

HOUSE COMMITTEE AMENDMENTS

2026 Regular Session

Amendments proposed by House Committee on Natural Resources and Environment to Reengrossed Senate Bill No. 379 by Senator Hensgens

1 AMENDMENT NO. 1

2 On page 1, delete lines 4 through 7 in their entirety and insert the following in lieu thereof:

3 "and (C), 12(A)(2), 21.1(A)(3) and (D)(5), 23(D)(2), 26, 29(A) and (I)(4), 73(1),
 4 74(A)(3) and (B), 98.3(B), 101.2(A), 101.5(A), 127(A), 136.3(B)(1) and (C), 153(A),
 5 the introductory paragraph of 548, 917(F), 1110(A)(2) and (C)(1)(f) and (g), R.S.
 6 36:356.1(D) and 358(B), (E)(2), and (G), and R.S. 49:214.35(B), (E), and (F) and to
 7 enact R.S. 30:12(A)(3), 84(A)(9) and (10), and 2050.22(C) and R.S. 49:214.35(G)
 8 and 978.1(A)(3), and to repeal R.S. 30:4(O)(3), 85, and 101.6, relative to the"

9 AMENDMENT NO. 2

10 On page 1, line 13, after "definitions;" and before "and" insert "to provide for judicial review
 11 of administrative decisions; to provide for investment of funds; to provide for an effective
 12 date;"

13 AMENDMENT NO. 3

14 On page 1, at the end of line 16, insert "12(A)(2),"

15 AMENDMENT NO. 4

16 On page 1, at the beginning of line 17, change "21(D)(5)" to "21.1(A)(3) and (D)(5)"

17 AMENDMENT NO. 5

18 On page 2, line 1, after "136.3(B)(1)" and before "153(A)," delete the comma "," and insert
 19 "and (C),"

20 AMENDMENT NO. 6

21 On page 2, delete line 2 in its entirety and insert "1110(A)(2) and (C)(1)(f) and (g) are
 22 hereby amended and reenacted and R.S. 30:12(A)(3), 84(A)(9) and (10), and 2050.22(C)
 23 are"

24 AMENDMENT NO. 7

25 On page 7, between lines 8 and 9, insert the following:

26 "§12. Court review and injunction; venue; procedure; burden of proof
 27 A. * * *
 28 (2) Suit for review shall be instituted in the district court of the parish in
 29 which the principal office of the secretary is located and must be brought within sixty
 30 days of the administrative action that is the subject of the suit. In cases of judicial
 31 review of adjudication proceedings, the ~~sixty days~~ **sixty-day period** shall begin to
 32 run ~~after mailing of notice of the final decision or order, or if a rehearing is requested~~
 33 ~~within sixty days after the decision thereon.~~ **as follows:**
 34 **(a) If a rehearing is not requested, the sixty-day period shall begin to run**
 35 **after the final decision or order is posted on the official website for the**
 36 **department.**

1 (b) If a rehearing is requested, the sixty-day period shall begin to run
2 after the decision regarding the rehearing is posted on the official website for
3 the department.

4 (3) A third person having an interest in the matter subject to review has
5 the right to intervene as a party in an action under this Section when the
6 intervention is unlikely to unduly broaden the issues or to unduly impede the
7 resolution of the action. A "third person having an interest" with the right to
8 intervene under this Section shall include but not be limited to any applicant,
9 permittee, or party to the underlying administrative process, action, or
10 proceeding that resulted in the issuance of the rule, regulation, order, or permit
11 that is the subject of the suit for review. For avoidance of doubt, the provisions
12 of this Paragraph shall be given prospective and retroactive application.

13 * * *

14 AMENDMENT NO. 8

15 On page 7, between lines 9 and 10, insert the following:

16 "A. * * *

17 (3) The funds received shall be placed in the Natural Resources Financial
18 Security Fund in the custody of the state treasurer to be used only in accordance with
19 this Part and shall not be placed in the general fund. The funds provided to the trust
20 authority pursuant to this Section shall at all times be and remain the property of the
21 trust authority. The monies in this fund shall be used solely as provided in this
22 Section and only in the amount appropriated by the legislature. All unexpended and
23 unencumbered monies remaining in this fund at the end of the fiscal year shall
24 remain in the fund. Except for the pledge of the revenues provided in R.S. 30:83.1,
25 it is the intent of the legislature that this fund and its increments shall remain intact
26 and inviolate. Monies in the fund shall be invested by the state treasurer in the same
27 manner as monies in the state general fund. At the request of the Natural Resources
28 Trust Authority, the state treasurer may invest monies in the fund, or any portion
29 thereof, in accordance with the provisions of R.S. 33:2955, including the use of the
30 Louisiana Asset Management Pool; **a separate portfolio** and any interest earned on
31 such investments shall be credited to the fund."

