of a resolution. Proposed law requires two letters of support be submitted with the resolution.

(Amends R.S. 48:224.1(A) and (B))