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# Executive Orders

## EXECUTIVE ORDER JML 24-65

### Renewal of State of Emergency—Hurricane Ida

WHEREAS, the Louisiana Homeland Security and Emergency Assistance and Disaster Act, R.S. 29:721, et seq., confers upon the Governor of the State of Louisiana emergency powers to deal with emergencies and disasters, including those caused by fire, flood, earthquake, or other natural or manmade causes, in order to ensure that preparations of this state will be adequate to deal with such emergencies or disasters and to preserve the lives and property of the people of the State of Louisiana;

WHEREAS, pursuant to the Louisiana Homeland Security and Emergency Assistance and Disaster Act, R.S. 29:721, et seq., Governor John Bel Edwards declared a state of emergency in response to the imminent threat posed by Hurricane Ida on August 26, 2021, in Proclamation Number 165 JBE 2021;

WHEREAS, Proclamation Number 165 JBE 2021 has been renewed and extended every thirty (30) days through JML 24-51, which is in effect through Sunday, May 12, 2024;

WHEREAS, Hurricane Ida made landfall on the Louisiana coast as a major hurricane on Sunday, August 29, 2021, bringing devastating winds, widespread power-outages, and severe damage to Louisiana and its citizens.

WHEREAS, on August 27, 2021, President Joseph R. Biden approved an Emergency Declaration for the State of Louisiana, authorizing appropriate assistance under Title V of the Stafford Act, to be coordinated by the United States Department of Homeland Security and the Federal Emergency Management Agency;

WHEREAS, on August 29, 2021, President Biden approved a Major Disaster Declaration for the State of Louisiana, authorizing individual and public assistance for all impacted parishes;

WHEREAS, R.S. 29:724 authorizes the governor during a declared state of emergency to suspend the provisions of any state regulatory statute prescribing procedures for conducting state business, or the orders, rules or regulations of any state agency, if strict compliance with the provision of any statute, order, rule, or regulation would in any way prevent, hinder, or delay necessary action in coping with the emergency;

WHEREAS, damage from this storm continues to pose a threat to citizens and communities across the Gulf Coast and create conditions that place lives and property in the state in jeopardy;

NOW THEREFORE, I, JEFF LANDRY, Governor of the State of Louisiana, by virtue of the authority vested by the Constitution and the laws of the State of Louisiana, do hereby order and direct as follows:

Section 1: Pursuant to the Louisiana Homeland Security and Emergency Assistance and Disaster Act, R.S.

29:721, et seq., a state of emergency is hereby declared to continue to exist statewide in the State of Louisiana as a result of the threat of emergency conditions that threaten the lives and property of the citizens of the State.

Section 2: The Director of the Governor's Office of Homeland Security and Emergency Preparedness (GOHSEP) is hereby authorized to continue to undertake any activity authorized by law that he deems appropriate in response to this declaration.

Section 3: Pursuant to R.S. 29:732, during a declared state of emergency, the prices charged or value received for goods and services sold within the designated emergency area may not exceed the prices ordinarily charged for comparable goods and services in the same market area at or immediately before the time of the state of emergency, unless the price by the seller is attributable to fluctuations in applicable commodity markets, fluctuations in applicable regional or national market trends, or to reasonable expenses and charges and attendant business risk incurred in procuring or selling the goods or services during the state of emergency.

Section 4: Pursuant to R.S. 29:724(D)(1), the Louisiana Procurement Code (R.S. 39:1551, et seq.) and Louisiana Public Bid Law (R.S. 38:2211, et seq.) and their corresponding rules and regulations continue to be suspended for the purpose of the procurement of any goods or services necessary to respond to this emergency, including emergency contracts, cooperative endeavor agreements, and any other emergency amendments to existing contracts.

Section 5: Pursuant to R.S. 29:724(D)(1), the provisions of R.S. 39:126 regarding prior approval of change orders continue to be suspended.

Section 6: All departments, commissions, boards, agencies and officers of the State, or any political subdivision thereof, are authorized and directed to cooperate in actions the State may take in response to the effects of this severe weather event.

Section 7: This Order is effective upon signature and shall continue in effect from Friday, May 10, 2024 to Sunday, June 9, 2024, unless amended, modified, or terminated sooner.

IN WITNESS WHEREOF, I have set my hand officially and caused to be affixed the Great Seal of Louisiana in the City of Baton Rouge, on this 10<sup>th</sup> day of May 2024.

