

2024 Third Extraordinary Session

HOUSE BILL NO. 23

BY REPRESENTATIVES GEYMANN AND ROMERO AND SENATOR HENSGENS

1 AN ACT

2 To amend and reenact R.S. 30:81(B), 83(Section heading), (A), and (B), 83.1(A)(1) and (2),  
3 (B), and (C), 84(A)(7), 85(A)(4), 86(A)(2), (B), (E)(introductory paragraph), (1), (2),  
4 and (5) through (7), (G), and (H), 87(A), (B), and (F)(1), 88(B) and (C), 88.1(C) and  
5 (D), 88.2(C), 89(C)(3), 90(Section heading), (A) through (C), and (E)(introductory  
6 paragraph) and (5), 91(B)(2)(c), and 95, to enact R.S. 30:82(16), and to repeal R.S.  
7 30:82(3), 83(C) through (I), and 86(C), relative to oilfield site restoration; to provide  
8 for the use and administration of the Oilfield Site Restoration Fund; to repeal the  
9 Oilfield Site Restoration Commission; to authorize the Natural Resources Trust  
10 Authority to administer the fund with the oversight of the State Mineral and Energy  
11 Board; to transfer functions of the commission to the trust authority; to provide  
12 definitions; to provide for the administration of federal funds for oilfield site  
13 restoration and plugging of orphan wells; to provide for the authority to execute  
14 financial agreements and instruments; to provide for the calculation and collection  
15 of oilfield site restoration fees; to increase oilfield site restoration fees; to provide an  
16 effective date; and to provide for related matters.

17 Be it enacted by the Legislature of Louisiana:

18 Section 1. R.S. 30:81(B), 83(Section heading), (A), and (B), 83.1(A)(1) and (2), (B),  
19 and (C), 84(A)(7), 85(A)(4), 86(A)(2), (B), (E)(introductory paragraph), (1), (2), and (5)  
20 through (7), (G), and (H), 87(A), (B), and (F)(1), 88(B) and (C), 88.1(C) and (D), 88.2(C),  
21 89(C)(3), 90(Section heading), (A) through (C), and (E)(introductory paragraph) and (5),

1 91(B)(2)(c), and 95 are hereby amended and reenacted and R.S. 30:82(16) is hereby enacted  
2 to read as follows:

3 §81. Policy and purpose

4 \* \* \*

5 B. It is in the public interest and within the police power of this state to  
6 establish ~~an oilfield site restoration commission~~ and an oilfield site restoration fund  
7 to provide for the proper and timely cleanup, closure, and restoration of oilfield sites,  
8 to be administered by the ~~assistant secretary of the office of conservation within the~~  
9 Department of Energy and Natural Resources.

10 \* \* \*

11 §82. Definitions

12 As used in this Part, the following terms shall have the meanings ascribed to  
13 them in this Section, unless the context or use clearly indicates otherwise:

14 \* \* \*

15 (16) "Trust authority" means the Natural Resources Trust Authority  
16 established pursuant to R.S. 36:356.1.

17 §83. ~~Oilfield Site Restoration Commission~~ site restoration; administration by the  
18 Department of Energy and Natural Resources

19 A. ~~The Oilfield Site Restoration Commission is hereby created within the~~  
20 ~~office of the secretary of the Department of Energy and Natural Resources. The~~  
21 ~~commission shall have the power to sue and be sued and shall be domiciled in the~~  
22 ~~parish of East Baton Rouge. Venue for any suit brought by or against the~~  
23 ~~commission shall be in the Nineteenth Judicial District Court. The Natural~~  
24 Resources Trust Authority, under the direction of the secretary and subject to  
25 oversight by the State Mineral and Energy Board pursuant to R.S. 36:356.1, is  
26 authorized to perform the following functions related to oilfield site restoration:

27 (1) Approve and evaluate a priority list for site restoration annually.

28 (2) Pledge the revenues available to fund authorized purposes and to secure  
29 the issuance of bonds to fund such purposes provided in R.S. 30:83.1, provided that

1 annual debt service shall not be in excess of fifty percent of the pledged revenues  
2 estimated to be received in the calendar year the bonds are issued.

3 (3) Approve lists of contractors acceptable to conduct site assessment and  
4 site restoration.

5 (4) Approve a cooperative endeavor agreement between the trust authority  
6 and an organization seeking to assist with plugging orphaned wells in order to  
7 alleviate the burden on operators in meeting financial security requirements.

