

Regular Session, 2014

HOUSE BILL NO. 202

BY REPRESENTATIVE STUART BISHOP

SUNSET LAW: Re-creates the Department of Environmental Quality

1 AN ACT

2 To enact R.S. 49:191(7) and to repeal R.S. 49:191(5)(h), relative to the Department of
3 Environmental Quality, including provisions to provide for the re-creation of the
4 Department of Environmental Quality and the statutory entities made a part of the
5 department by law; to provide for the effective termination date for all statutory
6 authority for the existence of such statutory entities; and to provide for related
7 matters.

8 Be it enacted by the Legislature of Louisiana:

9 Section 1. Pursuant to R.S. 49:193, the Department of Environmental Quality and
10 the statutory entities made a part of the department by law shall be re-created effective June
11 30, 2014, and all statutory authority therefor is continued in accordance with the provisions
12 of Part XII of Chapter 1 of Title 49 of the Louisiana Revised Statutes of 1950.

13 Section 2. All statutory authority for the existence of the Department of
14 Environmental Quality and the statutory entities made a part of the department as re-created
15 by Section 1 of this Act shall cease as of July 1, 2019, pursuant to R.S. 49:191. However,
16 the Department of Environmental Quality may be re-created prior to such date in accordance
17 with the provisions of Part XII of Chapter 1 of Title 49 of the Louisiana Revised Statutes of
18 1950.

19 Section 3. The provisions of R.S. 49:193 are hereby superseded to the extent that
20 those provisions are in conflict with the provisions of this Act.

1 Section 4. R.S. 49:191(7) is hereby enacted to read as follows:

2 §191. Termination of legislative authority for existence of statutory entities; phase-
3 out period for statutory entities; table of dates

4 Notwithstanding any termination dates set by any previous Act of the
5 legislature, the statutory entities set forth in this Section shall begin to terminate their
6 operations on July first of each of the following years, and all legislative authority
7 for the existence of any statutory entity, as defined in R.S. 49:190, shall cease as of
8 July first of the following year, which shall be the termination date:

9 * * *

10 (7) July 1, 2018:

11 (a) The Department of Environmental Quality and all statutory entities made
12 a part of the department by law.

13 Section 5. R.S. 49:191(5)(h) is hereby repealed in its entirety.

14 Section 6. This Act shall become effective on June 30, 2014; if vetoed by the
15 governor and subsequently approved by the legislature, this Act shall become effective on
16 June 30, 2014, or on the day following such approval by the legislature, whichever is later.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

Stuart Bishop

HB No. 202

Abstract: Re-creates the Dept. of Environmental Quality.

Present law (Sunset law) provides that the Dept. of Environmental Quality and all the statutory entities made a part of that department by law shall begin to terminate their operations on July 1, 2014, and that all legislative authority for such entities shall cease as of July 1, 2015, unless the legislature enacts a bill authorizing the re-creation of the department and its statutory entities prior thereto.

Proposed law provides for the general re-creation of the Dept. of Environmental Quality and its statutory entities. July 1, 2019, is the new termination date, and termination would begin July 1, 2018, unless the department is again re-created.

Effective June 30, 2014.

(Adds R.S. 49:191(7); Repeals R.S. 49:191(5)(h))