32 AMENDMENT NO. 9

33 On page 14, between lines 28 and 29, insert the following:

34 "* * *

35 C. Monies in the fund shall be invested by the state treasurer in the same
36 manner as monies in the state general fund. At the request of the Natural Resources
37 Trust Authority, the state treasurer may invest monies in the fund, or any portion
38 thereof, in accordance with the provisions of R.S. 33:2955, including the use of the
39 Louisiana Asset Management Pool. **Interest a separate portfolio and any interest**
40 earned on investment of monies in the fund shall be credited to the fund."

41 AMENDMENT NO. 10

42 On page 16, between lines 10 and 11, insert the following:

43 "A. * * *

44 (2) After compliance with the requirements of Article VII, Section 9(B) of
45 the Constitution of Louisiana relative to the Bond Security and Redemption Fund,
46 and after a sufficient amount is allocated from that fund to pay all of the obligations
47 secured by the full faith and credit of the state which become due and payable within
48 any fiscal year, the treasurer shall pay into the fund, an amount equal to the monies
49 received by the state treasury pursuant to this Chapter. The monies in this fund shall
50 be used solely as provided in this Section and only in the amount appropriated by the

1 legislature. All unexpended and unencumbered monies remaining in this fund at the
2 end of the fiscal year shall remain in the fund. The monies in the fund shall be
3 invested by the state treasurer in the same manner as monies in the state general fund
4 and all returns of such investment shall be deposited to the fund. At the request of
5 the Natural Resources Trust Authority, the state treasurer may invest monies in the
6 fund, or any portion thereof, ~~in accordance with the provisions of R.S. 33:2955,~~
7 ~~including the use of the Louisiana Asset Management Pool,~~ **in a separate portfolio**
8 and any interest earned on such investments shall be credited to the fund. The funds
9 received shall be placed in the special trust fund in the custody of the state treasurer
10 to be used only in accordance with this Chapter and shall not be placed in the general
11 fund. The funds provided to the secretary pursuant to this Section shall at all times
12 be and remain the property of the secretary. The funds shall be used only for the
13 purposes set forth in this Chapter and for no other governmental purposes, nor shall
14 any branch of government be allowed to borrow any portion of the funds. It is the
15 intent of the legislature that this fund and its increments shall remain intact and
16 inviolate."

17 AMENDMENT NO. 11

18 On page 17, between lines 13 and 14, insert the following:

19 "§2050.22. Judicial review; appeal; stays; **intervention**
20 * * *
21 **C. A third person having an interest in the matter subject to review has**
22 **the right to intervene as a party in an action commenced pursuant to R.S.**
23 **30:2050.21 when the intervention is unlikely to unduly broaden the issues or to**
24 **unduly impede the resolution of the action. A "third person having an interest"**
25 **with the right to intervene under this Section shall include but not be limited to**
26 **any applicant, permittee, or party to the underlying administrative process,**
27 **action, or proceeding that resulted in the issuance of a final permit action, final**
28 **enforcement action, or a declaratory ruling that is the subject of the petition for**
29 **review. For avoidance of doubt, the provisions of this Subsection shall be given**
30 **prospective and retroactive application.**"

31 AMENDMENT NO. 12

32 On page 17, line 14, after "Section 2." and before "(E)(2)" delete "R.S. 36:358(B)," and
33 insert "R.S. 36:356.1(D), 358(B),"

34 AMENDMENT NO. 13

35 On page 17, between lines 15 and 16, insert the following:

36 "§356.1. Louisiana Natural Resources Trust Authority; establishment; powers
37 * * *
38 D. The authority may request that the state treasurer invest funds, or any
39 portion thereof, under the control of the authority ~~in accordance with the provisions~~
40 ~~of R.S. 33:2955, including the use of the Louisiana Asset Management Pool~~ **in a**
41 **separate portfolio and any interest earned on investment of monies in the fund**
42 **shall be credited to the fund.**
43 * * *"