8 (5) Review administration of site restoration activities and review the  
9 adequacy of site restoration assessments and reopen the funding needs and  
10 arrangements for site-specific trust accounts every four years. However, unless the  
11 oilfield site is transferred from one party to another after the adoption of a standard  
12 for evaluation, site-specific trust accounts established prior to the adoption of a  
13 standard for evaluation by the Department of Energy and Natural Resources, office  
14 of conservation shall not be reassessed if the operator of record provides to the office  
15 on an annual basis, utilizing the methodology in use at the time that the site-specific  
16 trust account was established, proof that the security is adequate to ensure proper  
17 closure of the wells upon completion of activity.

18 (6) Provide general administration and management of the Oilfield Site  
19 Restoration Fund, funds collected from financial security instruments previously tied  
20 to a specific well or wells that have since been plugged or are otherwise not tied to  
21 a specific well or wells, and all site-specific trust accounts.

22 (7) Perform any function authorized by this Part or which is consistent with  
23 its purpose and not otherwise assigned by this Part to the secretary or assistant  
24 secretary.

25 B. ~~The commission shall consist of ten members comprised as follows:~~

26 ~~(1) The secretary of the Department of Energy and Natural Resources, who~~  
27 ~~shall serve as the chairman, and the assistant secretary, who shall serve as vice~~  
28 ~~chairman. The undersecretary of the department may serve as a proxy member of~~  
29 ~~the board in the absence of the secretary with full authority to act for the secretary~~  
30 ~~as a member of the board.~~

1                   ~~(2) One person appointed by the governor, who shall serve at the pleasure~~  
 2                   ~~of the governor.~~

3                   ~~(3) One person appointed by the governor from a list of three persons~~  
 4                   ~~submitted by the Louisiana Mid-Continent Oil and Gas Association for an initial~~  
 5                   ~~term of four years.~~

6                   ~~(4) One person appointed by the governor from a list of three persons~~  
 7                   ~~submitted by the Louisiana Mid-Continent Oil and Gas Association for an initial~~  
 8                   ~~term of two years.~~

9                   ~~(5) One person appointed by the governor from a list of three persons~~  
 10                  ~~submitted by the Louisiana Independent Oil and Gas Association who shall serve an~~  
 11                  ~~initial term of four years.~~

12                  ~~(6) One person appointed by the governor from a list of three persons~~  
 13                  ~~submitted by the Louisiana Independent Oil and Gas Association who shall serve an~~  
 14                  ~~initial term of two years.~~

15                  ~~(7) One person appointed by the governor from a list of three persons~~  
 16                  ~~submitted by the Louisiana Landowners Association who shall serve an initial term~~  
 17                  ~~of three years.~~

18                  ~~(8) One person appointed by the governor from a list of three persons~~  
 19                  ~~submitted by representatives of the Louisiana division of the Sierra Club, the~~  
 20                  ~~Louisiana Wildlife Federation, and the Louisiana division of the Audubon Society,~~  
 21                  ~~who shall serve an initial term of three years.~~

22                  ~~(9) One person appointed by the governor from a list of three persons~~  
 23                  ~~submitted by the Nature Conservancy for an initial term of three years.~~

24                  ~~(10) The assistant secretary for the office of conservation or his designee~~  
 25                  ~~shall serve as vice chairman of the commission. The assistant secretary shall not be~~  
 26                  ~~counted to determine the number needed to constitute a quorum but shall be counted~~  
 27                  ~~to establish a quorum. When the secretary is present, the assistant secretary shall not~~  
 28                  ~~be a voting member. The Department of Energy and Natural Resources shall adopt~~  
 29                  ~~rules and regulations, in accordance with the Administrative Procedure Act, to~~

1 implement the provisions of this Part and to provide for procedures for site  
 2 assessments and restoration.

3 §83.1. Authorization of bonds

4 A.(1) An issuer is authorized to issue bonds pursuant to the provisions of  
 5 R.S. 9:2341 through 2347 for the benefit of the ~~commission~~ trust authority, at the  
 6 direction of the secretary, to raise funds for authorized purposes in accordance with  
 7 the provisions of this Section and the constitutional and statutory provisions  
 8 governing the issuance of bonds by such entities.