Jeff Landry  
Governor

ATTEST BY  
THE GOVERNOR  
Nancy Landry  
Secretary of State  
2406#100

## EXECUTIVE ORDER JML 24-66

### Renewal of State of Emergency—Police Officer Shortage

WHEREAS, the Louisiana Homeland Security and Emergency Assistance and Disaster Act, R.S. 29:721, *et seq.*, confers upon the Governor of the State of Louisiana emergency powers to deal with emergencies and disasters;

WHEREAS, pursuant to the Louisiana Homeland Security and Emergency Assistance and Disaster Act, R.S. 29:721, *et seq.*, Governor Jeff Landry declared a state of emergency in response to the imminent threat of emergency conditions that threaten the lives, property, and safety of the citizens of the State for the limited purpose of R.S. 14:139.1 (C)(1), in JML 24-22;

WHEREAS, this emergency has been renewed and extended every thirty (30) days through JML 24-52, which is in effect through Sunday, May 12, 2024;

WHEREAS, our Nation and State are experiencing a police officer staffing crisis, and law enforcement agencies are losing officers faster than they can hire new ones;

WHEREAS, nationally, law enforcement agencies experienced 47% more resignations in 2022 than in 2019 and 20% more retirements in 2022 than in 2019;

WHEREAS, 78% of national law enforcement agencies reported having difficulty in recruiting qualified candidates, and 65% reported having too few candidates applying to be law enforcement officers;

WHEREAS, 50% of national law enforcement agencies reported having to change agency policies to increase the chances of gaining qualified applicants, and 25% reported having to reduce or eliminate certain agency services, units, or positions because of staffing difficulties;

WHEREAS, the national police officer shortage has affected Louisiana with departments experiencing record-low employment and an increase in police officer response times resulting in an increased threat to the lives, property, and safety of persons within the State of Louisiana;

WHEREAS, the Louisiana Sheriffs' Association estimates that Louisiana sheriffs' offices were down approximately 1,800 deputies statewide as of July 2023;

WHEREAS, there currently exists a shortage of law enforcement officers in the State of Louisiana;

WHEREAS, the provisions of R.S. 14:139.1 do not apply when a public emergency necessitates an increase in the number of deputies;

NOW THEREFORE, I, JEFF LANDRY, Governor of the State of Louisiana, by virtue of the authority vested by the Constitution and the laws of the State of Louisiana, do hereby order and direct as follows:

Section 1: Pursuant to the Louisiana Homeland Security and Emergency Assistance and Disaster Act, R.S. 29:721, *et seq.*, a state of emergency is hereby declared to continue to exist in the State of Louisiana as a result of the imminent threat of emergency conditions that threaten the lives, property, and safety of the citizens of the State for the limited purpose of R.S. 14:139.1 (C)(1).

Section 2: This Order is effective upon signature and shall continue in effect from Friday, May 10, 2024 to Sunday, June 9, 2024, unless amended, modified, or terminated sooner.

IN WITNESS WHEREOF, I have set my hand officially and caused to be affixed the Great Seal of Louisiana in the City of Baton Rouge, on this 10<sup>th</sup> day of May 2024.

Jeff Landry  
Governor

ATTEST BY  
THE GOVERNOR  
Nancy Landry  
Secretary of State  
2406#101

## EXECUTIVE ORDER JML 24-67

### Renewal of State of Emergency—Threat of Subsidence, Subsurface Instability, and Presence of Hydrocarbons in Sulphur Mines Salt Dome Area

WHEREAS, pursuant to the Louisiana Homeland Security and Emergency Assistance and Disaster Act, R.S. 29:721, *et seq.*, a state of emergency was declared through Proclamation Number 160 JBE 2023;

WHEREAS, Proclamation Number 160 JBE 2023 has been renewed and extended every thirty (30) days through JML 24-53 which is in effect through Sunday, May 12, 2024;

WHEREAS, when the Governor determines that a disaster or emergency has occurred, or the threat thereof is imminent, R.S. 29:724(B)(1) empowers the Governor to declare a state of emergency by executive order or proclamation, or both;

WHEREAS, local, state, and federal agencies began monitoring subsurface seismic activity occurring in the vicinity of the Sulphur Mines salt dome in Calcasieu Parish in December of 2021, with a true seismic monitoring array being ordered by the Office of Conservation, which came online in January of 2023;

WHEREAS, the Office of Conservation began investigating unexplained hydrocarbon bubbling within the area of concern in January of 2023, as well as monitoring seismicity, and the rate of subsidence in the area of concern;

WHEREAS, on Wednesday September 20, 2023, in response to this subsidence and seepage, Commissioner of Conservation, Monique M. Edwards made a declaration of emergency under the authority of Louisiana Revised Statutes 30:1 *et seq.*, ordering the operator of the salt cavern underneath the area of subsidence to undertake all necessary activities to evaluate and abate any deterioration of the cavern's integrity;

WHEREAS, the State anticipates that further assistance may be needed to assist Calcasieu Parish in their response to this continuing threat; and

WHEREAS, it is necessary to continue the measures provided in Proclamation Number 160 JBE 2023 to further protect the health and safety of the citizens of Louisiana;

NOW THEREFORE I, JEFF LANDRY, Governor of the State of Louisiana, by virtue of the authority vested by the Constitution and laws of the State of Louisiana, do hereby order and direct as follows:

Section 1: Pursuant to the Louisiana Homeland Security and Emergency Assistance and Disaster Act, R.S. 29:721 *et seq.*, a state of emergency is hereby declared to exist in the Parish of Calcasieu, as a result of seismic activity, lost cavern integrity, increased hydrocarbon bubbling, and accelerated subsidence, that collectively indicate a potential for structural failure that could potentially threaten the lives and property of the citizens of the State.

Section 2: The Director of the Governor’s Office of Homeland Security and Emergency Preparedness is hereby authorized to undertake any activity authorized by law which he deems appropriate in response to this declaration.

