

2021 Regular Session

SENATE BILL NO. 141

BY SENATOR FESI

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

ENERGY DEVELOPMENT. Provide for actions arising from coastal use permits. (8/1/21)

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AN ACT

To amend and reenact R.S. 49:214.36(D) and to enact R.S. 49:214.36(O)(6), relative to the Louisiana Coastal Zone Management Program; to provide for enforcement actions; to provide for civil actions; to provide for requirements to bring civil actions; to provide for exhaustion of administrative remedies; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 49:214.36(D) is hereby amended and reenacted and R.S. 49:214.36(O)(6) is hereby enacted to read as follows:

§214.36. Enforcement; injunction; penalties and fines

\* \* \*

D. The secretary, the attorney general, an appropriate district attorney, or a local government with an approved program may bring such injunctive, declaratory, or other actions as are necessary to ensure that no uses are made of the coastal zone for which a coastal use permit has not been issued when required or which are not in accordance with the terms and conditions of a coastal use permit. **However, a civil action to assess damages shall not be instituted prior to a final and definitive administrative adjudication that a violation of the provisions of this Subpart has**