9 (2) The bonds may be secured by an irrevocable pledge and dedication of  
 10 revenues of the ~~commission~~ trust authority, at the direction of the secretary, which  
 11 shall consist of all monies deposited in the fund pursuant to R.S. 30:86(D), collected,  
 12 derived, or received from the oilfield site restoration fees and penalties imposed  
 13 pursuant to R.S. 30:87 or any other lawfully available revenues, if any, to the extent  
 14 appropriated, provided that annual debt service shall not be in excess of fifty percent  
 15 of the pledged revenues estimated to be received in the calendar year the bonds are  
 16 issued, but shall not include site-specific trust account monies as identified in R.S.  
 17 30:86(D)(6) and 88. The bonds of the issuer shall be revenue bonds payable solely  
 18 from the above-described sources, to the extent appropriated and released from the  
 19 state, and such pledge shall not constitute a pledge of the full faith and credit of the  
 20 state.

21 \* \* \*

22 B.(1) When any bonds have been issued and secured in accordance with the  
 23 provisions of this Section, neither the ~~commission~~ trust authority, nor the  
 24 department, nor the state, nor any other entity may act to impair any obligation or  
 25 contract for the benefit of the holders of the bonds or discontinue or decrease any fee,  
 26 penalties, or other revenue in anticipation of the collection of which the bonds have  
 27 been issued until all of the bonds have been retired as to principal and interest or  
 28 irrevocable provision otherwise made for their complete redemption and payment  
 29 in principal, interest, and redemption premium, if any, and the complete payment of  
 30 all amounts due under the trust agreement pursuant to which the bonds are issued.

1           (2) Any pledge of revenues for the security of the bonds shall be valid and  
 2 binding from the time the pledge is made and shall be subject to the lien of such  
 3 pledge without any physical delivery thereof or further act, and the lien of any such  
 4 pledge shall be valid and binding against all parties having claims of any kind in tort,  
 5 contract, or otherwise against the state, the department, or the ~~commission~~ trust  
 6 authority whether or not such parties have notice thereof. Any trust agreement by  
 7 which a pledge is created need not be filed or recorded.

8           (3) The secretary, ~~or the undersecretary,~~ and the Natural Resources Trust  
 9 Authority ~~are~~ is hereby authorized ~~on behalf of the commission~~ to execute loan,  
 10 reimbursement, investment, and bond purchase agreements, and all documents as  
 11 may be necessary or desirable to carry out the provisions of this Section and ~~is~~ are  
 12 further authorized to take any and all further actions and execute and deliver all other  
 13 documents as may be necessary in connection with the issuance of any bonds, notes,  
 14 certificates, reimbursement obligations, or other evidences of indebtedness referred  
 15 to in this Section. The provisions of R.S. 9:2347(J) shall not apply to bonds or any  
 16 contractual obligation, including the pledge of state funds, to be undertaken or  
 17 incurred in connection therewith.

18           (4) At the direction of the secretary, the ~~commission~~ trust authority is  
 19 authorized to create funds or accounts for the deposit of the revenues or the proceeds  
 20 of the bonds, including funds described above or other revenues and monies pledged  
 21 in connection therewith or respect thereto.

22           (5) The department and, at the direction of the secretary, the ~~commission~~  
 23 trust authority is authorized to enter into any and all agreements or contracts, execute  
 24 any and all instruments, and do and perform any and all acts necessary, convenient,  
 25 or desirable for the issuance of the bonds or to carry out any power expressly given  
 26 in this Section.

27           C. Notwithstanding any provision of law to the contrary, any revenues  
 28 received by the ~~commission~~ trust authority pledged to the repayment of any bonds  
 29 issued in accordance with this Section may be collected and disbursed as set forth in  
 30 the documents providing for the issuance of the bonds or other related documents.

1 §84. Powers of the secretary

2 A. The powers of the secretary shall include without limitation the power to  
3 do the following:

4 \* \* \*

5 (7) The secretary shall maintain all oversight, supervisory, and fiscal  
6 responsibility imposed under the provisions of this Part which are not specifically  
7 conferred upon the ~~commission~~ trust authority.

8 \* \* \*

9 §85. Powers of the assistant secretary

10 A. The powers of the assistant secretary shall include without limitation the  
11 power to do the following, subject to the supervision of the secretary:

12 \* \* \*

13 (4) Modify funding requirements of site-specific trust accounts either upon  
14 recommendation of the ~~commission~~ trust authority, the secretary, or upon his own  
15 determination, based upon changes in operation, site conditions, or trust account  
16 status.

