
HOUSE COMMITTEE AMENDMENTS

2026 Regular Session

Amendments proposed by House Committee on Commerce to Original House Bill No. 259
by Representative Dewitt

1 AMENDMENT NO. 1

2 On page 1, line 3, after "notice;" insert "to provide for coordination; to provide for a point
3 of contact; to provide for fault;"

4 AMENDMENT NO. 2

5 On page 1, between lines 16 and 17, insert the following:

6 "C.(1) Prior to the commencement of any excavation or demolition activity
7 utilizing funding provided by the BEAD Program, the excavator or demolisher who
8 is excavating or demolishing utilizing funding provided by the BEAD Program shall
9 conduct pre-construction coordination with all known operators of underground
10 utilities or facilities within the proposed project area.

11 (2) Coordination shall include, at a minimum, all of the following:

12 (a) Verification of the location of underground facilities through available
13 records and field markings.

14 (b) Identification of potential conflicts between proposed excavation and
15 existing facilities.

16 (c) Communication of construction methods, timelines, and areas of planned
17 excavation.

18 (3) Operators of underground utilities or facilities shall cooperate in good
19 faith in such coordination and provide available information regarding the location
20 of their facilities.

21 (4) The office of broadband development and connectivity may establish
22 rules or guidance to implement the provisions of this Subsection.

23 (5) The excavator or demolisher who is excavating or demolishing utilizing
24 funding provided by the BEAD Program shall maintain documentation of such
25 coordination and make the documentation available to the office of broadband
26 development and connectivity upon request.

27 D.(1) Each excavator or demolisher who is excavating or demolishing
28 utilizing funding provided by the BEAD Program performing work utilizing funding
29 provided by the BEAD Program shall designate a primary point of contact
30 responsible for coordination and communication regarding construction activities
31 within each parish or municipality in which work is performed.

32 (2) The designated point of contact shall do both of the following:

33 (a) Be available during normal business hours and reasonably available
34 during active construction operations.

35 (b) Be authorized to respond to issues related to underground utility
36 conflicts, damages, and coordination with local officials.

37 (3) The name and contact information of the designated point of contact shall
38 be provided prior to the commencement of construction to all of the following:

39 (a) The governing authority of each affected parish or municipality.

40 (b) The office of broadband development and connectivity.

41 (4) The excavator or demolisher who is excavating or demolishing utilizing
42 funding provided by the BEAD Program shall update the contact information as
43 necessary to ensure accuracy throughout the duration of the project.

44 (5) The designated point of contact shall be capable of responding to
45 emergency situations within a reasonable timeframe, including coordination of
46 immediate corrective actions in the event of damage to underground utilities."

1 AMENDMENT NO. 3

2 On page 1, line 17, change "C." to "E."

3 AMENDMENT NO. 4

4 On page 2, delete line 4 in its entirety and insert in lieu thereof the following:

5 "(3) Repairing the damage or paying the cost to repair the damage, if the
6 excavator or demolisher who is excavating or demolishing utilizing funding provided
7 by the BEAD Program is determined to be at fault for such damage in accordance
8 with the provisions of this Chapter."

9 AMENDMENT NO. 5

10 On page 2, between lines 4 and 5, insert the following:

11 "F.(1) For purposes of this Section, fault shall be determined based on
12 compliance with all applicable notice, marking, and excavation requirements set
13 forth in this Chapter, including but not limited to the accuracy of utility location
14 markings and adherence to safe digging practices.

15 (2) An excavator or demolisher who is excavating or demolishing utilizing
16 funding provided by the BEAD Program shall not be considered at fault where
17 damage results from inaccurate, incomplete, or untimely facility location markings
18 provided by an operator."

19 AMENDMENT NO. 6

20 On page 2, line 5, change "D." to "G."

21 AMENDMENT NO. 7

22 On page 2, line 10, change "E." to "H."