Section 3: All departments, commissions, boards, agencies, and officers of the State or any political subdivision thereof, are authorized and directed to cooperate in actions, the State may take in response to this incident.

Section 4: This Order is effective upon signature and shall continue in effect from Friday, May 10, 2024 to Sunday, June 9, 2024, unless amended, modified, or terminated sooner.

IN WITNESS WHEREOF, I have set my hand officially and caused to be affixed the Great Seal of Louisiana in the City of Baton Rouge, on this 10<sup>th</sup> day of May 2024.

Jeff Landry  
Governor

ATTEST BY  
THE GOVERNOR  
Nancy Landry  
Secretary of State  
2406#102

**EXECUTIVE ORDER JML 24-68**

Flags at Half-Staff—Peace Officers  
Memorial Day and Police Week

WHEREAS, on October 1, 1962, President John F. Kennedy signed Public Law 87-726, designating May 15 as Peace Officers Memorial Day and the week in which that date falls as Police Week;

WHEREAS, there are more than 800,000 law enforcement officers serving in communities across the United States, including the dedicated law enforcement officers serving the State of Louisiana and parishes and municipalities throughout Louisiana;

WHEREAS, since the first recorded death in 1786, there are currently 24,067 law enforcement officers in the United States who have made the ultimate sacrifice and been killed in the line of duty, including 574 officers who served the State of Louisiana;

WHEREAS, the names of these dedicated public servants are engraved on the walls of the National Law Enforcement Officers Memorial in Washington, D.C. and the Louisiana Law Enforcement Memorial located in Lake Lawn Metairie Cemetery;

WHEREAS, on Peace Officers Memorial Day, the names of the following fallen heroes who served the State of Louisiana will be read at the May 15 service on the United States Capitol Lawn and were previously recognized on May 8, 2024, at the Louisiana Law Enforcement Memorial:

Senior Police Officer Trevor Abney  
Corporal Scotty Canezaro  
Sergeant Charles Dotson  
Deputy Marshal Barry Giglio  
Lieutenant Michael Godawa  
Corporal Shawn Kelly  
Officer Carl Kimball  
Deputy Sheriff Marilyn Mayo  
Corporal Robert McKinney  
Deputy First Class Kyle Melancon  
Detective Sergeant Nicholas Pepper  
Sergeant David Poirrier

WHEREAS, our nation owes a debt of gratitude to our peace officers who made the ultimate sacrifice to keep our great nation and state safe;

WHEREAS, May 15 is designated as Peace Officers Memorial Day, in honor of all fallen officers and their families and U.S. flags should be flown at half-staff;

WHEREAS, the people of our state join in prayer in memory of all the peace officers who have served our communities and continue to pray for all of the peace officers who protect us every day.

NOW THEREFORE, I, JEFF LANDRY, Governor of the State of Louisiana, by virtue of the authority vested by the Constitution and laws of the State of Louisiana, do hereby order and direct as follows:

Section 1: The State of Louisiana publicly salutes the service of law enforcement officers in our community and communities across the nation;

Section 2: The week containing May 15 shall be observed in the State of Louisiana as “Police Week.”

Section 3: Wednesday, May 15 is hereby proclaimed as Peace Officers Memorial Day.

Section 4: It is ordered that the flags of the United States and the State of Louisiana shall be flown at half-staff over the State Capitol and all public buildings throughout the state until sunset on Wednesday, May 15, 2024 in honor of the peace officers who have made the ultimate sacrifice in service of our people.

IN WITNESS WHEREOF, I have set my hand officially and caused to be affixed the Great Seal of Louisiana, at the Capitol, in the City of Baton Rouge, on this 13<sup>th</sup> day of May 2024.

Jeff Landry  
Governor

ATTEST BY  
THE GOVERNOR  
Nancy Landry  
Secretary of State  
2406#103

## EXECUTIVE ORDER JML 24-69

Flags at Half-Staff—Senator James David Cain

WHEREAS, James David Cain, Sr, a former distinguished member of the Louisiana State Senate and Louisiana House of Representatives, died on May 8, 2024;

WHEREAS, he was born in Pitkin, Louisiana to Alton and Mary Etta Cain and had five siblings, Alton Cain, Jr., William “Billy” Cain, Ethlyn Cain Branch, Mary Cain Clark, and Burl Cain;

WHEREAS, he served his country in the United States Army as a Military Policeman;

WHEREAS, he earned a Bachelor's and Master's in Education from McNeese State University;

WHEREAS, he settled in Dry Creek and was a highly successful basketball coach for East Beauregard High School where he was twice named Coach of the Year, won eight straight district championships, and was later inducted into the LHSAA Hall of Fame;

WHEREAS, he married his loving wife Renee Cole Cain for 34 years;

WHEREAS, he is survived by his children Melissa Cain Milnor and Judge James D. Cain, Jr., his beloved stepchildren Angela and Joe Guglielmo, and his four grandchildren Juliana and Haley 'beth Cain, Amanda Milnor, and Austin Guglielmo;