17 \* \* \*

18 §86. Oilfield Site Restoration Fund

19 A.

20 \* \* \*

21 (2) Out of the funds remaining in the Bond Security and Redemption Fund,  
22 after a sufficient amount is allocated from that fund to pay all the obligations secured  
23 by the full faith and credit of the state that become due and payable within each fiscal  
24 year, the treasurer shall pay into the Oilfield Site Restoration Fund an amount equal  
25 to the revenues generated from collection of the fees provided for in Subsection D  
26 of this Section. The treasurer shall also transfer into the Oilfield Site Restoration  
27 Fund the amount of thirty million dollars in federal funding from the first federal  
28 funds received by the state for which oilfield site restoration or plugging orphan  
29 wells is an allowable use, as determined by the Joint Legislative Committee on the  
30 Budget. Such funds shall constitute a special custodial trust fund which shall be

1 administered by the ~~secretary, who~~ Natural Resources Trust Authority, which shall  
2 make disbursements from the fund solely in accordance with the purposes and uses  
3 authorized by this Part.

4 B. The funds received shall be placed in the special trust fund in the custody  
5 of the state treasurer to be used only in accordance with this Part and shall not be  
6 placed in the general fund. The funds provided to the ~~commission~~ trust authority  
7 pursuant to this Section shall at all times be and remain the property of the  
8 ~~commission~~ trust authority. The funds shall be used only for the purposes set forth  
9 in this Part and for no other governmental purposes. Except for the pledge of the  
10 revenues provided in R.S. 30:83.1, it is the intent of the legislature that this fund and  
11 its increments shall remain intact and inviolate. Any interest or earnings of the fund  
12 shall be credited only to the fund.

13 \* \* \*

14 E. Except as otherwise provided in this Section, the monies in the fund may  
15 be disbursed and expended pursuant to the authority and direction of the secretary  
16 or ~~assistant secretary~~ the Natural Resources Trust Authority for the following  
17 purposes and uses:

18 (1) Any oilfield site assessment or restoration conducted by the Department  
19 of Energy and Natural Resources pursuant to this Part, and the payment of the  
20 principal, interest, and legal fees, credit enhancement fees, trustee fees, and other  
21 related costs of issuance or ongoing expenses in connection with issuance of bonds  
22 or other debt obligations on behalf of the ~~commission, at the direction of the~~  
23 ~~secretary~~ trust authority; pursuant to R.S. 30:83.1 for the purpose of financing the  
24 costs of the oilfield site assessments and restorations.

25 (2) Upon approval of the ~~commission~~ trust authority, the administration of  
26 this Part by the department in an amount not to exceed nine hundred fifty thousand  
27 dollars each fiscal year. Amounts expended pursuant to Paragraph (4) of this  
28 Subsection shall not count towards the administrative expenditure limitation.

29 \* \* \*



1 (5) Any costs associated with response to any emergency as provided in R.S.  
 2 30:6.1 unless directed by the ~~commission~~ trust authority not to expend monies in the  
 3 fund pursuant to Subsection G of this Section. The department shall seek to recover  
 4 from the responsible party any monies disbursed and spent from the fund for any  
 5 emergency as defined in R.S. 30:6.1 within six months of the initial expenditure for  
 6 such emergency.

7 (6) Upon approval of the ~~commission~~ trust authority, up to five hundred  
 8 thousand dollars per fiscal year for the office of conservation to act alone, or in  
 9 conjunction with the voluntarily participating parties, for the assessment and  
 10 restoration of commercial oilfield waste disposal facilities used for the storage,  
 11 treatment, or disposal of non-hazardous oilfield waste for a fee or other  
 12 consideration, which were abandoned, leaving no financially responsible owner,  
 13 operator, or bonding company, in accordance with the plan of closure as required in  
 14 the permit, or if the permit did not provide a plan of closure, a plan approved by the  
 15 ~~commission~~ trust authority; however, a responsible person shall not be released from  
 16 his duty or liability, if any, imposed by this Section.

17 (7) Except for the costs of administration of this Part by the Department of  
 18 Energy and Natural Resources not exceeding the limitations set by the United States  
 19 Congress or administering federal agency for the federal funds appropriated or  
 20 granted, the monies deposited into the fund pursuant to Paragraphs (D)(9), (10), and  
 21 (11) of this Section shall be used only for the purposes of assessing and restoring  
 22 orphan oilfield sites. Notwithstanding any other requirements in this Part, the  
 23 monies may be expended by the secretary through a contract entered into under any  
 24 competitive process authorized by Title 38 or 39 of the Louisiana Revised Statutes  
 25 of 1950. The contract may be awarded to any qualified party whether or not the  
 26 party is on the approved list of contractors acceptable to conduct site assessment and  
 27 restoration by the ~~commission~~ trust authority.

