

2026 Regular Session

SENATE BILL NO. 428

BY SENATOR HENSGENS

SERVITUDES. Provides for the regulation of pipeline servitudes. (8/1/26)

1 AN ACT

2 To enact R.S. 30:554.1, relative to pipeline servitudes; to provide for definitions; to provide  
3 for pipelines; to provide for operators; to provide for contracts; to provide for  
4 servitudes; to provide for obligations; to provide for application; and to provide for  
5 related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 30:554.1 is hereby enacted to read as follows:

8 **§554.1. No implied obligations for pipeline servitudes covered by contract**

9 **A. As used in this Section, the following terms shall have the following**  
10 **meanings:**

11 **(1) "Pipeline" means any pipeline, gathering line, transmission,**  
12 **distribution line, or associated appurtenance, whether onshore or offshore, used**  
13 **or intended for the transportation, injection, sequestration, storage, or**  
14 **movement of any gaseous, liquid, supercritical, or multiphase substance,**  
15 **including but not limited to the following:**

16 **(a) Natural gas, methane, hydrogen, carbon dioxide.**

17 **(b) Crude oil, refined petroleum products, natural gas liquids.**

1                    **(c) Produced water, brine, or other substances regulated by state or**  
2                    **federal law.**

3                    **(2) "Pipeline operator" means any person or entity that owns, operates,**  
4                    **maintains, or controls a pipeline.**

5                    **B. Notwithstanding Civil Code Article 645 or any other provision of law**  
6                    **to the contrary, when a right of use for a pipeline is created by a conventional**  
7                    **obligation, the rules governing usufruct and predial servitudes cannot impose**  
8                    **on the pipeline operator any affirmative duty that is not stated in the contract.**

9                    Section 2. The provisions of this Act shall be given prospective application only and  
10 shall apply to all claims and causes of action that arise on or after the effective date of this  
11 Act.

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The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Senate Legislative Services. The keyword, summary, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

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DIGEST

SB 428 Original

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Hensgens

Present law provides for rights of use, which are regulated by the rules of usufruct and predial servitudes. Further provides that a predial servitude is a charge on a servient estate for the benefit of a dominant estate.

Present law provides that a landowner may establish a pipeline servitude by contract.

Present law provides that a contract has the effect of law for the parties thereto and that the obligations enumerated therein must be performed in good faith.

Proposed law retains present law and provides that laws governing usufruct and predial servitudes cannot create additional obligations not stated in the contract.

Proposed law provides that proposed law is prospective and shall apply only to claims and causes of action arising on or after the effective date.

Effective August 1, 2026.

(Adds R.S. 30:554.1)