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 DIGEST

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SB 490 Reengrossed

2024 Regular Session

Cathey

Proposed law requires municipalities or parish government that owns a drainage system, a sewer system, or a water system to become a member of, participate in or share cost in a regional notification center.

Proposed law provides that each municipality or parish, both members and nonmembers of a regional notification center that own or operate certain utilities shall notify any excavator or demolisher that is utilizing the funds outlined in proposed law of its inability to locate, mark, or provide information as to the location of any of its underground utilities or facilities within 48 hours of a notice of excavation or demolition.

Proposed law provides that if an excavator or demolisher is timely notified, the excavator or demolisher shall be responsible and liable for any and all damage to the municipality or parish government's underground utility or facility related to the excavation or demolition activity.

Present law requires that regional notification centers provide certain information to a governing authority relative to certain excavation or demolition of underground utilities and facilities.

Proposed law requires that notification center furnish this information to governing authorities.

Present law provides that failure of the governing authority to distribute the information shall not for that reason alone create any liability on the part of the governing authority or permittee nor otherwise reduce or limit the duties and responsibilities of excavators or demolishers.

Proposed law provides that failure to furnish this information does not for that reason alone create any liability on the part of the governing authority or permittee nor otherwise reduce or limit the duties and responsibilities of excavators or demolishers.

Effective August 1, 2024.

(Amend R.S. 40:1749.21(B); adds R.S. 40:1749.19(C))

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Commerce, Consumer Protection, and International Affairs to the original bill

1. Requires municipalities or parish government that owns a drainage system, a sewer system, or a water system to become a member of, participate in or share cost in a regional notification center.

Senate Floor Amendments to engrossed bill

1. Make technical corrections.

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Commerce to the reengrossed bill:

1. Make technical changes.
2. Clarify that proposed law applies to those receiving any state or federal funding.
3. Provide that each municipality or parish that owns or operates certain utilities shall notify any excavator or demolisher that is utilizing the funds outlined in proposed law of its inability to locate, mark, or provide information as to the location of any of its underground utilities or facilities within 48 hours of a notice of excavation or demolition.
4. Provide that if an excavator or demolisher is timely notified, the excavator or demolisher shall be responsible and liable for any and all damage to the municipality of parish government's underground utility or facility related to the excavation or demolition activity.