

FOR OFFICE USE ONLY	

HOUSE FLOOR AMENDMENTS

2026 Regular Session

Amendments proposed by Representative Deshotel to Reengrossed Senate Bill No. 80 by Senator Mizell

1 AMENDMENT NO. 1

2 Delete House Committee Amendment Nos.7 and 8 by the House Committee on Commerce
3 (#5729)

4 AMENDMENT NO. 2

5 On page 1, line 4, after "grantees;" and before "to" insert "to provide for rulemaking;"

6 AMENDMENT NO. 3

7 On page 2, delete lines 13 through 25 and insert in lieu thereof the following:

8 **"B.(1)** Except as provided in Subsection C of this Section, the next ten
9 percent of the subgrant award shall be provided based on provider certification and
10 the office's verification that ten percent of the eligible locations have been reached.
11 The remaining disbursements shall be given at the thresholds of completion of
12 thirty-five percent, sixty percent, eighty-five percent, and one hundred percent. The
13 final disbursement for one hundred percent completion shall be given only after
14 verification of one hundred percent deployment to eligible locations, within the
15 mandatory forty-eight-month maximum deadline, which may be extended up to a
16 year by the office or another shorter timeline certified by the applicant. The office
17 shall disburse funds only for completed deployments that comply with the terms
18 included in the successful application and shall withhold funds for failure to do so.

19 **(2)(a) The office may withhold only the final payment to a provider, and**
20 **only in an amount equal to the unpaid portion of a final judgment by a court of**
21 **competent jurisdiction for damage to underground utilities or facilities**
22 **occurring during the course of a GUMBO 2.0 project, after a final**
23 **non-appealable adjudication determining that the provider is legally at fault for**
24 **such damage and has failed to timely satisfy the judgment.**

25 **(b) The office may require documentation of repairs, reimbursement of**
26 **damages, corrective action plans, utility coordination records, locate requests,**
27 **or other compliance measures prior to the release of withheld funds. Any**
28 **evidence gathered in the course of such administrative process, as well as any**
29 **findings of the office, shall not be admissible as evidence in any court of law.**

30 **(3)(a) The office shall not withhold any progress payment or interim**
31 **disbursement pursuant to this Section. The office may withhold only the final**
32 **disbursement or closeout payment of a GUMBO 2.0 grant, and only if such**
33 **withholding is authorized by rules promulgated in accordance with the**
34 **Administrative Procedure Act and only after completion of the regular notice,**
35 **public comment, and legislative oversight process applicable to rulemaking**
36 **pursuant to the Administrative Procedure Act. Such rules shall include notice**
37 **to the grantee, a statement of the grounds for withholding, and an opportunity**
38 **for the grantee to cure or respond prior to final agency action.**

39 **(b) Notwithstanding any other provision of law, the office may not**
40 **promulgate rules through emergency rulemaking, pursuant to R.S. 49:962, to**
41 **implement the provisions of this Paragraph."**