

2024 Regular Session

SENATE BILL NO. 490

BY SENATOR CATHEY

UTILITIES. Provides relative to underground utilities and facilities. (8/1/24)

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AN ACT

To amend and reenact R.S. 40:1749.21(B) and enact R.S. 40:1749.19(C), relative to regional notification centers; to provide for distribution of information from regional notification centers; to authorize certain municipal or parish governments which own or operate a drainage system, sewer system, or water or water system to become a member of, participate in, or share the cost of a regional notification center; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 40:1749.21(B) is hereby amended and reenacted and R.S. 40:1749.19(C) is hereby enacted to read as follows:

§1749.19. Voluntary participation by incorporated municipalities and parish governments

\* \* \*

**C. Notwithstanding any other provision of law to the contrary, each municipality or parish government which owns or operates in its own right, or through a special district or districts created pursuant to law, a drainage system, a sewer system, water or a water system within its local jurisdiction and**

1 has any location of its underground utilities or facilities or equipment identified  
 2 or mapped in connection with the deployment of the broadband projects  
 3 throughout the state utilizing the funding pursuant to R.S. 51:2370.1, et seq., the  
 4 Rural Digital Opportunity Fund, the Enhanced Alternative Connect America  
 5 Model, the Rural Development Broadband ReConnect Program, or any other  
 6 similar program included in the Broadband Equity Access and Deployment  
 7 program shall become a member of, participate in, and share the cost of a  
 8 regional notification center pursuant to R.S. 40:1749.14.

9 \* \* \*

10 §1749.21. Miscellaneous provisions

11 \* \* \*

12 B. Nothing in this Part shall affect any permitting process granted to a parish,  
 13 municipal, local, or state governing authority. If a permit is issued in conjunction  
 14 with excavation or demolition subject to the provisions of this Part, upon issuing the  
 15 permit, the governing authority is encouraged to distribute to the permittee  
 16 information regarding compliance with the provisions of this Part. The regional  
 17 notification centers shall ~~provide~~ **furnish** the information to the governing authority  
 18 for distribution. The failure of the governing authority to ~~distribute~~ **furnish** the  
 19 information shall not for that reason alone create any liability on the part of the  
 20 governing authority or permittee nor otherwise reduce or limit the duties and  
 21 responsibilities of excavators or demolishers under this Part.

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The original instrument was prepared by Thomas L. Tyler. The following digest, which does not constitute a part of the legislative instrument, was prepared by Dawn Romero Watson.

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DIGEST

SB 490 Reengrossed

2024 Regular Session

Cathey

Proposed law requires municipalities or parish government that owns a drainage system, a sewer system, or a water system to become a member of, participate in or share cost in a regional notification center.

Present law requires that regional notification centers provide certain information to a

governing authority relative to certain excavation or demolition of underground utilities and facilities.

Proposed law requires that notification center furnish this information to governing authorities.

Present law provides that failure of the governing authority to distribute the information shall not for that reason alone create any liability on the part of the governing authority or permittee nor otherwise reduce or limit the duties and responsibilities of excavators or demolishers.

Proposed law provides that failure to furnish this information does not for that reason alone create any liability on the part of the governing authority or permittee nor otherwise reduce or limit the duties and responsibilities of excavators or demolishers.

Effective August 1, 2024.

(Amend R.S. 40:1749.21(B); adds R.S. 40:1749.19(C))

#### Summary of Amendments Adopted by Senate

##### Committee Amendments Proposed by Senate Committee on Commerce, Consumer Protection, and International Affairs to the original bill

1. Requires municipalities or parish government that owns a drainage system, a sewer system, or a water system to become a member of, participate in or share cost in a regional notification center.

##### Senate Floor Amendments to engrossed bill

1. Make technical corrections.