44 AMENDMENT NO. 14

45 On page 18, between lines 20 and 21, insert the following:

46 "Section 3. R.S. 49:214.35(B), (E), and (F) are hereby amended and reenacted and
47 R.S. 49:214.35(G) and 978.1(A)(3) are enacted to read as follows:

1 §214.35. Reconsiderations, judicial review

2 * * *

3 B. A decision or determination shall be subject to reconsideration by the
4 secretary if a petition for reconsideration is filed in writing with the secretary within
5 ten days following ~~public notice of a~~ posting of the final coastal use permit, ~~or local~~
6 program approval decision, or determination made under R.S. 49:214.34 on the
7 official website for the Department of Conservation and Energy or receipt of
8 written notice of a determination made under R.S. 49:214.30(C)(1) ~~or R.S.~~
9 ~~49:214.34~~. The grounds for reconsideration shall be ~~either that~~ **one of the following:**

10 (1) The decision or determination is clearly contrary to the law or the
11 evidence before the secretary;

12 (2) The petitioner has discovered, since the decision or determination,
13 evidence important to the issues which he could not, with due diligence, have
14 presented to the secretary prior to the decision;

15 (3) There is a showing that issues not previously considered, through no fault
16 of the petitioner, ought to be examined in order to properly dispose of the matter;

17 (4) There exist other good grounds for further consideration of the issues and
18 the evidence in the public interest.

19 * * *

20 E. Proceedings for review may be instituted by filing a petition in the district
21 court of the parish in which the proposed use is to be situated within ~~thirty days after~~
22 ~~mailing of notice of the final decision by the secretary or, if a reconsideration is~~
23 ~~requested, within thirty days after the decision thereon.~~ **the following time periods:**

24 **(1) If a petition for reconsideration is not filed, the proceeding for review**
25 **shall be instituted within thirty days after the final decision by the secretary**
26 **under this Subpart is posted on the official website for the Department of**
27 **Conservation and Energy.**

28 **(2) If a petition for reconsideration is filed, the proceeding for review**
29 **shall be instituted within thirty days after the decision regarding the**
30 **reconsideration is posted on the official website for the Department of**
31 **Conservation and Energy.**

32 F. **A third person having an interest in the matter subject to review has**
33 **the right to intervene as a party in an action for judicial review under this**
34 **Section when the intervention is unlikely to unduly broaden the issues or to**
35 **unduly impede the resolution of the action. A "third person having an interest"**
36 **with the right to intervene under this Section shall include but not be limited to**
37 **any applicant, permittee, or party to the underlying administrative process,**
38 **action, or proceeding that resulted in the issuance of the rule, regulation,**
39 **permit, decision, or determination that is the subject of the suit for review. For**
40 **avoidance of doubt, the provisions of this Subsection shall be given prospective**
41 **and retroactive application.**

42 G. Judicial review shall otherwise be pursuant to the Louisiana
43 Administrative Procedure Act, provided that all such cases shall be tried with
44 preference and priority. ~~Trial de novo shall be held upon request of any party.~~

45 * * *

46 §978.1. Judicial review of adjudication

47 A. * * *

48 **(3) A third person having an interest in the matter subject to review has**
49 **the right to intervene as a party in an action under this Section when the**
50 **intervention is unlikely to unduly broaden the issues or to unduly impede the**
51 **resolution of the action. A "third person having an interest" with the right to**
52 **intervene under this Section shall include but not be limited to any applicant,**
53 **permittee, or party to the underlying administrative process, action, or**
54 **proceeding that resulted in the issuance of the decision or order that is the**
55 **subject of the suit for review. For avoidance of doubt, the provisions of this**
56 **Paragraph shall be given prospective and retroactive application.**

57 * * *

1 AMENDMENT NO. 15

2 On page 18, at the beginning of line 21, change "Section 3." to "Section 4."

3 AMENDMENT NO. 16

4 On page 18, at the beginning of line 22, change "Section 4." to "Section 5."

5 AMENDMENT NO. 17

6 On page 18, at the beginning of line 28, change "Section 5." to "Section 6."

7 AMENDMENT NO. 18

8 On page 19, after line 1, insert the following:

9 "Section 7. This Act shall become effective upon signature by the governor or, if not
10 signed by the governor, upon expiration of the time for bills to become law without signature
11 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
12 vetoed by the governor and subsequently approved by the legislature, this Act shall become
13 effective on the day following such approval."