28 \* \* \*

29 G. Upon declaration of an emergency as defined in R.S. 30:6.1, the assistant  
 30 secretary shall notify the ~~commission~~ trust authority and the State Mineral and

1           Energy Board of the declared emergency. ~~A meeting of the commission shall be~~  
 2           ~~held within ninety days after the emergency declaration. At such meeting, the~~  
 3           ~~commission~~ Upon notification, the trust authority, in consultation with the State  
 4           Mineral and Energy Board, may direct that no monies in the fund be disbursed or  
 5           spent for response activity related to the emergency declaration.

6           H. At the direction of the secretary or the Natural Resources Trust Authority,  
 7           federal monies dedicated pursuant to Paragraph (D)(9) or (10) of this Section shall  
 8           be placed into the department's federal funds account instead of the Oilfield Site  
 9           Restoration Fund, but such money shall otherwise be subject to the same  
 10          requirements applicable to money identified in Paragraph (D)(9) or (10) of this  
 11          Section.

12          §87. Oilfield site restoration fees

13           A. There is hereby imposed on crude petroleum produced from producing  
 14          wells in this state a fee on each barrel of oil and condensate as provided in this  
 15          Section payable upon the initial disposition of each barrel of oil and condensate. The  
 16          fee is in addition to any tax imposed pursuant to Title 47 of the Louisiana Revised  
 17          Statutes of 1950. The provisions of Chapters 17 and 18 of Subtitle II of Title 47 of  
 18          the Louisiana Revised Statutes of 1950 shall apply to the administration, collection,  
 19          and enforcement of the fee imposed in this Section, and the penalties provided by  
 20          that code shall apply to any person who fails to pay or report the fee. Proceeds from  
 21          the fee, including any penalties collected in connection with the fee, shall be  
 22          deposited into the Oilfield Site Restoration Fund.

23           B. There is hereby imposed on gas produced from producing wells in this  
 24          state a fee ~~in the amount of three-tenths of one cent~~ for each thousand cubic feet as  
 25          provided in this Section. The fee is in addition to any tax imposed pursuant to Title  
 26          47 of the Louisiana Revised Statutes of 1950. The provisions of ~~the Louisiana Tax~~  
 27          ~~Code~~ R.S. 47:1 et seq., shall apply to the administration, collection, and enforcement  
 28          of the fee, and the penalties provided by that ~~code~~ Title shall apply to any person  
 29          who fails to pay or report the fee. Proceeds from the fee, including any penalties

1 collected in connection with the fee, shall be deposited into the Oilfield Site  
2 Restoration Fund.

3 \* \* \*

4 F. The site restoration fee shall be the following:

5 (1)(a) Full rate production, ~~which~~ shall include all production from oil or gas  
6 wells except for production from reduced rate production wells as set forth in R.S.  
7 47:633(7):. ~~For crude oil and condensate, the fee shall be based on the oil price on~~  
8 ~~July first of each year for the ensuing twelve months based upon the average New~~  
9 ~~York Mercantile Exchange Price per barrel of crude oil per month on the close of~~  
10 ~~business on June thirtieth for the prior twelve months.~~ (a) The amount of the fee for  
11 a well that produces crude oil and condensate shall be as follows:

12 (i) The fee shall be ~~one and one-half~~ two cents per barrel on crude oil and  
13 condensate if the price of oil is at or below sixty dollars per barrel.

14 (ii) The fee shall be ~~three~~ four cents per barrel on crude oil and condensate  
15 if the price of oil is above sixty dollars and at or below ninety dollars per barrel.

16 (iii) The fee shall be ~~four and one-half~~ six cents per barrel on crude oil and  
17 condensate if the price of oil is above ninety dollars per barrel.

18 (b) For natural gas and casing head gas, the fee shall be ~~three-tenths of one~~  
19 ~~cent per thousand cubic feet.~~ as follows:

20 (i) The fee shall be three-tenths of one cent per thousand cubic feet if the  
21 price of gas is at or below two dollars and fifty cents per thousand cubic feet.

