

2023 Regular Session

HOUSE BILL NO. 454

BY REPRESENTATIVE MACK

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

ENERGY/CONSERVATION: Requires a local election for the approval of carbon dioxide sequestration within a parish

1 AN ACT

2 To enact R.S. 30:1112, relative to carbon dioxide sequestration; to require and provide for
3 local elections regarding carbon dioxide sequestration activity within a parish; and
4 to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 30:1112 is hereby enacted to read as follows:

7 §1112. Parishwide election on carbon dioxide sequestration

8 A. Notwithstanding any provision of law to the contrary, no carbon dioxide
9 sequestration shall be allowed in any parish unless it has first been approved at an
10 election held for such purpose.

11 B. Any person desiring to conduct carbon dioxide sequestration activities in
12 a particular parish shall make an application to the governing authority of the parish
13 in which the proposed sequestration activities are to be conducted. The application
14 shall state the location of the proposed activity and describe the facilities and related
15 infrastructure proposed to be constructed or installed for such activity.

16 C. Upon receipt of the application, the governing authority of the parish in
17 which the proposed sequestration activities are to occur shall call and conduct a
18 referendum election within the parish for the purpose of submitting to the qualified
19 electors of the parish the proposition of whether or not the proposed sequestration
20 activities shall be allowed.

1 D. Except as provided in this Section, the elections shall be held in
2 compliance with the Louisiana Election Code provisions governing proposition
3 elections. In addition to the notice required by the Louisiana Election Code, the
4 parish governing authority shall also have five spot announcements of the election
5 broadcast at least two days apart on radio or television channels readily receivable
6 in the parish and shall make notice of the election available to the news media. The
7 cost of the announcement required by this Subsection shall be borne by the person
8 desiring to conduct the carbon dioxide sequestration activities. All qualified electors
9 of the parish shall be entitled to vote in the election.

10 E. The proposition to be printed on the election ballot shall be: "TO
11 AUTHORIZE CARBON DIOXIDE SEQUESTRATION ACTIVITIES. Shall
12 carbon dioxide sequestration activities be conducted within the parish of
13 _____ and the voters shall vote for or against the proposition, a vote for the
14 proposition being a "Yes" vote and a vote against the proposition being a "No" vote.
15 Any elector who was qualified to vote in the election may demand a recount of the
16 ballots or contest the election in the manner and within the time provided by law for
17 recount or contest of elections under the general election laws of the state.

18 F. The parish governing authority shall notify the applicant and the
19 commissioner of conservation promptly of the results of the election. If carbon
20 dioxide sequestration activities have been approved, the applicant may proceed in
21 accordance with the provisions of this Chapter and rules adopted pursuant to the
22 authority of this Chapter. If the proposed carbon dioxide sequestration activities
23 have not been approved at the election, the commissioner shall not grant any
24 certificate or permit therefor and shall not accept or consider any application for such
25 a certificate or permit in the same parish. The parish governing authority shall not
26 call a subsequent election pursuant to the provisions of this Section until the
27 expiration of at least two years from the date of the previous election at which the
28 carbon dioxide sequestration activity in the parish was disapproved.

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 454 Original

2023 Regular Session

Mack

Abstract: Requires a local election in any parish in which proposed carbon dioxide sequestration activity is to occur.

Present law authorizes and provides for carbon dioxide sequestration in the state.

Proposed law provides for the conducting of a local option election and prohibits the permitting of the proposed carbon dioxide sequestration activities without a favorable vote of the people of the parish where the activity will occur.

Proposed law further provides for application to the parish governing authority for an election, parish duties regarding conducting the election, compliance with the La. Election Code, broadcast advertising of the election, ballot language, notifying the commissioner of the results of the election, and subsequent elections in the same parish for carbon dioxide sequestration activity.

(Adds R.S. 30:1112)