

SENATE BILL NO. 271

BY SENATOR FOIL

1 AN ACT

2 To enact R.S. 52:6, relative to jurisdiction over lands under the administration of the United
3 States Department of Defense in this state; to provide for concurrent jurisdiction; to
4 provide for terms, conditions, requirements, and procedures; and to provide for
5 related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 52:6 is hereby enacted to read as follows:

8 **§6. Jurisdiction over lands under the administration of the United States**

9 **Department of Defense.**

10 **A. The legislature declares that the purpose of this Act is to ensure that**
11 **law enforcement services are available on United States military installation**
12 **property located in this state especially for the enforcement of state fish and**
13 **game laws and any applicable regulations, and juvenile matters including but**
14 **not limited to delinquency, children in need of care, families in need of services,**
15 **and any other matters affecting the safety and welfare of juveniles within the**
16 **state. The legislature further finds, determines, and declares that this Act is**
17 **necessary for the immediate preservation of the public peace, health, or safety**
18 **or for appropriations for the support and maintenance of the departments of**
19 **the state and state institutions.**

20 **B.(1) The state of Louisiana hereby accepts the relinquishment of**
21 **exclusive jurisdiction from the United States pursuant to this Section. The state**
22 **of Louisiana shall have concurrent jurisdiction with the United States over the**
23 **United States military installation property indicated pursuant to this Section**
24 **for as long as the United States controls the property.**

25 **(2) The concurrent jurisdiction over the United States military**
26 **installation property pursuant to this Section is effective upon the governor's**
27 **written acceptance of a request pursuant to R.S. 52:3 filed by the principal**

1 officer, or an authorized representative of the United States who has supervision
2 or control over the property pursuant to 10 U.S.C. 2683, of the property where
3 concurrent jurisdiction is sought, relinquishing exclusive jurisdiction and
4 retaining concurrent jurisdiction over the property.

5 (3) The governor shall not accept a request filed pursuant to this Section
6 unless the request contains all of the following requirements:

7 (a) States the name, position, and legal authority of the person requesting
8 the cession.

9 (b) Unambiguously states the matter for which concurrent jurisdiction
10 is requested.

11 (c) Describes by metes and bounds the United States military installation
12 property subject to the concurrent jurisdiction request.

13 (d) Indicates whether the request includes future contiguous expansions
14 of land acquired for military purposes.

15 (4) If the governor accepts a request pursuant to this Section, the
16 governor's written acceptance shall state the elements of the request that are
17 accepted.

18 (5) If the governor accepts a request pursuant to this Section, the
19 governor shall submit the following documents to the appropriate recording
20 offices in the state for indexing and submit copies of all of the following
21 documents to the person who requested concurrent jurisdiction:

22 (a) The United States' request for concurrent jurisdiction.

23 (b) The governor's written acceptance of concurrent jurisdiction.

24 (c) A description by metes and bounds of the United States military
25 installation property subject to the concurrent jurisdiction.

26 C. Upon request by the United States through an authorized
27 representative, the governor may execute appropriate documents to accomplish
28 the cession granted by this Section.

29 D. The state shall not incur or assume any liability as a result of
30 accepting concurrent jurisdiction pursuant to this Section.

1 E. Upon the establishment of the concurrent jurisdiction pursuant to this
2 Section, a state agency, local government, or district may, at the sole discretion
3 of the state agency, local government, or district, enter into a reciprocal
4 agreement with a United States agency to designate duties related to the
5 concurrent jurisdiction between the parties. Nothing in this Section shall be
6 construed to create any affirmative obligation on the part of a state agency,
7 local government, or district or to require a state agency, local government, or
8 district to enter into any reciprocal agreement related to the investigation or
9 prosecution of any case, incident, or allegation.

PRESIDENT OF THE SENATE

SPEAKER OF THE HOUSE OF REPRESENTATIVES

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____