WHEREAS, he lived a life that was dedicated to helping and serving others, including his twenty years of service to our state in the House of Representatives from 1972 to 1992 followed by sixteen years of service as a Louisiana State Senator, representing Vernon, Beauregard, and Calcasieu Parishes;

WHEREAS, during his distinguished legislative career he was a leader on important issues, served as Chairman of the Senate Committees on Agriculture, Environmental Quality, and Insurance, and due to his many accomplishments was inducted into the Louisiana Political Hall of Fame;

WHEREAS, during his retirement he was an active rancher in Dry Creek raising cattle and high-quality barrel horses;

WHEREAS, those who knew him were taught rich life lessons of integrity, virtue, strength, honor, and hard work;

WHEREAS, his passion and goal in life was to help people and he was beloved by those who knew him, and

WHEREAS, James David Cain, Sr.'s dedication as a public servant and community leader to the State of Louisiana will long be remembered.

NOW THEREFORE, I, JEFF LANDRY, Governor of the State of Louisiana, by virtue of the authority vested by the Constitution and laws of the State of Louisiana, do hereby order and direct as follows:

Section 1: As an expression of respect and to honor James David Cain, the flags of the United States and the State of Louisiana shall be flown at half-staff over the State Capitol and all state buildings from sunrise until sunset on May 17, 2024.

Section 2: This Order is effective upon signature and shall remain in effect until sunset, May 17, 2024.

IN WITNESS WHEREOF, I have set my hand officially and caused to be affixed the Great Seal of Louisiana on this 13<sup>th</sup> day of May 2024.

Jeff Landry  
Governor

ATTEST BY  
THE GOVERNOR

Nancy Landry  
Secretary of State  
2406#104

## EXECUTIVE ORDER JML 24-70

Renewal of State of Emergency—Severe Storms  
and Tornadoes—April 10, 2024

WHEREAS, the Louisiana Homeland Security and Emergency Assistance and Disaster Act, R.S. 29:721, *et seq.*, confers upon the Governor of the State of Louisiana emergency powers to deal with emergencies and disasters, including those caused by fire, flood, earthquake or other natural or manmade causes, in order to ensure that preparations of this State will be adequate to deal with such emergencies or disasters and to preserve the lives and property of the people of the State of Louisiana;

WHEREAS, pursuant to the Louisiana Homeland Security and Emergency Assistance and Disaster Act, R.S. 29:721, *et seq.*, Governor Jeff Landry declared a state of emergency in response to the imminent threat posed by numerous tornadoes that struck the state of Louisiana on April 10, 2024, in JML 24-54;

WHEREAS, the National Weather Service (“NWS”) issued multiple warnings on April 10, 2024, in anticipation of a line of thunderstorms threatening severe straight-line winds, flooding, and possible tornadoes;

WHEREAS, the NWS has confirmed that multiple tornadoes struck the city of Slidell in St. Tammany parish, causing power outages of greater than 50% in that municipality on April 10, 2024 (“Incident Date”), damaging or destroying at least 337 homes, 6 apartment units, 27 businesses, and 2 public buildings;

WHEREAS, the NWS has confirmed that a tornado struck the parish of West Feliciana, causing power outages of greater than 80% parish-wide on the Incident Date, requiring the parish to declare a state of emergency and execute its emergency response plans;

WHEREAS, the NWS has confirmed that a tornado struck the parish of Pointe Coupee, causing power outages of greater than 50% parish-wide on the Incident Date, requiring the parish to declare a state of emergency and execute its emergency response plans;

WHEREAS, the NWS has confirmed that a tornado struck the parish of St. Landry, causing power outages of greater than 60% parish-wide on the Incident Date, requiring the parish to declare a state of emergency and execute its emergency response plans; and

WHEREAS, numerous other parishes have issued emergency declarations, are executing their emergency response plans, and continue to require assistance from the State of Louisiana to provide resources to protect the life, safety, and welfare of the citizens of Louisiana.

NOW THEREFORE, I, JEFF LANDRY, Governor of the State of Louisiana, by virtue of the authority vested by the Constitution and laws of the State of Louisiana, order and direct as follows:

Section 1: Pursuant to the Louisiana Homeland Security and Emergency Assistance and Disaster Act, R.S. 29:721, *et seq.*, a state of emergency is hereby declared to exist as a result of the emergency conditions that occurred on April 10, 2024, that continue to threaten the lives, safety, and property of the citizens in Louisiana. JML 24-54 is amended as follows and State resources will be utilized to provide the following assistance in the parishes indicated:

A. Debris Removal Assistance: The State will provide assistance in the form of 75% of costs related to debris removal that are incurred within the first ten (10) days of debris operations or a validly issued Notice to Proceed to a debris contractor for the following parishes: *Pointe Coupee, West Feliciana, St. Landry, St. Tammany (within the southeastern portion struck by multiple tornadoes), and East Feliciana.*

B. Shelter Assistance: The State will provide assistance in the form of 75% of costs related to sheltering that are incurred within the first seven (7) days from the Incident Date for the following parish(es): *St. Tammany (within the southeastern portion struck by multiple tornadoes).*

C. Emergency Protective Measures: The State will provide assistance in the form of 75% of costs attributable to emergency protective measures (limited to overtime pay) related to this event that are incurred on the Incident Date for the following parish(es): *Pointe Coupee, West Feliciana, St. Landry, St. Tammany (within the southeastern portion struck by multiple tornadoes), and East Feliciana.*

Section 2: The State will review resource requests submitted through WebEOC from all parishes, and may allocate resources as necessary to assist parishes in their recovery efforts. As incident impacts and parish resource requests are reviewed and validated, this section may be amended to identify those parishes authorized to receive State resources.

