

2023 Regular Session

SENATE BILL NO. 141

BY SENATOR HENSGENS

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

ENVIRONMENTAL CONTROL. Provides for carbon sequestration. (8/1/23)

1 AN ACT

2 To amend and reenact R.S. 30:1107(C), relative to carbon sequestration operations; to
3 provide for duties, obligations, and responsibilities for the transport and storage of
4 carbon dioxide; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 30:1107(C) is hereby amended and reenacted to read as follows:

7 §1107. Certificates of public convenience and necessity; certificate of completion of
8 injection operations

9 * * *

10 C. Anything in this Chapter, or in any rule, regulation, or order issued by the
11 commissioner under this Chapter to the contrary notwithstanding, accepting or acting
12 pursuant to a certificate of public convenience and necessity or a certificate of
13 completion of injection operations issued under this Chapter, compliance with the
14 provisions of this Chapter, or with rules, regulations, or orders issued by the
15 commissioner under this Chapter, or voluntarily performing any act or acts which
16 could be required by the commissioner pursuant to this Chapter, or rules, regulations,
17 or orders issued by the commissioner under this Chapter, shall not have the following

1 consequences:

2 (1) Cause any storage operator or ~~carbon dioxide~~ transporter of carbon
3 dioxide for storage to become, or be classified as, a common carrier or a public
4 utility for any purpose whatsoever.

5 (2) Subject such storage operator or ~~such carbon dioxide to storage~~
6 transporter **of carbon dioxide for storage** to any duties, obligations, or liabilities as
7 a common carrier or public utility, under the constitution and laws of this state.

8 (3) Increase the liability of any storage operator or ~~carbon dioxide for storage~~
9 transporter **of carbon dioxide for storage** for any taxes otherwise due to the state
10 of Louisiana in the absence of any additions or amendments to any tax laws of this
11 state.

The original instrument and the following digest, which constitutes no part
of the legislative instrument, were prepared by Jacob K. Wilson.

DIGEST

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Present law provides for certificates of public convenience and necessity for injection operations and establishes conditions for the issuance thereof.

Present law precludes imposition of certain consequences against storage operators and carbon dioxide transporters, including classification as a common carrier or public utility, subjection to duties, obligations, or liabilities as a common carrier or public utility, or increase of tax liability, where the storage operator or carbon dioxide transporter acts in compliance with a certificate of public convenience and necessity or certificate of completion of injection or acts in compliance with statutes, rules, regulations, or orders issued by the commissioner of the Dept. of Natural Resources, office of conservation.

Proposed law retains present law.

Effective August 1, 2023.

(Amends R.S. 30:1107(C))