

**HOUSE COMMITTEE AMENDMENTS**

2020 Regular Session

Amendments proposed by House Committee on Natural Resources and Environment to Reengrossed Senate Bill No. 440 by Senator Fesi

1 AMENDMENT NO. 1

2 On page 1, line 2, after "49:214.36" insert "(D)," and after "(E)" insert a comma ","

3 AMENDMENT NO. 2

4 On page 1, line 7, after "49:214.36" insert "(D)," and after "(E)" insert a comma ","

5 AMENDMENT NO. 3

6 On page 1, between lines 10 and 11, insert the following:

7 **"D. The authority to bring an action to impose civil liability or**  
 8 **assess damages shall be as follows:**

9 **(1) Uses of state concern.** ~~The secretary, or the attorney general, an~~  
 10 ~~appropriate district attorney, or a local government with an approved~~  
 11 ~~program~~ may bring such injunctive, declaratory, or other actions as are  
 12 necessary to ensure that no uses **of state concern, as defined by R.S.**  
 13 **49:214.25(A)(1),** are made of the coastal zone for which a coastal use permit  
 14 has not been issued when required or which are not in accordance with the  
 15 terms and conditions of a coastal use permit.

16 **(2) Uses of local concern. The secretary, the attorney general, an**  
 17 **appropriate district attorney unless otherwise precluded by state law or**  
 18 **home rule charter, or a local government with an approved program,**  
 19 **may bring such injunctive, declaratory, or other actions as are necessary**  
 20 **to ensure that no uses of local concern, as defined by R.S.**  
 21 **49:214.25(A)(2), are made of the coastal zone for which a coastal use**  
 22 **permit has not been issued when required or which are not in**  
 23 **accordance with the terms and conditions of a coastal use permit. The**  
 24 **authority of such district attorney or local government to bring an action**  
 25 **shall be limited to uses of local concern within their jurisdiction."**

26 AMENDMENT NO. 4

27 On page 1, line 11, delete "A" and insert "**In accordance with Subsection D of this Section,**  
 28 **a**"

29 AMENDMENT NO. 5

30 On page 2, line 4, delete "by the state"

31 AMENDMENT NO. 6

32 On page 3, lines 12 and 14, change "**received**" to "**collected**"

33 AMENDMENT NO. 7

34 On page 3, line 18, delete "**For uses of state concern, the monies**" and insert in lieu thereof  
 35 "**The monies collected by the secretary or attorney general related to uses of state**  
 36 **concern**"

1 AMENDMENT NO. 8

2 On page 4, delete line 10 in its entirety and insert in lieu thereof the following:

3 **"(b) The monies related to uses of local concern collected by the**  
4 **secretary, the attorney general, an appropriate district attorney, or a**  
5 **local government with an approved program shall be"**

6 AMENDMENT NO. 9

7 On page 4, after line 15, add the following:

8 "Section 2. The provisions of this Act shall be applicable to all claims  
9 existing or actions pending on its effective date and all claims arising or  
10 actions filed on and after its effective date.

11 Section 3. This Act shall become effective upon signature by the  
12 governor or, if not signed by the governor, upon expiration of the time for  
13 bills to become law without signature by the governor, as provided in Article  
14 III, Section 18 of the Constitution of Louisiana. If vetoed by the governor  
15 and subsequently approved by the legislature, this Act shall become effective  
16 on the day following such approval."