Section 3: The Director of the Governor's Office of Homeland Security and Emergency Preparedness (GOHSEP) is hereby authorized to undertake any activity authorized by law that he deems appropriate in response to this declaration.

Section 4: Pursuant to R.S. 29:732, during a declared state of emergency, the prices charged or value received for goods and services sold within the designated emergency area may not exceed the prices ordinarily charged for comparable goods and services in the same market area at or immediately before the time of the state of emergency, unless the price by the seller is attributable to fluctuations in applicable commodity markets, fluctuations in applicable regional or national market trends, or to reasonable expenses and charges and attendant business risk incurred in procuring or selling the goods or services during the state of emergency.

Section 5: Pursuant to R.S. 29:724(D)(1), the Louisiana Procurement Code (R.S. 39:1551, *et seq.*) and Louisiana Public Bid Law (R.S. 38:2211, *et seq.*) and their corresponding rules and regulations are hereby suspended for the purpose of the procurement of any good or services

necessary to respond to this emergency by the following parishes: *Pointe Coupee, West Feliciana, St. Landry, St. Tammany (within the southeastern portion struck by multiple tornadoes), and East Feliciana*, including emergency contracts, cooperative endeavor agreements, and any other emergency amendments to existing contracts.

Section 6: All departments, commissions, boards, agencies and officers of the State, or any political subdivision thereof, are authorized and directed to cooperate in actions the State may take in response to this event.

Section 7: This Order is effective upon signature and shall continue in effect from Thursday, May 16, 2024, until Thursday, May 30, 2024, unless amended, modified, terminated, or rescinded earlier by the Governor, or terminated by operation of law.

IN WITNESS WHEREOF, I have set my hand officially and caused to be affixed the Great Seal of Louisiana in the City of Baton Rouge, on this 15<sup>th</sup> day of May, 2024.

Jeff Landry  
Governor

ATTEST BY  
THE GOVERNOR  
Nancy Landry  
Secretary of State  
2406#105

#### EXECUTIVE ORDER JML 24-71

##### Renewal of State of Emergency—Cybersecurity Incidents

WHEREAS, the Louisiana Homeland Security and Emergency Assistance and Disaster Act, R.S. 29:721, *et seq.*, confers upon the Governor of the State of Louisiana emergency powers to deal with emergencies, including those caused by breach of cybersecurity, in order to ensure that preparations of this State will be adequate to deal with such emergencies or disasters and to preserve the lives and property of the people of the State of Louisiana;

WHEREAS, pursuant to R.S. 29:724(B)(1), Governor John Bel Edwards declared a state of emergency on December 28, 2023, in Proclamation Number 236 JBE 2023 in response to the threat of intentional cybersecurity breaches of public entities throughout the State of Louisiana;

WHEREAS, Proclamation Number 263 JBE 2023 has been renewed and extended every thirty (30) days through JML 24-56;

WHEREAS, there have been severe, intentional cybersecurity breaches of public entities throughout the State of Louisiana;

WHEREAS, R.S. 29:724 authorizes the governor during a declared state of emergency to suspend the provisions of any state regulatory statute prescribing procedures for conducting state business, or the orders, rules or regulations of any state agency, if strict compliance with the provision of any statute, order, rule, or regulation would in any way prevent, hinder, or delay necessary action in coping with the emergency;

WHEREAS, the State anticipates various state agencies and political subdivisions will need to continue to work cooperatively to mitigate any damage, current or future, as a result of these cybersecurity breaches.

NOW THEREFORE, I, JEFF LANDRY, Governor of the State of Louisiana, by virtue of the authority vested by the Constitution and the laws of the State of Louisiana, do hereby order and direct as follows:

Section 1: Pursuant to the Louisiana Homeland Security and Emergency Assistance and Disaster Act, R.S. 29:721, *et seq.*, a state of emergency is hereby declared to continue to exist statewide in the State of Louisiana as a result of the imminent threat to the citizens of the State.

Section 2: The Director of the Governor's Office of Homeland Security and Emergency Preparedness (GOHSEP) is hereby authorized to continue to undertake any activity authorized by law that he deems appropriate in response to this declaration.

Section 3: Pursuant to R.S. 29:732, during a declared state of emergency, the prices charged or value received for goods and services sold within the designated emergency area may not exceed the prices ordinarily charged for comparable goods and services in the same market area at or immediately before the time of the state of emergency, unless the price by the seller is attributable to fluctuations in applicable commodity markets, fluctuations in applicable regional or national market trends, or to reasonable expenses and charges and attendant business risk incurred in procuring or selling the goods or services during the state of emergency.

