

Regular Session, 2013

HOUSE BILL NO. 307

BY REPRESENTATIVE LAMBERT

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

1 AN ACT

2 To amend and reenact R.S. 30:2050.21(F) and 2050.22(B), relative to judicial appeals of
3 certain decisions by the Department of Environmental Quality; to provide for appeals
4 of final permit actions, final enforcement actions, and declaratory rulings; to provide
5 for stays of appealed compliance orders, final permit actions, and declaratory rulings;
6 to provide for an effective date; and to provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 30:2050.21(F) and 2050.22(B) are hereby amended and reenacted
9 to read as follows:

10 §2050.21. Judicial review; appeal

11 * * *

12 F. The provisions of R.S. 49:964~~(C)~~, (F); and (G), including the standard of
13 review, shall apply to appeals provided in this Section.

14 * * *

15 §2050.22. Judicial review; appeal; stays

16 * * *

17 B. The filing of an appeal does not stay a compliance order, a final permit
18 action, or a declaratory ruling. However, the secretary may grant, or the court may
19 order, a stay with appropriate terms. The court may order a stay of a final permit
20 action only after notice to the department and the permittee and an opportunity for
21 a hearing on the requested stay.

22 Section 2. This Act shall become effective upon signature by the governor or, if not
23 signed by the governor, upon expiration of the time for bills to become law without signature
24 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If

1 vetoed by the governor and subsequently approved by the legislature, this Act shall become
2 effective on the day following such approval.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____