

2024 Regular Session

HOUSE BILL NO. 327

BY REPRESENTATIVE MCFARLAND

FORESTRY: Provides relative to timber harvesting operations

1 AN ACT

2 To enact R.S. 3:4278.6, relative to timber harvesting operations; to require a written contract
3 or agreement to conduct certain timber harvesting operations; to require the
4 commissioner of agriculture and forestry to adopt rules and regulations; to authorize
5 the commissioner to impose penalties after an adjudicatory hearing; and to provide
6 for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 3:4278.6 is hereby enacted to read as follows:

9 §4278.6. Timber harvesting; rules; regulations; penalty

10 A. In addition to any other requirements provided by law, any person
11 conducting timber harvesting operations with the intent to cut five acres or more of
12 timberland shall enter into a written contract or agreement with the owner, purchaser,
13 or an agent or representative of either the owner or the purchaser of such timberland.

14 B. The commissioner of agriculture and forestry, with the advice of the
15 Louisiana Forestry Commission, shall adopt rules and regulations in accordance with
16 the Administrative Procedure Act to implement the provisions of this Section.

17 C.(1) The commissioner may impose a civil penalty of not more than five
18 thousand dollars for each instance of failure to comply with the provisions of this
19 Section.

1 (2) Each day on which a violation occurs shall be considered a separate
2 offense.

3 (3) Civil penalties may be assessed only by a ruling of the commissioner
4 based on an adjudicatory hearing held in accordance with the Administrative
5 Procedure 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 327 Original

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McFarland

Abstract: Requires a written contract or agreement for timber harvesting operations to cut a certain acreage.

Proposed law requires any person who intends to cut five or more acres of timberland to have a written contract or agreement with the owner, purchaser, or representative of either the owner or purchaser, of such timberland.

Proposed law requires the commissioner of agriculture and forestry, with advice from the La. Forestry Commission, to adopt rules and regulations consistent with the Administrative Procedure Act.

Proposed law authorizes the commissioner to impose a penalty of \$500 for failure to comply with the provisions of proposed law.

Proposed law specifies that each day a violation occurs is a separate violation. Further requires that civil penalties may only be assessed by a ruling of the commissioner based on an adjudicatory hearing being held.

(Adds R.S. 3:4278.6)