

2025 Regular Session

HOUSE BILL NO. 4

BY REPRESENTATIVES OWEN, AMEDEE, HORTON, AND SCHAMERHORN

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

ENERGY/CONSERVATION: Authorizes a parish governing authority to determine whether Class VI carbon dioxide injection wells may be permitted within its parish

1 AN ACT

2 To enact R.S. 30:1104(G) and 1104.3, relative to Class VI injection well permitting  
3 determinations by parishes; to authorize parish governing authorities to determine  
4 whether Class VI wells may be permitted within a parish; to authorize local option  
5 elections to determine whether Class VI wells may be permitted within a parish; to  
6 provide procedures for local option elections; to provide for notice to the department  
7 of any resolution, ordinance, or election results; to provide an effective date; and to  
8 provide for related matters.

9 Be it enacted by the Legislature of Louisiana:

10 Section 1. R.S. 30:1104(G) and 1104.3 are hereby enacted to read as follows:

11 §1104. Duties and powers of the commissioner; rules and regulations; permits

12 \* \* \*

13 G. Notwithstanding any provision of law to the contrary, Class VI injection  
14 wells shall not be permitted in any parish where prohibited pursuant to the  
15 procedures set forth in R.S. 30:1104.3.

16 \* \* \*

17 §1104.3. Local option

18 A. A parish governing authority and the citizens of a parish may determine  
19 whether Class VI injection wells are permitted within a particular parish as provided  
20 in this Section.

1           B. A parish governing authority may by resolution or ordinance determine  
2           whether or not Class VI injection wells may be permitted within the parish. A copy  
3           of any resolution or ordinance passed for this purpose shall be provided to the  
4           department.

5           C. In addition to the procedure provided in Subsection B of this Section, a  
6           parish-wide election may be held to determine whether Class VI injection wells will  
7           be allowed within that parish pursuant to the following procedures:

8                   (1) A parish governing authority may call an election for this purpose upon  
9                   its own initiative and shall call an election for this purpose when requested to do so  
10                  by written petition signed by at least fifteen percent of the qualified electors of the  
11                  parish, as certified by the parish registrar of voters. Whether initiated by the parish  
12                  governing authority or by petition, the election shall be ordered by resolution  
13                  adopted by the parish governing authority that states the purpose for which the  
14                  election is being called and the date the election is to be held.

15                   (2) Any election called pursuant to this Section shall be held in accordance  
16                  with the provisions of the Louisiana Election Code governing proposition or question  
17                  elections.

18                   (3)(a) If a majority of the electors voting in the election vote to allow Class  
19                  VI injection wells, then Class VI injection wells may be permitted within the parish  
20                  as provided by law.

21                   (b) If a majority of the electors voting in the election vote not to allow Class  
22                  VI injection wells, then no permit shall be issued for a Class VI injection well in that  
23                  parish and the operation of these wells shall be prohibited in that parish.

24                   (4) The parish governing authority that ordered the election shall promulgate  
25                  the results of the election by resolution or ordinance adopted at its first regular  
26                  meeting after the election and shall notify the department of the results.

27                   (5) Elections authorized by this Section shall not be held more than once in  
28                  a five-year period.

1           D. In the event that there are conflicting determinations made by a parish  
 2           governing authority adopting a resolution or ordinance pursuant to Subsection B of  
 3           this Section and the results of an election held pursuant to Subsection C of this  
 4           Section, the results of the election shall govern and may not be superseded by  
 5           subsequent action taken by the parish governing authority alone until the expiration  
 6           of five years from the date of the most recent election held for this purpose.

7           Section 2. This Act shall become effective upon signature by the governor or, if not  
 8 signed by the governor, upon expiration of the time for bills to become law without signature  
 9 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If  
 10 vetoed by the governor and subsequently approved by the legislature, this Act shall become  
 11 effective on the day following such approval.

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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)]

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HB 4 Original

2025 Regular Session

Owen

**Abstract:** Authorizes individual parishes to determine whether Class VI carbon dioxide injection wells may be permitted within their parish by action of the parish governing authority or by local option election.

Present law authorizes the Dept. of Energy and Natural Resources to permit Class VI carbon dioxide injection wells within the state.

Proposed law creates an exception to the dept.'s permitting authority for any parish where Class VI wells have been prohibited by the local governing authority or by a local option election.

Proposed law authorizes parish governing authorities to determine by resolution or ordinance whether Class VI wells may be permitted within the parish.

Proposed law further authorizes parish governing authorities to order a parish-wide election on their own initiative for electors of the parish to determine whether Class VI wells should be permitted in the parish.

Proposed law requires a parish governing authority to order a parish-wide election if 15% of the qualified electors of the parish sign a petition requesting an election on the question of whether Class VI wells should be permitted within the parish. Proposed law requires that this petition be certified by the parish registrar of voters.

Proposed law requires the parish governing authority to pass the results of any election by resolution or ordinance.

Proposed law only allows for one election to be held for this purpose within a five-year period.

Proposed law provides that any conflict between an independent action of the parish governing authority and the results of an election called for this purpose will be resolved in favor of the election results. If such a conflict occurs, proposed law also provides that the prevailing election results cannot be superseded by any independent action of the parish governing authority for five years following the election.

Proposed law requires the parish governing authority to notify the dept. of any resolution, ordinance, or election results stemming from proposed law.

Effective upon signature of governor or lapse of time for gubernatorial action.

(Adds R.S. 30:1104(G) and 1104.3)