

2026 Regular Session

HOUSE CONCURRENT RESOLUTION NO. 80

BY REPRESENTATIVE DOMANGUE

ENERGY: Expresses the legislature's commitment to protecting private property rights

1 A CONCURRENT RESOLUTION

2 To express the commitment of the Legislature of Louisiana to protect private property rights
3 in the context of carbon dioxide sequestration and to reemphasize the recently-passed
4 protections of the Landowner Bill of Rights.

5 WHEREAS, the Louisiana Legislature recognizes that many private property owners
6 in Louisiana are extremely concerned that granting carbon capture and sequestration
7 companies the special privilege of expropriating private property violates citizens'
8 constitutional protections; and

9 WHEREAS, Article I, Section 4 of the Constitution of Louisiana specifies that,
10 "every person has the right to acquire, own, control, use, enjoy, protect, and dispose of
11 private property. This right is subject to reasonable statutory restrictions and the reasonable
12 exercise of the police power"; and

13 WHEREAS, during the 2025 Regular Session, in recognition of the importance of
14 these property rights, the Legislature of Louisiana passed Act 414 of the 2025 Regular
15 Session which provided several important protections for property owners; and

16 WHEREAS, Act 414 of the 2025 Regular Session enacted what is informally referred
17 to as "Landowner Bill of Rights", which requires companies seeking property for carbon
18 dioxide sequestration facilities and pipelines to do all of the following prior to initiating
19 expropriation proceedings:

20 (1) Provide written notice to the landowner of the intent to acquire property or
21 property rights. The notice shall be sent to all property owners whose addresses are known,

1 unless those owners have jointly designated a representative to receive such
2 communications. The notice must include a clear statement of the owner's or operator's
3 interest in the property, an explanation of the owner's or operator's obligation to obtain
4 appraisals of the property, and any additional information reasonably necessary to inform
5 the landowner of the process and their rights.

6 (2) Provide the landowner a reasonable opportunity to be present during any
7 inspection of the property conducted for appraisal purposes. The landowner or their
8 representative shall be allowed to provide input regarding the condition and features of the
9 property to the appraiser.

10 (3) Engage in good faith negotiations with the landowner or their representative.
11 Such negotiations shall include no fewer than five in-person meetings or documented
12 attempts to meet in person.

13 (4) Submit a written offer to the landowner that includes the amount offered as just
14 compensation, a legal description of the property and the specific interest to be acquired, and
15 a list and description of any buildings or improvements located on the property to be affected
16 by the acquisition.

17 (5) Allow the landowner at least ten calendar days from receipt of the written offer
18 to respond with additional information or a counteroffer.

19 WHEREAS, the Landowner Bill of Rights was codified into the Louisiana Revised
20 Statutes in Section 1108 of Title 30 (R.S. 30:1108) as a direct qualifier on the use of eminent
21 domain by carbon dioxide sequestration storage facilities and pipelines; and

22 WHEREAS, these provisions were enacted as requirements above and beyond the
23 procedural requirements already in place for expropriation proceedings and carbon dioxide
24 sequestration companies must meet both sets of requirements; and

25 WHEREAS, it is important to call property owners' attention to the provisions of Act
26 414 of the 2025 Regular Session, now R.S. 30:1108(C) in order to ensure that companies
27 seeking to expropriate property for the purpose of carbon dioxide sequestration are held to
28 these procedural requirements.

29 THEREFORE, BE IT RESOLVED that the Legislature of Louisiana expresses its
30 continued support of the provisions contained in Act 414 of the 2025 Regular Session

1 recognizing that the property rights of the citizens of Louisiana are sacrosanct, reemphasizes
2 for purposes of the public's awareness that this Act contains important protections that
3 safeguard the public against violations of their constitutionally protected property rights, and
4 maintains that it is steadfastly committed to continuing to seek legislative solutions to the
5 issues that carbon dioxide sequestration present to Louisiana landowners.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, 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)]

HCR 80 Original

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Domangue

Expresses the importance of private property rights to the Legislature of Louisiana in the context of expropriation proceedings related to carbon dioxide sequestration and reemphasizes the Legislature's commitment to provide protections for property owners such as those passed in Act 414 of the 2025 R.S.