

2021 Regular Session

HOUSE BILL NO. 617

BY REPRESENTATIVE MCCORMICK

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

ENERGY: Establishes Louisiana as a fossil fuel sanctuary state

1 AN ACT

2 To establish Louisiana as a fossil fuel sanctuary state; to provide for prohibitions; to provide
3 an effective date; and to provide for related matters.

4 Be it enacted by the Legislature of Louisiana:

5 Section 1. It is the intent of the Legislature of Louisiana to designate Louisiana as
6 a fossil fuel sanctuary in order to protect its fossil fuel energy sector from being restricted,
7 through federal executive orders, agency orders, statutes, laws, rules, or regulations in effect
8 on or after the effective date of this Act.

9 Section 2. The following, or any other similar, federal acts, laws, executive orders,
10 administrative orders, rules, and regulations shall be considered infringements on state
11 sovereignty and on the state's right to autonomy as guaranteed by the Constitution of the
12 United States and the Constitution of Louisiana:

13 (1) Any tax, levy, fee, or stamp imposed on fossil fuels or fossil fuel byproducts not
14 common to all other goods and services that may reasonably be expected to have a negative
15 effect on the purchase, sale, use, or ownership of those items.

16 (2) Any act forbidding the possession, ownership, use, or sale of fossil fuels or fossil
17 fuel byproducts, including but not limited to the cancellation of oil lease sales.

18 (3) Any enforcement method used to prevent the acquisition or use of fossil fuels
19 or fossil fuel byproducts.

20 Section 3. Other than compliance with an order of the court, notwithstanding any
21 law, regulation, rule, or order to the contrary, no agency or political subdivision of this state,

1 or employee of an agency or political subdivision of this state acting in his or her official
 2 capacity shall knowingly and willingly participate in any way in the enforcement of any
 3 federal act, law, order, rule, or regulation which negatively impacts fossil fuel energy in
 4 Louisiana if the act, law, order, rule, or regulation does not exist under the laws of this state;
 5 nor shall they utilize any assets, state funds, or funds allocated by the state to local entities
 6 on or after the effective date of this Act, in whole or in part, to engage in any activity that
 7 aids a federal agency, federal agent, or corporation providing services to the federal
 8 government in the enforcement or any investigation pursuant to the enforcement of any
 9 federal act, law, order, rule, or regulation which negatively impacts fossil fuel energy in
 10 Louisiana if the act, law, order, rule, or regulation does not exist under the laws of this state.

11 Section 4. This Act shall become effective upon signature by the governor or, if not
 12 signed by the governor, upon expiration of the time for bills to become law without signature
 13 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
 14 vetoed by the governor and subsequently approved by the legislature, this Act shall become
 15 effective on the day following such approval.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 617 Original

2021 Regular Session

McCormick

Abstract: Establishes Louisiana as a fossil fuel sanctuary state.

Proposed law specifies that any federal acts, laws, executive orders, administrative orders, rules, or regulations which levy any tax, fee, or stamp imposed on fossil fuels or fossil fuel byproducts; any act forbidding the possession, ownership, use, or sale of fossil fuels or fossil fuel byproducts, including but not limited to the cancellation of oil lease sales; and any enforcement method used to prevent the acquisition or use of fossil fuels or fossil fuel byproducts are infringements on state sovereignty and on the state's right to autonomy as guaranteed by the Constitution of the U.S. and the Constitution of La.

Proposed law prohibits any agency, political subdivision, or employee of an agency or political subdivision from knowingly and willingly participating in the enforcement of any federal act, law, order, rule, or regulation which negatively impacts fossil fuel energy in La.

Effective upon signature of governor or lapse of time for gubernatorial action.