

RÉSUMÉ DIGEST

ACT 191 (SB 199)

2017 Regular Session

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New law provides that a public entity may share equipment with another public entity without rendering payment to the entity that owns the equipment as long as the entities have executed a cooperative endeavor agreement for the use of the equipment.

Requires that the cooperative endeavor agreement contain reasonable details of the obligations between parties, identify the equipment that will be used, explain the use and the approximate length of time for use of the equipment, address the responsibility for repairing or replacing the equipment, and include a hold harmless provision.

Provides when an emergency situation is declared and public entities need to share equipment, the provisions of new law dealing with the execution of a cooperative endeavor agreement are not required, provided the public entities share the equipment in good faith relative to the emergency situation.

Defines "public entities" as the following:

- (a) State boards, agencies or commissions, parishes, municipalities, city parish, and other local school boards and districts, levee boards and districts, port boards and commissions, port, harbor, and terminal and industrial districts, drainage and land reclamation districts, all special service districts including but not limited to road, water, sewage, fire protection, recreation, hospital service, and gas utility districts.
- (b) All other political subdivisions, special authorities, commissions, public trusts, and boards.
- (c) All other units of local government created or governed by the governing authorities of parishes or municipalities.

Provides that the provisions of prior law (R.S. 33:2337 and 2338) dealing with mutual aid between local police departments, sheriffs' offices, and the LA Assoc. of Chiefs of Police Emergency Response Task Force will supercede and control in the event of conflict with the provisions of new law.

Effective upon signature of the governor (June 12, 2017).

(Adds R.S. 33:4712.17)