

ACT No. 195

2024 Regular Session

HOUSE BILL NO. 134

BY REPRESENTATIVES ROMERO, AMEDEE, BOYER, BUTLER, HENRY, JACOB
LANDRY, MCCORMICK, MCMAHEN, SCHAMERHORN, THOMPSON, AND
WYBLE

1 AN ACT

2 To enact Chapter 15-B of Title 33 of the Louisiana Revised Statutes of 1950, to be
3 comprised of R.S. 33:5091 through 5093, relative to the regulation of fuel used in
4 agricultural machinery and fishery equipment; to provide for a short title; to provide
5 for definitions; to prohibit a parish or municipality from adopting any local law
6 restricting the use or disposition on or imposing a fee or tax on agricultural
7 machinery and fishery equipment; to prohibit local regulations that create differing
8 standards for or distinguish fuel used in agricultural machinery and fishery
9 equipment from other fuels or agricultural machinery and fishery equipment; to
10 exempt the use of agricultural machinery used on property owned by a parish or
11 municipality; and to provide for related matters.

12 Be it enacted by the Legislature of Louisiana:

13 Section 1. Chapter 15-B of Title 33 of the Louisiana Revised Statutes of 1950, to be
14 comprised of R.S. 33:5091 through 5093, is hereby enacted to read as follows:

15 CHAPTER 15-B. LOCAL REGULATION OF FUEL
16 USED IN AGRICULTURAL MACHINERY AND FISHERY EQUIPMENT

17 §5091. Short title

18 This Chapter shall be known and may be cited as the "Landscape and Fishery
19 Equipment and Agricultural Fairness Act".

20 §5092. Definitions

21 For the purposes of this Chapter, the following definitions shall apply:

22 (1) "Agricultural machinery" means any machine or equipment designed for
23 agricultural use or landscaping that is used in accordance with traditional farm
24 practices and is powered by an engine or a motor. The term "agricultural machinery"

1 shall also include a leaf-blower that is used to blow leaves, dirt, or other debris off
2 of sidewalks, driveways, lawns, or other surfaces.

3 (2) "Fishery equipment" means any equipment used in fisheries operations
4 and generally accepted fisheries practices pursuant to R.S. 56:640.2. This term
5 includes but is not limited to fish processing machines and machines used for
6 marine, freshwater, and aquaculture species.

7 (3) "Fuel used in agricultural machinery" includes motor fuel as defined by
8 R.S. 40:1842(5) and petroleum products as defined by R.S. 3:4602(14)(b). The term
9 "fuel used in agricultural machinery" shall also include blended fuel, diesel fuel, and
10 gasoline as defined by R.S. 47:818.2.

11 §5093. Restrictions on authority; local regulations

12 A. No ordinance or regulation shall be adopted by a local governmental
13 subdivision that prohibits or regulates with respect to the use, disposition, or sale or
14 any imposition of a restriction, fee, or tax on fuel used in agricultural machinery and
15 fishery equipment at the retail, manufacturer, or distributor setting, except by general
16 law. This includes regulations that would create differing standards for or
17 distinguish fuel used in agricultural machinery and fishery equipment from other
18 types of fuels or agricultural machinery and fishery equipment.

19 B. Nothing in this Chapter shall apply to the use of agricultural machinery
20 and fishery equipment on property owned by a parish or municipality.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____