
DIGEST

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HB 537 Original

2025 Regular Session

Schamerhorn

Abstract: Provide for a lien for victims of a carbon dioxide pipeline release and for definitions.

Proposed law provides for a carbon dioxide victim lien for all impacted people and property within a 25 mile radius of a carbon dioxide pipeline release.

Proposed law provides definitions for "kill zone", "owner", and "victim".

Proposed law provides that any affected person or property within the kill zone has a carbon dioxide victim lien for compensation for all damages on all assets of the owners and operators of the carbon dioxide pipeline and the owners and generators of the carbon dioxide being transported that released carbon dioxide from a pipeline regardless of intent or liability.

Proposed law requires a victim to file a financing statement within 365 days of a carbon dioxide pipeline release that causes damage to perfect a carbon dioxide pipeline victim lien, which has priority retroactive to the date of the initial release over any conflicting security interest or lien regardless of when that interest or lien was perfected if the lien created under proposed law was perfected:

- (1) Within 365 days following the release that caused the damage.
- (2) Within 180 days of the last reported release by the same pipeline that caused the damage.

Proposed law provides that a financing statement filed to perfect a carbon dioxide pipeline victim lien must include a statement indicating that it is a filed carbon dioxide pipeline victim lien and shall be effective until a termination statement is filed.

Proposed law provides that a victim who has filed a financing statement must file a termination statement within 30 days of receiving an authenticated written demand from an owner if the owner has performed all obligations or if the victim relinquishes all rights to the carbon dioxide pipeline victim lien.

Proposed law provides if any owner is involved in bankruptcy or receivership, the trustee, conservator, or court responsible for reorganization or liquidation of the assets must hold the assets in trust for 365 days of the owner's last day of controlling or causing to control the operations of the carbon dioxide pipeline or the creation of carbon dioxide to allow for potential carbon dioxide pipeline victim liens to be filed.

(Adds R.S. 30:1116)