22 (ii) The fee shall be four-tenths of one cent per thousand cubic feet if the  
23 price of gas is above two dollars and fifty cents and at or below four dollars and fifty  
24 cents per thousand cubic feet.

25 (iii) The fee shall be five-tenths of one cent per thousand cubic feet if the  
26 price of gas is above four dollars and fifty cents per thousand cubic feet.

27 \* \* \*

28 §88. Oilfield site trust accounts

29 \* \* \*

1 B. In the event the parties to a transfer elect to establish a site-specific trust  
 2 account under this Section, the assistant secretary shall require an oilfield site  
 3 restoration assessment to be made to determine the site restoration requirements  
 4 existing at the time of the transfer, or at the time the site-specific trust account is  
 5 established. The oilfield site restoration assessment shall be conducted by approved  
 6 site assessment contractors appearing on a list approved by the ~~commission~~ trust  
 7 authority or acceptable to the ~~commission~~ trust authority. The oilfield site  
 8 restoration assessment shall specifically detail site restoration needs and shall  
 9 provide an estimate of the site restoration costs needed to restore the oilfield site  
 10 based on the conditions existing at the time of transfer, or at the time the site-specific  
 11 trust account is established.

12 C. The party or parties to the transfer shall, based upon the site restoration  
 13 assessment, propose a funding schedule which will provide for the site-specific trust  
 14 account. The funding schedule shall consider the uniqueness of each transfer,  
 15 acquiring party, and oilfield site. Funding of the site-specific trust account shall  
 16 include some contribution to the account at the time of transfer and at least quarterly  
 17 payments to the account. Cash or bonds in a form and of a type acceptable to the  
 18 assistant secretary, or any combination thereof, may also be considered for funding.  
 19 The assistant secretary shall monitor each trust account to assure that it is being  
 20 properly funded. The funds in each trust account shall remain the property of the  
 21 ~~commission~~ trust authority.

22 \* \* \*

23 §88.1. Oilfield site trust accounts for orphaned wells

24 \* \* \*

25 C. Site restoration assessment. When establishing a site-specific trust  
 26 account under this Section, the assistant secretary shall require an oilfield site  
 27 restoration assessment to be made to determine the site restoration requirements  
 28 existing at the time the site-specific trust account is established. The oilfield site  
 29 restoration assessment shall be conducted by approved site assessment contractors  
 30 appearing on a list approved by the ~~commission~~ trust authority or acceptable to the

1 ~~commission trust authority~~. The oilfield site restoration assessment shall specifically  
 2 detail the site's restoration needs and shall provide an estimate of the restoration costs  
 3 needed to restore the oilfield site based on the conditions existing at the time the  
 4 site-specific trust account is established.

5 D. Trust account monitoring. The assistant secretary shall monitor each trust  
 6 account to assure that it is being properly funded. The funds in each trust account  
 7 shall remain the property of the ~~commission trust authority~~. In the event that the  
 8 site-specific trust account is not funded through the payment of the severance tax due  
 9 the state for a period of greater than six months from the date of first production  
 10 following designation of the well as part of an orphaned oilfield site, the assistant  
 11 secretary shall require financial security in accordance with the office of  
 12 conservation's rules and regulations.

13 \* \* \*

14 §88.2. Orphan well rework program

15 \* \* \*

16 C. Trust account monitoring. The assistant secretary shall monitor each trust  
 17 account to assure that it is being properly funded. The funds in each trust account  
 18 shall remain the property of the ~~commission trust authority~~. If the site-specific trust  
 19 account is not funded through the payment of amounts equal to the severance tax that  
 20 would otherwise be due the state for a period of greater than six months from the  
 21 date of first production following designation of the well as part of an orphaned  
 22 oilfield site, the assistant secretary shall require financial security in accordance with  
 23 this Subtitle and the rules and regulations adopted pursuant to this Subtitle including  
 24 the exceptions provided in R.S. 30:4(R).

25 \* \* \*

26 §89. Non-orphan site restoration

27 \* \* \*

28 C. For sites restored pursuant to Subsections A and B of this Section, after  
 29 site restoration has been completed and approved by the assistant secretary, funds  
 30 from the site-specific trust account will be disbursed as follows:

31 \* \* \*

1                   (3) If the funds in the site-specific trust account are depleted prior to the  
 2                   payment of all site restoration costs, and if the assistant secretary subsequently  
 3                   declares that oilfield site to be an orphaned oilfield site and upon approval of the  
 4                   ~~commission~~ trust authority, the Oilfield Site Restoration Fund shall contribute the  
 5                   balance of the restoration costs for that orphaned oilfield site.

