

HOUSE SUMMARY OF SENATE AMENDMENTS

HB 804

2026 Regular Session

Geymann

ENERGY: Creates the Louisiana Energy Protection Act

Synopsis of Senate Amendments

1. Exempts causes of action filed prior to effective date of proposed law.
2. Makes proposed law effective upon signature of the governor.
3. Makes a technical change.

Digest of Bill as Finally Passed by Senate

Proposed law declares the public policy of La. to promote and support the production and consumption of energy to meet the needs of the state, the nation, and the world and to protect energy users, producers, and related industries from claims for injury or harm to people or property caused by greenhouse gas emissions attributed to climate change.

Proposed law recognizes that any covered civil liability action for climate change damages from greenhouse gas emissions is preempted by federal law and intends for proposed law to limit all rights of action, causes of action, or claims constituting a covered civil liability action for climate change damages from greenhouse gas emissions under La. law and in La. courts.

Proposed law provides definitions for "climate change", "covered civil liability action for climate change damages from greenhouse gas emissions", "greenhouse gases", and "person".

Proposed law prohibits any covered civil liability action for climate change damages from greenhouse gas emissions from being brought, filed, or maintained by any person against any person in any court or proceeding in this state, with the exception of claims, actions, or proceedings brought for unlawful acts arising out of either of the following:

- (1) A violation of an enforceable La. or federal statutory limitation or restriction against emissions of greenhouse gas, or a violation of the express terms of a valid, enforceable permit issued by a La. or federal regulatory agency that has jurisdiction over greenhouse gas emissions.
- (2) A violation of an enforceable standard expressly established under the federal Occupational Safety and Health Act, 29 U.S.C. 651 et seq., where such violation directly and proximately causes the specific injury alleged.

Proposed law provides for applicability to all covered civil liability actions for climate change damages from greenhouse gas emissions filed on or after the effective date of proposed law, regardless of when the conduct giving rise to the action occurred.

Proposed law provides that proposed law cannot be construed to create a public or private claim, cause of action, or remedy.

Proposed law provides that proposed law does not apply to any lawsuit for damages filed on or before the effective date of proposed law.

Proposed law provides for severability.

Effective upon signature of the governor or lapse of time for gubernatorial action.

(Adds R.S. 30:1601-1605)