

2026 Regular Session

HOUSE BILL NO. 1099

BY REPRESENTATIVE MCFARLAND

CIVIL/ACTIONS: Prohibits certain actions for damages resulting from aerospace activities

1 AN ACT

2 To enact R.S. 9:2800.31, relative to aerospace flight activities; to prohibit certain actions;
3 to provide for definitions; to provide for an effective date; and to provide for related
4 matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 9:2800.31 is hereby enacted to read as follows:

7 §2800.31. Aerospace flight entities and activities; prohibition of suit

8 A. For purposes of this Section, the following definitions apply:

9 (1) "Aerospace flight activities" mean any act or activity related to the
10 research, development, testing, manufacture, preparation, launch, operation, reentry,
11 descent, landing, or post-landing recovery of a launch vehicle, craft, payload, or
12 related equipment, including but not limited to, fueling, integration, conditioning,
13 transport, and any associated ground support operations, whether conducted on-site
14 or involving overflight.

15 (2) "Aerospace flight entity" means any person, corporation, partnership,
16 limited liability company, or any other entity that conducts space flight activities
17 and, to the extent required by federal law, holds or operates anywhere under a valid
18 Federal Aviation Administration license, experimental permit, or other authorization
19 for the relevant activities requiring such a license. This also includes any employee,
20 officer, director, agent, contractor, manufacturer, supplier, or vendor of such entity,

1 any owner or lessor of real property used for space flight activities, and any political
2 subdivision or public entity with a contractual or operational relationship facilitating
3 such activities.

4 B. Temporary restraining orders, preliminary injunctions, permanent
5 injunctions, abatement orders, or other equitable relief that would delay, restrict,
6 modify, or prohibit any aerospace flight activities shall be null and void. Any claim
7 brought against an aerospace flight entity that arises from any aerospace flight
8 activities is subject to a motion to strike pursuant to Code of Civil Procedure Article
9 971.

10 C. Claims seeking damages for interference with the use or enjoyment of
11 property, emotional distress, diminution in property value, or any other loss that
12 would be recoverable in an action for nuisance or trespass shall be barred if the claim
13 arises from aerospace flight activities.

14 D. A reciprocal waiver of claims between parties engaged in aerospace flight
15 activities under Federal Aviation Regulations (14 C.F.R. §440.17) is effective and
16 enforceable in this state, including waiver by a contractor, subcontractor, or customer
17 of any party participating in an aerospace flight activity.

18 E. An aerospace flight entity is presumed to be acting lawfully if the
19 aerospace activity is conducted with substantial compliance with applicable federal,
20 state, and local licenses, permits, or authorizations.

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

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)]

HB 1099 Original

2026 Regular Session

McFarland

Abstract: Prohibits certain injunctive relief related to aerospace activities.

Proposed law defines "aerospace flight activities" and "aerospace flight entity".

Proposed law provides that temporary restraining orders, preliminary injunctions, permanent injunctions, abatement orders, or other equitable relief that would delay, restrict, modify, or prohibit any aerospace flight activities is void.

Proposed law provides that any claim brought against an aerospace flight entity that arises from any aerospace flight activities is subject to a motion to strike pursuant to present law (C.C.P. Art. 971).

Proposed law bars a claim seeking damages for interference with the use or enjoyment of property, emotional distress, diminution in property value, or any other loss that would be recoverable in an action for nuisance or trespass if the claim arises from aerospace flight activities.

Proposed law provides that a reciprocal waiver of claims between parties engaged in aerospace flight activities pursuant to certain federal law is effective and enforceable in the state of La.

Proposed law provides that aerospace flight entities are presumed to be acting lawfully if in compliance with federal, state, and local licenses, permits, or authorizations.

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

(Adds R.S. 9:2800.31)