Section 4: All departments, commissions, boards, agencies and officers of the state, or any political subdivision thereof, are authorized and directed to cooperate in actions the state may take in response to the effects of this cybersecurity event.

Section 5: All departments, commissions, boards, agencies and officers of the state, or any political subdivision thereof, are further authorized and directed to take all actions necessary to preserve the security and confidentiality of any data related to this emergency, including the execution of Memoranda of Understanding (MOUs), Non-Disclosure Agreements (NDAs), and/or any other related documents.

Section 6: Any departments, commissions, boards, agencies and officers of the state, or any political subdivision thereof, that may be affected by this cybersecurity emergency are directed to work with state officials to ensure there is a coordinated response to this event and are further directed to comply with the requirements of the Database Security Breach Notification Law, R.S. 51:3071 *et seq.*

Section 7: Pursuant to R.S. 29:724(D)(1), the Louisiana Procurement Code (R.S. 39:1551 *et seq.*), Louisiana Public Bid Law (R.S. 38:2211, *et seq.*), and the Louisiana Information Technology Procurement Code (R.S. 39:196-200), and their corresponding rules and regulations are hereby suspended if strict compliance therewith would in any way prevent, hinder, or delay necessary action in coping with this emergency.

Section 8: This Order is effective upon signature and shall continue in effect from Friday, May 17, 2024 to Sunday, June 16, 2024, unless terminated sooner.

IN WITNESS WHEREOF, I have set my hand officially and caused to be affixed the Great Seal of Louisiana in the City of Baton Rouge, on this 17<sup>th</sup> day of May 2024.

Jeff Landry  
Governor

ATTEST BY  
THE GOVERNOR  
Nancy Landry  
Secretary of State  
2406#106

#### EXECUTIVE ORDER JML 24-72

State of Emergency—Severe Storms and Tornadoes  
May 14-17, 2024

WHEREAS, the Louisiana Homeland Security and Emergency Assistance and Disaster Act, R.S. 29:721, *et seq.*, confers upon the Governor of the State of Louisiana emergency powers to deal with emergencies and disasters, including those caused by fire, flood, earthquake or other natural or manmade causes, in order to ensure that preparations of this State will be adequate to deal with such emergencies or disasters and to preserve the lives and property of the people of the State of Louisiana;

WHEREAS, when the Governor determines that a disaster or emergency has occurred, or the threat thereof is imminent, R.S. 29:724(B)(1) empowers him to declare a state of emergency by executive order or proclamation, or both;

WHEREAS, the National Weather Service ("NWS") issued multiple warnings from May 13, 2024 through May 17, 2024 in anticipation of several lines of severe thunderstorms travelling through the State threatening severe straight-line winds, flooding, hail, and possible tornadoes;

WHEREAS, the NWS has confirmed that a tornado struck the parish of Pointe Coupee on May 13-14, 2024, causing power outages of greater than 50% parish-wide, causing damage to at least 14 homes and destroying one mobile home. This required the parish to declare a state of emergency and execute its emergency response plans;

WHEREAS, the NWS has also confirmed that a tornado struck the parish of West Baton Rouge on May 13-14, 2024, causing damage to several homes and causing at least two fatalities. This required the parish to declare a state of emergency and execute its emergency response plans;

WHEREAS, the NWS has also confirmed that a tornado struck the parish of St. Martin on May 13-14, 2024, causing damage to at least nine homes, 19 mobile homes, four businesses and one public building, injuring nine people and causing one fatality. It is estimated that there is 150,000 cubic yards of vegetative debris in the Henderson Area, which does not include other areas requiring debris removal. This required the parish to declare a state of emergency and execute its emergency response plans;



WHEREAS, the NWS has also confirmed that a tornado struck the parish of Iberville on May 13-14, 2024, causing damage to one home, four mobile homes, and two public buildings. This required the parish to declare a state of emergency and execute its emergency response plans;

WHEREAS, the NWS has also confirmed that a tornado struck the parish of St. James on May 17, 2024, causing power outages of greater than 9% in the community near Convent, Louisiana and damaging 47 homes. This required the parish to declare a state of emergency and execute its emergency response plans;

WHEREAS, numerous other parishes have issued emergency declarations, and executed their emergency response plans, and may require assistance from the State of Louisiana to provide resources to protect the life, safety, and welfare of the citizens of Louisiana.

NOW THEREFORE, I, JEFF LANDRY, Governor of the State of Louisiana, by virtue of the authority vested by the Constitution and laws of the State of Louisiana, order and direct as follows:

Section 1: Pursuant to the Louisiana Homeland Security and Emergency Assistance and Disaster Act, R.S. 29:721, *et seq.*, a state of emergency is hereby declared to exist as a result of the emergency conditions that currently threaten the lives, safety, and property of the citizens in Louisiana. State resources will be utilized to provide the following assistance in the parishes indicated:

A. Debris Removal Assistance: The State will provide assistance in the form of 75% of costs related to debris removal that are incurred within the first ten (10) days of debris operations or a validly issued Notice to Proceed to a debris contractor for the following parishes: *St. Martin, Iberville, West Baton Rouge, Point Coupee and St. James.*

B. Shelter Assistance: The State will provide assistance in the form of 75% of costs related to sheltering that are incurred within the first seven (7) days from the Incident Date for the parish of *St. James.*

C. Emergency Protective Measures: The State will provide assistance in the form of 75% of costs attributable to emergency protective measures (limited to overtime pay) related to this event that are incurred on the Incident Date for the following parishes: *St. Martin, Iberville; West Baton Rouge, Point Coupee and St. James.*

Section 2: The State will review resource requests submitted through WebEOC from all parishes, and will allocate resources as necessary to assist parishes in their recovery efforts. As incident impacts and parish resource requests are reviewed and validated, this section will be amended to identify those parishes authorized to receive State resources.

