SLS 25RS-137 **ORIGINAL** 

2025 Regular Session

SENATE BILL NO. 32

BY SENATOR ALLAIN

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

FARMING. Provides for limitation of liability related to the utilization of gypsum. (8/1/25)

1	AN ACT
2	To enact R.S. 3:1424, relative to gypsum utilization; to provide for limitation of liability to
3	agricultural producers and suppliers; to provide relative to gypsum analysis; and to
4	provide for related matters.
5	Be it enacted by the Legislature of Louisiana:
6	Section 1. R.S. 3:1424 is hereby enacted to read as follows:
7	§1424. Gypsum; analysis; limitation of liability
8	A. The Legislature of Louisiana hereby finds:
9	(1) That gypsum, one of the earliest forms of fertilizer and soil
10	amendment used in the United States, is a byproduct of many manufacturing
11	facilities in Louisiana.
12	(2) Byproduct gypsum that is not recycled for other uses results in costly
13	on-site storage and disposal in landfills.
14	(3) Gypsum (calcium sulphate) is widely used in agricultural crop
15	production to provide essential plant nutrients and can improve overall plant
16	growth.
17	(4) Gypsum can also improve the physical properties of soils, reducing

1	erosion losses of soil and nutrient concentrations.
2	B. Any agricultural producer that utilizes gypsum, and any supplier of
3	gypsum to the agricultural producer, shall not be liable for any civil damages
4	arising out of the utilization of the gypsum if all the following requirements are
5	met:
6	(1) The requirements of this Section, and any rules and regulations
7	adopted pursuant to this Section, are complied with.
8	(2) The agricultural producer obtains gypsum, without any cost, from a
9	source where the gypsum is being stored as a byproduct of a manufacturing
10	process.
11	(3) The agricultural producer shall only use gypsum on his land or with
12	written authorization from the landowner once the gypsum is analyzed and
13	passes analytical tolerances established by the department, in consultation with
14	the Louisiana State University Agricultural Center. Such analysis shall be
15	conducted by an accredited laboratory.
16	C. The commissioner is authorized to promulgate rules and regulations
17	in accordance with the Administrative Procedure Act to implement the
18	provisions of this Section, including the establishment of analytical tolerances
19	for gypsum.
	The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Mary Frances Aucoin.
	DIGEST SB 32 Original 2025 Regular Session Allain
	<u>Proposed law</u> provides for limitation of liability to agricultural producers that utilize gypsum and suppliers of gypsum to agricultural producers.
	<u>Proposed law</u> requires all of the following be executed to limit liability:

tolerances established by the department on his land or with written authorization

is being stored as a byproduct of a manufacturing process.

(1)

(2)

(3)

complied with.

Page 2 of 3 Coding: Words which are struck through are deletions from existing law; words in **boldface type and underscored** are additions.

All requirements of proposed law and any rules or regulations adopted and are

The agricultural producer obtains gypsum at no cost from a source where the gypsum

Agricultural producers must use gypsum that has been analyzed and passes analytical

SLS 25RS-137 **ORIGINAL** SB NO. 32

from the landowner.

Effective August 1, 2025.

(Adds R.S. 3:1424)