

2024 Regular Session

HOUSE BILL NO. 937

BY REPRESENTATIVE GEYMANN

ENERGY/CONSERVATION: Provides relative to landowner liability for carbon dioxide sequestration

1 AN ACT

2 To amend and reenact R.S. 30:1104(A)(10) and to enact R.S. 30:1103(14) and 1109.1,
3 relative to landowner liability for carbon dioxide sequestration; to provide for
4 definitions; to clarify the parties responsible for obligations established by law; to
5 provide for landowner liability; to direct the Louisiana State Law Institute to make
6 technical changes; and to provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 30:1104(A)(10) is hereby amended and reenacted and R.S.
9 30:1103(14) and 1109.1 are hereby enacted to read as follows:

10 §1103. Definitions

11 Unless the context otherwise requires, the words defined in this Section have
12 the following meaning when found in this Chapter:

13 * * *

14 (14) "Landowner" means any person who owns the surface and subsurface
15 of land or water bottoms used for geologic storage and who is not the owner or
16 operator of the storage facility or carbon dioxide transmission pipeline or the
17 generator of the carbon dioxide being handled by either the facility or pipeline.

1 §1104. Duties and powers of the commissioner; rules and regulations; permits

2 A. The office of conservation's actions under this Chapter shall be directed
3 and controlled by the commissioner. The commissioner shall have authority to:

4 * * *

5 (10) Promulgate rules and regulations requiring ~~interested persons~~ storage
6 operators to place monitoring equipment of a type approved by the commissioner on
7 all storage facilities, and ancillary equipment necessary and proper to monitor, verify
8 carbon dioxide injections, and to prevent waste. It shall be a violation of this
9 Chapter for any ~~person~~ operator to refuse to attach or install a monitor within a
10 reasonable period of time when ordered to do so by the commissioner, or in any way
11 to tamper with the monitors so as to produce a false or inaccurate reading.

12 * * *

13 §1109.1. Release of liability of landowner

14 No landowner, by the mere act of being a landowner, shall be responsible for
15 the performance of any duties or obligations under this Chapter or be liable for any
16 harm, loss, damage, or claim associated with the generation, transport, storage, or
17 sequestration of carbon dioxide or any other matter related to the ownership or
18 operation of a carbon dioxide storage facility or transmission pipeline.

19 Section 2. The Louisiana State Law Institute is hereby authorized and directed to
20 alphabetize and renumber the definitions contained in R.S. 30:1103 and to correct any
21 cross-references to the renumbered paragraphs if necessary, consistent with the provisions
22 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 937 Original

2024 Regular Session

Geymann

Abstract: Defines "landowner" within the Geologic Sequestration of Carbon Dioxide Act and provides that surface and pore space owners who are not the owner or operator of a storage facility or transmission pipeline or the generator of carbon dioxide are not liable for the performance of responsibilities established within the act or any claims related to the sequestration of carbon dioxide.

Present law establishes the La. Geologic Sequestration of Carbon Dioxide Act which provides definitions, authority of the commissioner of conservation, and duties and obligations of storage facility owners and operators.

Proposed law adds a definition for "landowner".

Present law authorizes the commissioner to promulgate rules for requiring interested persons to install monitoring equipment on storage facilities and equipment.

Proposed law changes the responsible party for installation of monitoring equipment from interested persons to storage operators.

Proposed law provides that landowners who are not also owners or operators of storage facilities or transmission pipelines or generators of carbon dioxide are not responsible for carrying out duties and obligations related to carbon dioxide sequestration and are not liable for any claims related to carbon dioxide sequestration activities.

Directs the La. State Law Institute to alphabetize and renumber the definitions contained in R.S. 30:1103 and to correct any cross-references that may need to be changed as a result of this renumbering.

(Amends R.S. 30:1104(A)(10); Adds R.S. 30:1103(14) and 1109.1)