

SENATE BILL NO. 228

BY SENATOR DUPLESSIS AND REPRESENTATIVES BOYD, BRASS, BRAUD, BRYANT, CHASSION, FISHER, FREEMAN, GREEN, JACKSON, TRAVIS JOHNSON, JORDAN, KNOX, LAFLEUR, MANDIE LANDRY, TERRY LANDRY, LARVADAIN, LYONS, MARCELLE, MENA, MILLER, MOORE, NEWELL, THOMPSON, WALTERS AND YOUNG

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A JOINT RESOLUTION

Proposing to amend Article VII, Section 14(B) of the Constitution of Louisiana, relative to water utility service lines; to provide for the use of public funds to remove or replace drinking water utility service lines located on property owned by utility customers; to provide relative to identifying, inventorying water utility service lines made of or affected by certain hazardous materials; to specify an election for submission of the proposition to electors and provide a ballot proposition.

Section 1. Be it resolved by the Legislature of Louisiana, two-thirds of the members elected to each house concurring, that there shall be submitted to the electors of the state, for their approval or rejection in the manner provided by law, a proposal to amend Article VII, Section 14(B) of the Constitution of Louisiana, to read as follows:

§14. Donation, Loan, or Pledge of Public Credit

Section 14.(A) * * *

(B) Authorized Uses. Nothing in this Section shall prevent (1) the use of public funds for programs of social welfare for the aid and support of the needy; (2) contributions of public funds to pension and insurance programs for the benefit of public employees; (3) the pledge of public funds, credit, property, or things of value for public purposes with respect to the issuance of bonds or other evidences of

1 indebtedness to meet public obligations as provided by law; (4) the return of
2 property, including mineral rights, to a former owner from whom the property had
3 previously been expropriated, or purchased under threat of expropriation, when the
4 legislature by law declares that the public and necessary purpose which originally
5 supported the expropriation has ceased to exist and orders the return of the property
6 to the former owner under such terms and conditions as specified by the legislature;
7 (5) acquisition of stock by any institution of higher education in exchange for any
8 intellectual property; (6) the donation of abandoned or blighted housing property by
9 the governing authority of a municipality or a parish to a nonprofit organization
10 which is recognized by the Internal Revenue Service as a 501(c)(3) or 501(c)(4)
11 nonprofit organization and which agrees to renovate and maintain such property until
12 conveyance of the property by such organization; (7) the deduction of any tax,
13 interest, penalty, or other charges forming the basis of tax liens on blighted property
14 so that they may be subordinated and waived in favor of any purchaser who is not
15 a member of the immediate family of the blighted property owner or which is not
16 any entity in which the owner has a substantial economic interest, but only in
17 connection with a property renovation plan approved by an administrative hearing
18 officer appointed by the parish or municipal government where the property is
19 located; (8) the deduction of past due taxes, interest, and penalties in favor of an
20 owner of a blighted property, but only when the owner sells the property at less than
21 the appraised value to facilitate the blighted property renovation plan approved by
22 the parish or municipal government and only after the renovation is completed such
23 deduction being canceled, null and void, and to no effect in the event ownership of
24 the property in the future reverts back to the owner or any member of his immediate
25 family; (9) the donation by the state of asphalt which has been removed from state
26 roads and highways to the governing authority of the parish or municipality where
27 the asphalt was removed, or if not needed by such governing authority, then to any
28 other parish or municipal governing authority, but only pursuant to a cooperative
29 endeavor agreement between the state and the governing authority receiving the
30 donated property; (10) the investment in stocks of a portion of the Rockefeller

1 Wildlife Refuge Trust and Protection Fund, created under the provisions of R.S.
 2 56:797, and the Russell Sage or Marsh Island Refuge Fund, created under the
 3 provisions of R.S. 56:798, such portion not to exceed thirty-five percent of each
 4 fund; (11) the investment in stocks of a portion of the state-funded permanently
 5 endowed funds of a public or private college or university, not to exceed thirty-five
 6 percent of the public funds endowed; (12) the investment in equities of a portion of
 7 the Medicaid Trust Fund for the Elderly created under the provisions of R.S. 46:2691
 8 et seq., such portion not to exceed thirty-five percent of the fund; (13) the investment
 9 of public funds to capitalize a state infrastructure bank and the loan, pledge, or
 10 guarantee of public funds by a state infrastructure bank solely for transportation
 11 projects; (14) pursuant to a written agreement, the donation of the use of public
 12 equipment and personnel by a political subdivision upon request to another political
 13 subdivision for an activity or function the requesting political subdivision is
 14 authorized to exercise; ~~or~~ (15) a political subdivision from waiving charges for water
 15 if the charges are the result of water lost due to damage to the water delivery
 16 infrastructure and that damage is not the result of any act or failure to act by the
 17 customer being charged for the water; or (16) the use of public funds by a political
 18 subdivision for the purpose of identifying, inventorying, removing or replacing
 19 drinking water utility service lines made of or affected by materials as specified
 20 or prescribed by the Lead and Copper Rule Improvements of the United States
 21 Environmental Protection Agency, promulgated October 30, 2024, or
 22 subsequent promulgation, on property owned by utility customers.

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24 Section 2. Be it further resolved that this proposed amendment shall be submitted to
 25 the electors of the state of Louisiana at the statewide election to be held on November 3,
 26 2026.

27 Section 3. Be it further resolved that on the official ballot to be used at said election
 28 there shall be printed a proposition, upon which the electors of the state shall be permitted
 29 to vote YES or NO, to amend the Constitution of Louisiana, which proposition shall read as
 30 follows:

1 Do you support an amendment to allow for the use of public funds by a
2 political subdivision for the purpose of identifying, inventorying, removing
3 or replacing drinking water utility service lines made of or affected by
4 materials as specified or prescribed by the Lead and Copper Rule
5 Improvements of the United States Environmental Protection Agency,
6 promulgated October 30, 2024, or subsequent promulgation, on property
7 owned by utility customers?

8 (Amends Article VII, Section 14)

PRESIDENT OF THE SENATE

SPEAKER OF THE HOUSE OF REPRESENTATIVES