
DIGEST

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HB 1152 Original

2026 Regular Session

Riser

Abstract: Extends the fees paid by carbon dioxide sequestration storage facilities, creates a Carbon Dioxide Community Safety and Protection program, requires excess fees to be deposited into a new Carbon Dioxide Community Protection Account or Local Public Safety and Emergency Preparedness Subaccount, and provides for authorized uses of the account and subaccount.

Present law establishes a Carbon Dioxide Geologic Storage Trust Fund that storage facilities pay into based on a statutory formula for fees. Present law provides authorized uses for the fund by the department.

Proposed law retains present law.

Proposed law defines "fee" and specifies the term includes "trust fund fee" and "excess fee".

Present law provides that when the trust fund reaches \$5 million, the fee that storage facilities pay is suspended.

Proposed law requires that storage facilities continue to pay a fee after the \$5 million cap is met. Further provides that the fees paid after the cap is met are to be considered "excess fees".

Proposed law establishes a Carbon Dioxide Community Safety and Protection program to be administered by the Natural Resources Trust Authority. Further authorizes the trust authority to allocate funds for the program.

Proposed law creates a special treasury account called the Carbon Dioxide Community Protection Account and requires that all excess fees be deposited into the special account rather than the trust fund. Proposed law further provides that all interest and investment earnings and any grants, donations, and private contributions be deposited into the special account.

Proposed law also creates a subaccount within the Carbon Dioxide Community Protection Account, to be known as the Local Public Safety and Emergency Preparedness Subaccount. Proposed law further provides that at least 30% of all excess fees be deposited into this subaccount.

Proposed law authorizes the monies in the special account and subaccount to be used for public safety and emergency preparedness activities related to carbon dioxide sequestration and its associated risks, including the following:

- (1) Emergency response planning, training, and exercises for fire, law enforcement, emergency medical services, emergency management, emergency response communications, and 911 personnel.
- (2) Equipment, facilities, and interoperable communications used for incident response, evacuation coordination, plume or air monitoring, public notification, alerts, and incident command.
- (3) Mutual aid coordination, emergency operations planning, and public information and education specific to carbon dioxide geologic storage operations.
- (4) Reimbursement to local governmental entities for reasonable and necessary public safety costs incurred in responding to, preparing for, or recovering from an incident or emergency associated with a carbon dioxide storage facility or Class VI injection well regulated under present law, including response to alarms, releases, well integrity events, or other reportable occurrences requiring local public safety action.
- (5) Program administration (no more than 5% of excess fees may be used for this).

Proposed law provides that parishes, municipalities, and other political subdivisions within a parish where a storage facility or Class VI well is located or a parish within the area of review for a storage facility or which may be impacted by the permitted activity will be eligible recipients of monies from the special account and subaccount.

Proposed law requires the Natural Resources Trust Authority to promulgate rules to establish an application and review process.

Proposed law provides that no "trust fund fees" collected prior to meeting the \$5 million cap may be deposited into the special account or subaccount and no monies deposited into the trust fund may be transferred to the special account or subaccount.

Proposed law provides that the collection and use of excess fees may not impair the department's primary obligation to protect underground sources of drinking water as required by federal law.

Present law requires the secretary to keep accurate accounts of all money collected for and disbursed from the trust fund and to submit a report annually to the House and Senate natural resources committees regarding administration of the funds.

Proposed law retains present law and requires the annual report to include information regarding collections for and disbursements from the special account for excess fees.

(Amends R.S. 30:1110(A)(2), (B)(1), (C)(intro. para.) and (1)(d) and (f)-(h), (D), and (H); Adds R.S. 30:1103(10) and 1110(J) and (K))