

2022 Regular Session

SENATE BILL NO. 91

BY SENATOR HENSGENS

SUNSET LAW. Re-creates the Coastal Protection and Restoration Authority and the Coastal Restoration and Protection Authority Board. (6/30/22)

1 AN ACT
2 To enact R.S. 49:191(13)(a) and to repeal R.S. 49:191(11), relative to the Coastal Protection
3 and Restoration Authority and the Coastal Restoration and Protection Authority
4 Board, including provisions to provide for the re-creation of the Coastal Protection
5 and Restoration Authority and the Coastal Restoration and Protection Authority
6 Board and the statutory entities made a part of the department by law; to provide for
7 the effective termination date for all statutory authority for the existence of such
8 statutory entities; and to provide for related matters.

9 Be it enacted by the Legislature of Louisiana:

10 Section 1. Pursuant to R.S. 49:193, the Coastal Protection and Restoration Authority
11 and the Coastal Restoration and Protection Authority Board and the statutory entities made
12 a part of the department by law shall be recreated effective June 30, 2022, and all statutory
13 authority therefore is continued in accordance with the provisions of Part XII of Chapter 1
14 of Title 49 of the Louisiana Revised Statutes of 1950.

15 Section 2. All statutory authority for the existence of the Coastal Protection and
16 Restoration Authority and the Coastal Restoration and Protection Authority Board and the
17 statutory entities made a part of the department as re-created by Section 1 of this Act shall

1 cease as of July 1, 2023, pursuant to R.S. 49:191. However, the Coastal Protection and
 2 Restoration Authority and the Coastal Restoration and Protection Authority Board may be
 3 re-created prior to such date in accordance with the provisions of Part XII of Chapter 1 of
 4 Title 49 of the Louisiana Revised Statutes of 1950.

5 Section 3. The provisions of R.S. 49:193 are hereby superseded to the extent that
 6 those provisions are in conflict with the provisions of this Act.

7 Section 4. R.S. 49:191(13)(a) is hereby enacted to read as follows:

8 §191. Termination of legislative authority for existence of statutory entities;
 9 phase-out period for statutory entities; table of dates

10 Notwithstanding any termination dates set by any previous Act of the
 11 legislature, the statutory entities set forth in this Section shall begin to terminate their
 12 operations on July first of each of the following years, and all legislative authority
 13 for the existence of any statutory entity, as defined in R.S. 49:190, shall cease as of
 14 July first of the following year, which shall be the termination date:

15 * * *

16 **(13) July 1, 2028:**

17 **(a) The Coastal Protection and Restoration Authority and the Coastal**
 18 **Restoration and Protection Authority Board to be reviewed by and re-creation**
 19 **to be considered by the House Committee on Natural Resources and**
 20 **Environment and the Senate Committee on Natural Resources.**

21 Section 5. R.S. 49:191(11) is hereby repealed in its entirety.

22 Section 6. This Act shall become effective on June 30, 2022; if vetoed by the
 23 governor and subsequently approved by the legislature, this Act shall become effective on
 24 June 30, 2022, or on the day following such approval by the legislature, whichever is later.

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

Present law (Sunset law) provides that the Coastal Protection and Restoration Authority and
 the Coastal Restoration and Protection Authority Board must begin to terminate their
 operations on July 1, 2023, and that all legislative authority for such entities must cease as

of July 1, 2024, unless the legislature enacts a bill authorizing the re-creation of the department and its statutory entities prior thereto.

Present law provides that Coastal Protection and Restoration Authority and the Coastal Restoration and Protection Authority Board to be reviewed by and re-creation to be considered by the House Committee on Natural Resources and Environment and the Senate Committee on Natural Resources. Present law requires the Coastal Protection and Restoration Authority and the Coastal Restoration and Protection Authority Board be reviewed and re-created every six years to coincide with the review and adoption of the comprehensive master plan for integrated coastal restoration.

Proposed law provides for the re-creation of the Coastal Protection and Restoration Authority and the Coastal Restoration and Protection Authority Board, effective June 30, 2022, for a six-year period. Proposed law removes requirement that future reviews and re-creations coincide with the review and adoption of the comprehensive master plan for integrated coastal restoration.

Effective June 30, 2022.

(Adds R.S. 49:191(13)(a); repeals R.S. 49:191(11))