The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Tyler S. McCloud.

DIGEST

SB 200 Original 2020 Regular Session Fesi

Present law establishes a coastal zone management program within the Dept. of Natural Resources and administered by the secretary of the department. An aspect of the program is the application and issuance of an coastal use permit requirement prior to commencing a use of state or local concern in the coastal zone.

Present law authorizes a court to impose civil liability and assess damages, order the payment of the restoration costs, require actual restoration of areas disturbed, or otherwise impose reasonable and proper sanctions for uses in the coastal zone that were either without a coastal use permit or not in accordance with the terms and conditions of a coastal use permit.

Proposed law requires any monies ordered for the payment of restoration costs shall be expended only for the actual restoration of the areas disturbed.

Present law authorizes the court to award costs and reasonable attorney fees to the prevailing party.

Proposed law removes the authority to award reasonable attorney fees and prohibits including attorney fees as costs.

Effective August 1, 2020.

(R.S. 49:214.36(E))