

# ACT No. 727

2024 Regular Session

HOUSE BILL NO. 810

BY REPRESENTATIVES GEYMANN AND JACOB LANDRY

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AN ACT

To amend and reenact R.S. 36:351(B) and (C), 354(A)(15) and (B)(2) and (6), 356(B), 357(B) and (C), 358(C) and (D)(2), 359(B)(1) and (2), 401(C)(1)(b)(i), and 405(A)(1)(b), to enact R.S. 36:354(A)(19), 356.1, 358(E) through (G), and 359(B)(4), and to repeal R.S. 36:408(I) and 409(C)(8), relative to the organization, powers, duties, and functions of the Department of Energy and Natural Resources; to create and provide for the office of enforcement, the office of energy, and the office of land and water; to provide for the duties and functions of the secretary and assistant secretaries of the Department of Energy and Natural Resources; to provide relative to the office of conservation; to create and provide for the Louisiana Natural Resources Trust Authority; to provide for the Louisiana oil spill coordinator; to provide for the remediation of oil spills; to provide for the management of state lands and water bottoms; to provide for certain rights of way and leasing on state lands and water bottoms; to provide for an effective date; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 36:351(B) and (C), 354(A)(15) and (B)(2) and (6), 356(B), 357(B) and (C), 358(C) and (D)(2), 359(B)(1) and (2), 401(C)(1)(b)(i), and 405(A)(1)(b) are hereby amended and reenacted and R.S. 36:354(A)(19), 356.1, 358(E) through (G), and 359(B)(4) are hereby enacted to read as follows:

§351. Department of Energy and Natural Resources; creation; domicile; composition; purposes and functions

\* \* \*

B. The Department of Energy and Natural Resources, through its offices and officers, shall be responsible for the conservation, management, and development of

1 water, minerals, and other such natural resources of the state, including coastal  
2 management, state water bottom management and permitting, the issuance of energy-  
3 related rights of way on state water bottoms and state lands, and energy-related  
4 leasing of state water bottoms and state lands as further set forth in law, but not  
5 including ~~except~~ timber or ~~and~~ fish and wildlife and their habitats.

6 C.(1) The Department of Energy and Natural Resources shall be composed  
7 of the executive office of the secretary, the office of management and finance, the  
8 office of conservation, the office of mineral resources, the office of coastal  
9 management, the office of enforcement, the office of energy, the office of land and  
10 water, the Oilfield Site Restoration Commission, and other offices as shall be created  
11 by law.

12 (2) Whenever the secretary determines that the administration of the  
13 functions of the department may be more efficiently performed by eliminating,  
14 merging, or consolidating existing offices or establishing new offices, he shall  
15 present a plan therefor to the legislature for its approval by statute. In addition,  
16 beginning January 15, 2026, and thereafter in the same year as the sunset of the  
17 Department of Energy and Natural Resources, the secretary shall recommend to the  
18 Senate Committee on Natural Resources and the House Committee on Natural  
19 Resources and Environment to either terminate or continue the boards and  
20 commissions provided for in this Chapter. Any recommendation to terminate a  
21 board or commission shall include a plan to eliminate, merge, or consolidate the  
22 functions and responsibilities of that board or commission.

23 \* \* \*

24 §354. Powers and duties of secretary of energy and natural resources

25 A. In addition to the functions, powers, and duties otherwise vested in the  
26 secretary by law, the secretary shall:

27 \* \* \*

28 (15) Set priorities for ~~coastal energy impact~~ program funds as provided in  
29 R.S. ~~49:213-10(D)~~ 30:2483.

30 \* \* \*

1           (19)(a) Organize, plan, supervise, direct, administer, execute, and be  
2           responsible for the functions and programs relating to the deployment and operation  
3           of energy infrastructure in this state in a manner that results in affordable and reliable  
4           energy.

5           (b) Create and carry out a central, comprehensive, and unified energy and  
6           natural resources data and information program which will collect, evaluate,  
7           assemble, analyze, and disseminate data and information which is relevant to energy  
8           and natural resource reserves, energy and natural resource production, demand, and  
9           technology, and related economic and statistical information, or which is relevant to  
10          the adequacy of energy and natural resources to meet demands for the near and  
11          longer term future of the state.

12           B. The secretary shall have authority to:

13                                   \*       \*       \*

14           (2) Appoint, subject to gubernatorial approval, advisory councils, boards,  
15           and commissions necessary in the administration of the department or for providing  
16           expertise within the department's jurisdiction, except as otherwise provided by law  
17           or by executive order.

18                                   \*       \*       \*

19           (6) Represent, or designate ~~the~~ an assistant secretary ~~of the office of~~  
20           ~~conservation~~ to represent, the state in all matters involving or affecting the interest  
21           of the state and its residents, relative to energy and natural resources within the  
22           jurisdiction of the Department of Energy and Natural Resources before all federal  
23           agencies, offices, and officials, and congressional committees, and in all judicial  
24           actions arising out of the proceedings of the agencies, offices, and committees or in  
25           relation thereto. Those employed or contracted with as provided by this Section shall  
26           be entitled to represent the state and the secretary and to appear in the courts and  
27           before agencies of this state or the agencies, officials, and courts of the United States  
28           and of other states, to carry out the purposes of this Chapter.

29                                   \*       \*       \*





1 performance of its powers, duties, functions, and responsibilities, in accordance with  
2 applicable civil service laws, rules, and regulations, and with policies and rules of  
3 the department, all subject to budgetary control and applicable laws.

