

2022 Regular Session

HOUSE BILL NO. 898

BY REPRESENTATIVE DEVILLIER

LOCAL GOVERNMENT: Provides relative to the powers of parishes and municipalities with respect to liquefied petroleum gas

1 AN ACT

2 To enact R.S. 33:1377, relative to parishes and municipalities; to provide relative to the
3 powers of parishes and municipalities with respect to the use and storage of liquefied
4 petroleum gas; to prohibit parishes and municipalities from enacting certain
5 ordinances relative to permit applications; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 33:1377 is hereby enacted to read as follows:

8 §1377. Liquefied petroleum gas; parishes and municipalities

9 A. The regulation of a liquefied petroleum gas dealer's authority to operate
10 and serve customers is a matter of statewide concern. No code, ordinance, land use
11 restriction, or general or specific plan provision or part of a code, ordinance, land use
12 regulation, or general or specific plan provision adopted by a parish or municipality
13 may prohibit or have the effect of restricting a person's or entity's ability to use the
14 services of a liquefied petroleum gas provider who is capable and authorized to
15 provide the service at the person's or entity's property.

16 B. A parish or municipality may not deny a permit application based on the
17 liquefied petroleum gas dealer's proposal to provide service to the project.

18 C. A parish or municipality may establish rules, ordinances, or requirements
19 that do not supersede and are not in conflict with existing federal or state laws, rules,
20 or regulations regarding the use or storage of liquefied petroleum gas.

1 Section 2. The provisions of this Act shall be given prospective application only and
2 shall not be deemed nor construed to preempt, supersede, repeal, or otherwise affect any
3 ordinance of a parish or municipality that was adopted prior to the effective date of this Act.

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 898 Reengrossed

2022 Regular Session

DeVillier

Abstract: Prohibits parishes and municipalities from adopting certain rules and regulations that restrict the use and storage of liquefied petroleum gas (LPG).

Proposed law provides that no code, ordinance, land use restriction, or general or specific plan provision adopted by a parish or municipality may prohibit or have the effect of restricting a person's or entity's ability to use the services of a LPG provider who is capable and authorized to provide services to the person's or entity's property.

Proposed law prohibits a parish or municipality from denying a permit application based on the LPG dealer's proposal to provide service to the project. Authorizes a parish or municipality to establish rules, ordinances, or requirements that do not supercede or conflict with existing federal or state laws, rules or regulations regarding the use or storage of LPG.

Proposed law provides for prospective application only.

(Adds R.S. 33:1377)

Summary of Amendments Adopted by House

The House Floor Amendments to the engrossed bill:

1. Provide for prospective application only.