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## DIGEST

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HB 1191 Original

2026 Regular Session

Jacob Landry

**Abstract:** Creates a voluntary certification of compliance process for surface owners and oil and gas operators regarding environmental damage at oilfield and exploration and production sites.

Proposed law creates a process for surface owners and operators to jointly obtain certificates of compliance regarding environmental damage at oilfield sites and exploration and production sites.

Proposed law provides definitions.

Proposed law establishes a process for the joint submission of written notice to the Dept. of Conservation and Energy and the Dept. of Environmental Quality by the surface owner and operator to initiate the certificate process.

Proposed law provides for a departmental review period, during which sites are inspected and evaluated pursuant to environmental damage standards under present law and corrective actions identified. Further provides that the requesting parties may submit data to the departments during the review period.

Proposed law provides for the issuance of reports of noncompliance and certificates of compliance and provides for the effects of each.

Proposed law provides a process for addressing reports of noncompliance and establishes timelines for a corrective action period. Further authorizes a stay of judicial proceedings during the corrective action period.

Proposed law provides that the issuance of a certificate of compliance will foreclose future claims and administrative actions regarding site conditions existing prior to the certificate of compliance.

Proposed law authorizes the filing of a certificate of compliance as admissible evidence in a claim for environmental damage and as an affirmative defense to certain claims.

Proposed law establishes the proper venue for claims involving certificates of compliance as the 19th Judicial District Court.

Proposed law authorizes the departments to promulgate rules to implement the certificate of compliance process, to establish fees for the evaluation and certification process, and to establish

standards for site evaluations.

Proposed law provides for a voluntary waiver of non-regulatory remediation standards that the surface owner may otherwise benefit from and specifies the process required to make such a waiver.

Proposed law emphasizes that this is a voluntary process.

Proposed law provides that if certificates of compliance and voluntary waivers are recorded in the appropriate conveyance records, they will be binding on third parties.

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

(Adds R.S. 30:29.3)