
DIGEST

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HB 259 Engrossed

2026 Regular Session

Dewitt

Abstract: Provides relative to the repair of damaged infrastructure from certain excavators or demolishers.

Present law provides for the La. Underground Utilities and Facilities Damage Prevention Law.

Proposed law retains proposed law and provides for excavation and demolition regarding BEAD Program funding.

Proposed law defines "BEAD Program".

Proposed law provides that certain excavators or demolishers shall be required to give notice at least one calendar week in advance of the commencement of any excavation or demolition activity.

Proposed law provides that prior to the commencement of any excavation or demolition activity utilizing funding provided by the BEAD Program, the excavator or demolisher who is excavating or demolishing utilizing funding provided by the BEAD Program shall conduct pre-construction coordination with all known operators of underground utilities or facilities within the proposed project area.

Proposed law further provides for requirements relative to coordination.

Proposed law provides that an excavator or demolisher who is excavating or demolishing utilizing funding provided by the BEAD Program performing work utilizing funding provided by the BEAD Program shall designate a primary point of contact responsible for coordination and communication regarding construction activities within each parish or municipality in which work is performed.

Proposed law further provides for requirements relative to the point of contact.

Proposed law provides that an excavator or demolisher who is excavating or demolishing utilizing funding provided by the BEAD Program that damages an underground utility or facility shall be responsible for all of the following:

- (1) Providing immediate measures to prevent further damage and to stop any leakage.
- (2) Notifying the relevant parties pursuant to present law immediately.

- (3) Repairing the damage or paying the cost to repair the damage, if the excavator or demolisher who is excavating or demolishing utilizing funding provided by the BEAD Program is determined to be at fault for such damage in accordance with the provisions of present and proposed law.

Proposed law provides for how fault is determined.

Proposed law provides for the requirements for certain excavators or demolishers to receive final reimbursement of funds from the office of broadband development and connectivity.

Proposed law provides for applicability.

(Adds R.S. 40:1749.28)

Summary of Amendments Adopted by House

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

1. Make technical changes.
2. Require preconstruction coordination.
3. Require a point of contact for a project.
4. Amend proposed law regarding requirements to repair so that an excavator or demolisher utilizing BEAD funding is responsible for repairing the damage or paying the cost to repair the damage, if the excavator or demolisher who is excavating or demolishing utilizing funding provided by the BEAD Program is determined to be at fault.
5. Add how fault is determined.