6   \*           \*           \*

7                   §90. ~~Commission's~~ Natural Resources Trust Authority annual report to the  
 8                   legislature

9                   A. The ~~commission~~ trust authority shall submit to the Senate Committee on  
 10                  Natural Resources, the House Committee on Natural Resources and Environment,  
 11                  and the Senate Committee on Environmental Quality before March first an annual  
 12                  report that reviews the extent to which the fund has enabled the ~~commission~~ trust  
 13                  authority to better protect the environment and enhance the income of the Oilfield  
 14                  Site Restoration Fund.

15                  B. The ~~commission~~ trust authority shall generate a three-year plan which  
 16                  comprehensively addresses a balanced restoration of all oilfield sites in the state.  
 17                  The three-year plan shall include an inventory of all wells by classification, a  
 18                  timetable for implementation and completion of site restoration activities and set  
 19                  forth other goals and objectives of the ~~commission~~ trust authority. The ~~commission~~  
 20                  trust authority will annually review the status of its three-year plan and shall generate  
 21                  successive three-year plans as needed.

22                  C. The assistant secretary shall furnish the ~~commission~~ trust authority with  
 23                  semiannual reports that review the efforts of the assistant secretary to assure proper  
 24                  and timely cleanup, closure, and restoration of oilfield sites.

25   \*           \*           \*

26                  E. The ~~commission's~~ trust authority's annual report to the legislature shall  
 27                  include:

28   \*           \*           \*

1 (5) A report on the progress of the ~~commission's~~ trust authority's three-year  
2 plan.

3 \* \* \*

4 §91. Orphaned oilfield sites

5 \* \* \*

6 B.

7 \* \* \*

8 (2)

9 \* \* \*

10 (c) In the event that a lienholder is not properly notified as provided in this  
11 Paragraph, any claim by the holder or holders against the ~~commission~~ trust authority,  
12 Department of Energy and Natural Resources, office of conservation, or the  
13 contractors for the value of the salvaged property shall be limited to the actual cash  
14 value of the salvaged property at the time of salvage.

15 \* \* \*

16 §95. No inference of liability on the part of the state

17 A. Nothing in this Part shall establish or create any liability or responsibility  
18 on the part of the ~~commission~~ trust authority or the state of Louisiana to pay any  
19 costs associated with site restoration from any sources other than the fund created by  
20 R.S. 30:86 or the funds established in connection with the issuance of bonds on  
21 behalf of the ~~commission~~ trust authority, at the direction of the secretary, pursuant  
22 to R.S. 30:83.1 nor shall the ~~commission~~ trust authority or the state of Louisiana  
23 have any liability or responsibility to make any payments for costs associated with  
24 site restoration if the trust created herein is insufficient to do so.

25 B. The secretary, assistant secretary, the ~~commission~~ trust authority, or their  
26 agents, on proper identification, may enter the land of another for purposes of site  
27 assessment or restoration.

1                   C. The ~~commission~~ trust authority, the secretary, and the assistant secretary,  
2                   and their agents, are not liable for any damages arising from an act or omission if the  
3                   act or omission is part of a good faith effort to carry out the purpose of this Part.

4                   D. No party contracting with the Department of Energy and Natural  
5                   Resources, office of conservation, or the ~~commission~~ trust authority under the  
6                   provisions of this Part shall be deemed to be a public employee or an employee  
7                   otherwise subject to the provisions of Parts I through IV of Chapter 15 of Title 42 of  
8                   the Louisiana Revised Statutes of 1950.

9                   Section 2. R.S. 30:82(3), 83(C) through (I), and 86(C) are hereby repealed in their  
10                  entirety.

11                  Section 3. The Louisiana State Law Institute is hereby authorized and directed to  
12                  alphabetize and renumber the definitions contained in R.S. 30:82 and to correct any cross-  
13                  references to the renumbered paragraphs if necessary, consistent with the provisions of this  
14                  Act.

15                  Section 4. This Act shall become effective July 1, 2025.

\_\_\_\_\_  
SPEAKER OF THE HOUSE OF REPRESENTATIVES

\_\_\_\_\_  
PRESIDENT OF THE SENATE

\_\_\_\_\_  
GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: \_\_\_\_\_