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HOUSE FLOOR AMENDMENTS

2026 Regular Session

Amendments proposed by Representative Jacob Landry to Engrossed House Bill No. 1191
by Representative Jacob Landry

1 AMENDMENT NO. 1

2 On page 1, delete line 19 and at the beginning of line 20, delete "(B)(8)(b) of this Section"
3 and insert "department's refusal to issue a certificate"

4 AMENDMENT NO. 2

5 On page 2, delete lines 8 through 18 in their entirety and insert the following:

6 "(6)(a) "Operator of interest" means any person or entity currently engaged
7 in operations to explore for or produce minerals at the site, as evidenced by holding
8 an active permit issued by the department for operations at the site or having filed
9 a production report or operational report with the department for the site within the
10 twelve months preceding the date the notice is filed."

11 AMENDMENT NO. 3

12 On page 2, line 26, after "means" and before "the" insert "the operator of interest and"

13 AMENDMENT NO. 4

14 On page 2, line 27, after "representative" delete the remainder of the line, delete lines 28 and
15 29 in their entirety, and on page 3, delete line 1 in its entirety and at the beginning of line 2,
16 delete "of the evaluation process"

17 AMENDMENT NO. 5

18 On page 3, line 11, after "location" delete the remainder of the line and insert "that is"

19 AMENDMENT NO. 6

20 On page 3, line 12, after "The" delete the remainder of the line and insert "site boundaries"

21 AMENDMENT NO. 7

22 On page 3, line 23, after "boundaries" and before "to" delete "and depth"

23 AMENDMENT NO. 8

24 On page 3, at the end of line 27, delete the period "." and insert "and acknowledging sole
25 responsibility for costs incurred in pursuing the certificate, including costs incurred during
26 the corrective action period, and further waiving any right to seek contribution from any
27 other party for all such costs."

28 AMENDMENT NO. 9

29 On page 4, at the beginning of line 3, change "(3)" to "(3)(a)"

1 AMENDMENT NO. 10

2 On page 4, between lines 5 and 6, insert the following:

3 "(b) Where the surface owner is the sole requesting party, a certificate shall
4 be binding upon the surface owner and any subsequent purchaser or transferee upon
5 recordation in the conveyance records of the parish in which the site is located, but
6 shall not have preclusive effect under Subsection C of this Section against any
7 operator of interest whose interest in the site preceded the date of the certificate and
8 who was not a party to the process."

9 AMENDMENT NO. 11

10 On page 4, line 22, after "compliance" delete the remainder of the line and at the beginning
11 of line 23, delete "noncompliance"

12 AMENDMENT NO. 12

13 On page 5, line 8, after "parties" delete the remainder of the line, delete lines 9 through 30
14 in their entirety, and on page 6, delete lines 1 through 12 in their entirety and insert "a
15 certificate of compliance or notify the requesting parties of the department's refusal to issue
16 a certificate of compliance, which shall entitle the requesting parties to a corrective action
17 period."

18 AMENDMENT NO. 13

19 On page 6, line 15, after "certificate," delete the remainder of the line, delete line 16 in its
20 entirety, and insert "shall be confidential,"

21 AMENDMENT NO. 14

22 On page 6, between lines 21 and 22, insert the following:

23 "(10) Prohibited purposes. No person or entity, including any operator of
24 interest, surface owner, or authorized representative, shall initiate or participate in
25 the certificate of compliance process established by this Section for the purpose of
26 generating, obtaining, or preserving environmental data, sampling results, testing
27 reports, or any other documentation for use as evidence in any pending or anticipated
28 judicial or administrative proceeding to which that person or entity is a party and in
29 which conditions at the site are at issue. This prohibition shall not apply to the use
30 of a certificate of compliance issued pursuant to this Section as evidence in any
31 proceeding in which the certificate is asserted as an affirmative defense or is
32 otherwise expressly made admissible by this Section."

33 AMENDMENT NO. 15

34 On page 8, delete lines 8 through 11 in their entirety and insert the following:

35 "(6) The department's refusal to issue a certificate of compliance shall not be
36 used in any judicial action against a prior operator or lessee that was not a requesting
37 party."

38 AMENDMENT NO. 16

39 On page 8, delete lines 13 and 14 in their entirety and insert "(1) The corrective action
40 period shall commence upon the department's refusal to issue a certificate of compliance.
41 During the"

1 AMENDMENT NO. 17

2 On page 8, delete line 27 in its entirety and at the beginning of line 28, delete
3 "noncompliance."

4 AMENDMENT NO. 18

5 On page 9, line 5, after "upon the" delete the remainder of the line, delete lines 6 through 16
6 in their entirety, and insert "earlier of the issuance of a certificate by the department or the
7 expiration of the corrective action period without issuance of a certificate by the
8 department."

9 AMENDMENT NO. 19

10 On page 9, line 19, after "compliance" delete the remainder of the line, delete line 20 in its
11 entirety, and insert "or provide the requesting parties with a confidential report describing
12 each item of alleged noncompliance, which shall not be used as evidence or relied upon in
13 any judicial proceeding."