Section 3: The Director of the Governor's Office of Homeland Security and Emergency Preparedness (GOHSEP) is hereby authorized to undertake any activity authorized by law that he deems appropriate in response to this declaration.

Section 4: Pursuant to R.S. 29:732, during a declared state of emergency, the prices charged or value received for goods and services sold within the designated emergency area may not exceed the prices ordinarily charged for comparable goods and services in the same market area at or immediately before the time of the state of emergency, unless the price by the seller is attributable to fluctuations in

applicable commodity markets, fluctuations in applicable regional or national market trends, or to reasonable expenses and charges and attendant business risk incurred in procuring or selling the goods or services during the state of emergency.

Section 5: Pursuant to R.S. 29:724(D)(l), the Louisiana Procurement Code (R.S. 39:1551. *et seq.*) and Louisiana Public Bid Law (R.S. 38:2211, *et seq.*) and their corresponding rules and regulations are hereby suspended for the purpose of the procurement of any good or services necessary to respond to this emergency by the following parishes: *St. Martin, Iberville, West Baton Rouge, Point Coupee and St. James*, including emergency contracts, cooperative endeavor agreements, and any other emergency amendments to existing contracts.

Section 6: All departments, commissions, boards, agencies and officers of the State, or any political subdivision thereof, are authorized and directed to cooperate in actions the State may take in response to this event.

Section 7: This Order is effective upon signature and shall continue in effect from Tuesday, May 14, 2024 until Thursday, June 13, 2024, unless amended, modified, terminated, or rescinded earlier by the Governor, or terminated by operation of law.

IN WITNESS WHEREOF, I have set my hand officially and caused to be affixed the Great Seal of Louisiana in the City of Baton Rouge, on this 20<sup>th</sup> day of May, 2024.

Jeff Landry  
Governor

ATTEST BY  
THE GOVERNOR  
Nancy Landry  
Secretary of State  
2406#107

#### EXECUTIVE ORDER JML 24-73

Renewal of State of Emergency—Department of  
Transportation and Development

WHEREAS, pursuant to R.S.48:757, Governor John Bel Edwards declared a state of emergency on October 5, 2017, in Proclamation Number 109 JBE 2017 for repairs to certain roadways on the campus of Southern University and Agricultural and Mechanical College including F Street and H Street (also known as Farm Road);

WHEREAS, in Baton Rouge, Louisiana on the campus of Southern University and Agricultural and Mechanical College, certain roadways, including F Street and H Street (also known as Farm Road), are in need of immediate repairs due to the partial collapse of H Street and its slope destabilization;

WHEREAS, the damage has created significant drainage problems, which have been exacerbated by flooding that continues to be experienced in the area, which could result in loss of life and property;

WHEREAS, Southern University has requested that the Department of Transportation and Development assist in providing matching funds and manpower to assist in making the necessary repairs to the campus roadways and enhancements;

**EXECUTIVE ORDER JML 24-74**

**Disaster Declaration—Crawfish Aquaculture Industry**

WHEREAS, the Department of Transportation and Development has funds available for use as a match and manpower to help repair the compromised roadways and enhancements on Southern University’s campus;

WHEREAS, R.S. 29:724 confers upon the Governor the power to suspend the provisions of any regulatory statute prescribing the procedures for the conduct of state business if strict compliance with the provisions of any statute would in any way prevent, hinder, or delay necessary action in coping with an emergency;

WHEREAS, pursuant to the Louisiana Homeland Security and Emergency Assistance and Disaster Act, R.S. 29:721, *et seq.*, a state of emergency was declared through Proclamation Number 109 JBE 2017.

WHEREAS, R.S. 48:757 permits the use of state funds on roads outside of the state and federal highway system upon a finding and declaration of an emergency by the Governor.

NOW THEREFORE, I, JEFF LANDRY, Governor of the State of Louisiana, by virtue of the authority vested by the Constitution and the laws of the State of Louisiana, do hereby order and direct as follows:

Section 1: Pursuant to R.S. 48:757, a state of emergency is hereby declared on the campus of Southern University in the City of Baton Rouge for the areas surrounding F and H Streets, for the limited purpose of authorizing the expenditure of state funds to make the necessary repairs to the campus roadways and enhancements.

Section 2: Pursuant to R.S. 29:724, the prohibitions in R.S. 48:757, proscribing the performance of work on a non-state highway system road or street, are hereby suspended to allow for the Department of Transportation and Development to perform the necessary actions to cope with the emergency on Southern University’s campus.