4 \* \* \*

5 §358. Offices; purposes and functions

6 \* \* \*

7 C. The office of conservation, in accordance with law, shall exercise the  
8 functions of the state with respect to the regulation, conservation, permitting,  
9 compliance, and use of the natural resources of the state which are not specifically  
10 within the jurisdiction of other state departments or agencies. Its functions shall  
11 include but not be limited to the conservation of the oil and gas resources of the state  
12 and matters pertaining thereto; the promotion and encouragement of exploration,  
13 production, and refining efforts for oil, intrastate gas, and other hydrocarbons; the  
14 control and allocation of energy supplies and distribution; the lease or construction  
15 and operation of intrastate pipeline systems; the implementation and enforcement of  
16 any emergency gas shortage allocation plan and the setting of priorities; regulation  
17 of the minimum sale price of intrastate natural gas, and management of ground water  
18 resources all in accordance with applicable laws.

19 D.

20 \* \* \*

21 (2) Work in cooperation with ~~Louisiana State University and Agricultural~~  
22 ~~and Mechanical College~~ the Center for Energy Studies to maintain current surface  
23 and subsurface geological surveys of the state, or otherwise at the discretion of the  
24 assistant secretary of the office of mineral resources or his designee; conduct  
25 geological mapping; prepare geological hazards assessments and resource  
26 inventories; and conduct process investigations and related studies.

27 E. The office of enforcement shall be responsible for the inspection of the  
28 regulated community and the enforcement of laws and regulations within the  
29 jurisdiction of the department, consistent with Act No. 548 of the 2006 Regular  
30 Session of the Legislature.



1           ~~exercise, review, administer, or implement the quasi judicial, licensing, permitting,~~  
 2           ~~regulatory, rulemaking, or enforcement powers or decisions of the assistant secretary~~  
 3           ~~of the office of conservation.~~ The assistant secretary shall be authorized to employ,  
 4           appoint, remove, assign, and promote personnel as is necessary for the efficient  
 5           administration required in making these decisions, in accordance with applicable  
 6           civil service laws, rules, and regulations, and with policies and rules, subject to  
 7           budgetary control of the Department of Energy and Natural Resources, and  
 8           applicable laws.

9                         (2) State Mineral and Energy Board (R.S. 30:121 et seq.), except the  
 10           secretary of the Department of Energy and Natural Resources or his designee shall  
 11           be an ex officio member of the State Mineral and Energy Board. The State Mineral  
 12           and Energy Board shall retain the authority to lease for development and production  
 13           of minerals, oil, and gas, any lands belonging to the state, or the title to which is in  
 14           the public, including road beds, water bottoms, and land adjudicated to the state at  
 15           tax sale. The State Mineral and Energy Board shall retain supervision of all mineral  
 16           leases granted by the state, and it shall retain general authority to take action for and  
 17           on behalf of and to protect the interests of the state in accordance with the provisions  
 18           of Title 30 of the Louisiana Revised Statutes of 1950, as amended, and applicable  
 19           laws.

20   \*         \*         \*

21   (4) Office of the oil spill coordinator (R.S. 30:2451 et seq.).

22   \*         \*         \*

23           §401. Department of Public Safety and Corrections; public safety services;  
 24           corrections services; youth services; creation; domicile; composition;  
 25           purposes and functions

26   \*         \*         \*

27   C.(1)

28   \*         \*         \*

29   (b)(i) Public safety services shall include the office of management and  
 30           finance for public safety services, the office of state police, the office of legal affairs,



1 the office of motor vehicles, the office of state fire marshal, and code enforcement  
 2 and building safety, ~~and the office of the Louisiana oil spill coordinator~~ and shall  
 3 also include the deputy secretary of public safety services, the assistant secretaries  
 4 of the offices, and personnel necessary to carry out their functions.

5 \* \* \*

6 §405. Deputy secretaries for public safety services, corrections services, and youth  
 7 services

8 A.(1) There shall be a deputy secretary for public safety services and a  
 9 deputy secretary for corrections services. Each shall be appointed by the secretary  
 10 and serve at the pleasure of the secretary at a salary fixed by the secretary, which  
 11 salary shall not exceed the amount approved for such position by the legislature  
 12 while in session. Each appointment by the secretary shall be submitted to the Senate  
 13 for confirmation. The duties and functions of the deputy secretaries provided for in  
 14 this Subsection shall be determined and assigned by the secretary, except that:

15 \* \* \*

16 (b) Public safety services, including the office of state police, the office of  
 17 legal affairs, the office of motor vehicles, the office of state fire marshal, and code  
 18 enforcement and building safety, ~~the office of the Louisiana oil spill coordinator,~~ and  
 19 their assistant secretaries; shall be under the supervision and direction of the deputy  
 20 secretary for public safety services. The deputy secretary for public safety services  
 21 shall be an ex officio member of each board and commission in the Department of  
 22 Public Safety and Corrections which is related to the functions of public safety  
 23 services. However, the deputy secretary may appoint a designee to be his  
 24 representative as an ex officio member of each board and commission which is  
 25 related to the functions of public safety services.

26 \* \* \*

27 Section 2. R.S. 36:408(I) and 409(C)(8) are hereby repealed in their entirety.

1           Section 3. This Act shall become effective July 1, 2024; if vetoed by the governor  
 2           and subsequently approved by the legislature, this Act shall become effective on July 1,  
 3           2024, or on the day following such approval by the legislature, whichever is later.

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

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PRESIDENT OF THE SENATE

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GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: \_\_\_\_\_