

2024 Regular Session

SENATE BILL NO. 271

BY SENATOR FOIL

MILITARY AFFAIRS. Provides relative to concurrent legislative jurisdiction of federal military installations within the state. (8/1/24)

1 AN ACT

2 To enact R.S. 52:6, relative to jurisdiction over lands under the administration of the United
3 States Department of Defense in this state; to provide for concurrent legislative
4 jurisdiction; to provide for terms, conditions, requirements, and procedures; and to
5 provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 52:6 is hereby enacted to read as follows:

8 **§6. Jurisdiction over lands under the administration of the United States**
9 **Department of Defense.**

10 **A. The legislature declares that the purpose of this Act is to avoid**
11 **confusion and ensure that law enforcement services are available on United**
12 **States military installation property located in this state. The legislature further**
13 **finds, determines, and declares that this Act is necessary for the immediate**
14 **preservation of the public peace, health, or safety or for appropriations for the**
15 **support and maintenance of the departments of the state and state institutions.**

16 **B.(1) The state of Louisiana hereby accepts the relinquishment of**
17 **exclusive legislative jurisdiction from the United States pursuant to this Section.**

1 The state of Louisiana shall have concurrent legislative jurisdiction with the
2 United States over the United States military installation property indicated
3 pursuant to this Section for as long as the United States controls the property.

4 (2) The concurrent legislative jurisdiction over the United States military
5 installation property pursuant to this Section is effective upon the governor's
6 written acceptance of a request filed by the principal officer, or an authorized
7 representative of the United States who has supervision or control over the
8 property pursuant to 10 U.S.C. 2683, of the property where concurrent
9 legislative jurisdiction is sought, relinquishing exclusive legislative jurisdiction
10 and retaining concurrent legislative jurisdiction over the property.

11 (3) The governor shall not accept a request filed pursuant to this Section
12 unless the request contains all of the following requirements:

13 (a) States the name, position, and legal authority of the person requesting
14 the cession.

15 (b) Unambiguously states the matter for which concurrent legislative
16 jurisdiction is requested.

17 (c) Describes by metes and bounds the United States military installation
18 property subject to the concurrent legislative jurisdiction request.

19 (d) Indicates whether the request includes future contiguous expansions
20 of land acquired for military purposes.

21 (4) If the governor accepts a request pursuant to this Section, the
22 governor's written acceptance shall state the elements of the request that are
23 accepted.

24 (5) If the governor accepts a request pursuant to this Section, the
25 governor shall submit the following documents to the appropriate recording
26 offices in the state for indexing and submit copies of all of the following
27 documents to the person who requested concurrent legislative jurisdiction:

28 (a) The United States' request for concurrent legislative jurisdiction.

29 (b) The governor's written acceptance of concurrent legislative

1 **jurisdiction.**

2 **(c) A description by metes and bounds of the United States military**
3 **installation property subject to the concurrent legislative jurisdiction.**

4 **C. Upon request by the United States through an authorized**
5 **representative, the governor may execute appropriate documents to accomplish**
6 **the cession granted by this Section.**

7 **D. The state shall not incur or assume any liability as a result of**
8 **accepting concurrent legislative jurisdiction pursuant to this Section.**

9 **E. Upon the establishment of the concurrent legislative jurisdiction**
10 **pursuant to this Section, a state agency, local government, or district may enter**
11 **into a reciprocal agreement with a United States agency to designate duties**
12 **related to the concurrent legislative jurisdiction between the parties.**

13 **F. For the purposes of this Section, concurrent legislative jurisdiction**
14 **applies in those instances wherein in granting to the United States authority**
15 **which would otherwise amount to exclusive legislative jurisdiction over an area,**
16 **the state has reserved to itself the right to exercise, concurrently with the United**
17 **States, all of the same authority.**

The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Alan Miller.

DIGEST

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Proposed law provides that the state accepts the relinquishment of exclusive legislative jurisdiction from the United States and that the state has concurrent legislative jurisdiction with the United States over the United States military installation property in the state for as long as the United States controls the property.

Proposed law provides that this concurrent legislative jurisdiction be effective upon the governor's written acceptance of a request filed by the principal officer, or an authorized representative of the United States who has supervision or control over the property pursuant to federal law, of the property where concurrent legislative jurisdiction is sought, relinquishing exclusive legislative jurisdiction and retaining concurrent legislative jurisdiction over the property.

Proposed law authorizes the governor to execute appropriate documents to accomplish the cession granted by proposed law.

Proposed law provides that the state not incur or assume any liability as a result of accepting concurrent legislative jurisdiction pursuant to proposed law.

Proposed law authorizes state agencies, local governments, or districts to enter into reciprocal agreements with a United States agency to designate duties related to the concurrent legislative jurisdiction between the parties.

Proposed law provides that concurrent legislative jurisdiction applies in those instances wherein in granting to the United States authority which would otherwise amount to exclusive legislative jurisdiction over an area, the state has reserved to itself the right to exercise, concurrently with the United States, all of the same authority.

Effective August 1, 2024.

(Adds R.S. 52:6)