

HOUSE SUMMARY OF SENATE AMENDMENTS

HB 864

2026 Regular Session

Knox

LOCAL GOVERNMENT: Authorizes municipalities to establish fire limits and to prohibit the storage, placment, accumulation, abandonment, or use of certain materials within the right-of-way of certain public structures

Synopsis of Senate Amendments

1. Makes changes to definitions provided in proposed law.
2. Removes provisions that provide that any person who willfully and knowingly violates proposed law or any rule, regulation, or order issued under proposed law shall be deemed guilty of a misdemeanor.
3. Removes provisions that provide that any person who is convicted for a violation of proposed law or any rule, regulation, or order issued under proposed law shall be subject for each offense to a fine of not more than \$1,000 or imprisoned for not more than six months, or both.
4. Provides that any person who is convicted for a violation of proposed law or any rule, regulation, or order issued under proposed law may be subject to a fine of not more than \$1,000 for each violation.

Digest of Bill as Finally Passed by Senate

Proposed law provides for definitions as follows:

- (1) "Combustible" means a material capable of producing a usually rapid chemical process that creates heat and usually light.
- (2) "Explosive" means any chemical compound mixture, or device, the primary or common purpose of which is to function by explosion.
- (3) "Flammable" means a material capable of being easily ignited and burning quickly, including but not limited to candles, bonfires or open flames, or any other flame-producing devices.

Proposed law authorizes any municipality in the state to establish fire limits and prohibit the storage, placement, accumulation, abandonment, or use of flammable, explosive, or combustible material above ground within the right-of-way of a public bridge, overpass, viaduct, or tunnel.

Proposed law provides that any parish or municipality may authorize the use of flammable, explosive, or combustible materials for events permitted by the parish or municipality, provided the permits or agreements are subject to all state and federal laws and regulations.

Proposed law provides that any person who is convicted for the violation of proposed law or any rule, regulation, or order issued under proposed law may be subject to a fine of not more than \$1,000 for each violation.

Proposed law provides that proposed law shall not be construed to apply to infrastructure owned or operated by member-owned electric cooperatives or investor-owned utilities that are regulated by the Public Service Commission or the governing authority of the city of New Orleans.

Proposed law provides that nothing in proposed law shall prohibit temporary, attended activity involving approved equipment or materials when the activity is authorized under otherwise applicable law and complies with all applicable state, federal, parish, municipal, fire, health, traffic, public-safety, and right-of-way requirements.

(Adds R.S. 33:4741.1)