
DIGEST

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HB 650 Original

2020 Regular Session

Amedee

Abstract: Provides for regulation of gate across waterways in the coastal areas.

Proposed law provides that any person who erects a gateway, fence, or any structure that prevents or restricts access to any river, stream, canal, bayou, bay, lake, or any waters that are navigable or subject to the ebb and flow of the tide, is required to ensure that the gateway, fence, or other structure is visible at night, and in low light conditions to indicate its location, and is constructed in a manner to stay above the water during high tide or other high water events, and displays the owner's contact information including name, address, and telephone number. Requires the Dept. of Wildlife and Fisheries to promulgate rules and regulations to specify the details regarding marking, lighting, siting, manner of construction, and any other requirements it deems necessary in order to promote the safety and welfare of people, property, and the environment.

Proposed law provides that violations will result in civil penalties of not less than \$50 per day, up to a maximum penalty of \$5,000 per year. Provides for enforcement by the Dept. of Wildlife and Fisheries and any local law enforcement agency. Provides that civil penalties collected by the department will be credited to the Conservation Fund, while any civil penalties collected by any local law enforcement agency be retained by the law enforcement agency that issued the citation.

Proposed law specifies that nothing in proposed law can be used as a basis of estoppel to confirm or deny ownership, or any rights of public or private access related to the water, or to the beds and bottoms of any waterway covered by proposed law.

(Adds R.S. 34:347)