Section 3: The Secretary of the Department of Transportation and Development is hereby authorized to provide funds for the express purpose of meeting the total match that is required to perform the necessary repairs and to provide the manpower necessary to make the repairs to the non-state highway system campus roadways, including F Street and H Street and its enhancements, slope, and drainage.

Section 4: This Order is effective upon signature and shall continue in effect from Friday, May 24, 2024 to Sunday, June 23, 2024, unless terminated sooner.

IN WITNESS WHEREOF, I have set my hand officially and caused to be affixed the Great Seal of Louisiana in the City of Baton Rouge, on this 24<sup>th</sup> day of May 2024.

Jeff Landry  
Governor

ATTEST BY  
THE GOVERNOR  
Nancy Landry  
Secretary of State  
2406#108

WHEREAS, the Louisiana Homeland Security and Emergency Assistance and Disaster Act, R.S. 29:721, *et seq.*, confers upon the Governor of the State of Louisiana emergency powers to deal with emergencies and disasters;

WHEREAS, pursuant to the Louisiana Homeland Security and Emergency Assistance and Disaster Act, R.S. 29:721, *et seq.*, a state of emergency was declared through Executive Order Number JML 24-61 and expires on June 2, 2024;

WHEREAS, the Governor is responsible for meeting the dangers to the State and people presented by disasters;

WHEREAS, when the Governor determines that a disaster has occurred, or the threat thereof is imminent, R.S. 29:724(B)(1) empowers him to declare a state of disaster by executive order or proclamation, or both;

WHEREAS, the State of Louisiana is the top producer of crawfish in the nation, generating an annual harvest between 175 and 200 million pounds;

WHEREAS, the crawfish industry in Louisiana contributes over \$500 million annually to Louisiana’s economy;

WHEREAS, the State of Louisiana experienced extreme drought conditions and record temperatures with heat indices in the 100s through the summer and into the fall of 2023;

WHEREAS, the extreme drought conditions and the resulting lows in the Mississippi River resulted in saltwater intrusion from the Gulf of Mexico and the Intracoastal Waterway;

WHEREAS, 141 JBE 2023 declared a State of Emergency on August 11, 2023, due to the excessive heat, drought conditions, and saltwater intrusion and has been renewed and extended every thirty (30) days through Executive Order Number JML 24-61, which expires June 2, 2024;

WHEREAS, the Small Business Administration issued an Economic Injury Disaster Loan declaration for the State of Louisiana on March 21, 2024 due to the incident of severe or extreme drought experience by the state from 9/19/23 through 12/5/2023;

WHEREAS, the President of the United States signed FEMA-3600-EM-LA on September 27, 2023, declaring Jefferson, Orleans, Plaquemines, and St. Bernard parishes to be impacted due to saltwater intrusion resulting from low water levels of the Mississippi River;

WHEREAS, in November of 2023, the LSU AgCenter compiled a preliminary estimate of the impact of drought and excessive heat on the Louisiana agriculture and forestry sectors;

WHEREAS, the LSU AgCenter found that over 46,300 crawfish acres could not be farmed due to saltwater intrusion, drought, and high temperatures;

WHEREAS, the LSU AgCenter projects that an additional 45,700 crawfish acres failed due to saltwater intrusion, drought, and high temperatures;

WHEREAS, approximately 365,000 crawfish acres have been affected by the conditions of saltwater intrusion, drought, and high temperatures;

WHEREAS, the LSU AgCenter predicts a statewide yield loss of 54% across the 365,000 affected crawfish acres;

WHEREAS, the exact fiscal impact to the State is indeterminable, and damages to the State's crawfish agriculture industry alone are estimated to total \$139.8 million;

NOW THEREFORE, I, JEFF LANDRY, Governor of the State of Louisiana, by virtue of the authority vested by the Constitution and laws of the State of Louisiana, order and direct as follows:

Section 1: Pursuant to the Louisiana Homeland Security and Emergency Assistance and Disaster Act, R.S. 29:721, *et seq.*, a state of disaster is declared to exist in Louisiana.

Section 2: All departments, commissions, boards, agencies and officers of the State, or any political subdivision thereof, are authorized and directed to cooperate in actions the State may take in response to this event.

Section 3: This Order is effective upon signature and shall continue in effect from Friday, May 31, 2024, until Sunday, June 30, 2024, unless amended, modified, terminated, or rescinded earlier by the Governor, or terminated by operation of law.

IN WITNESS WHEREOF, I have set my hand officially and caused to be affixed the Great Seal of Louisiana in the City of Baton Rouge, on this 31<sup>st</sup> day of May 2024.

Jeff Landry  
Governor

ATTEST BY  
THE GOVERNOR  
Nancy Landry  
Secretary of State  
2406#109

### EXECUTIVE ORDER JML 24-75

#### Renewal of State of Emergency—Severe Storms and Tornadoes—December 13, 2022

WHEREAS, the Louisiana Homeland Security and Emergency Assistance and Disaster Act, R.S. 29:721, *et seq.*, confers upon the Governor of the State of Louisiana emergency powers to deal with emergencies and disasters, including those caused by fire, flood, earthquake or other natural or manmade causes, in order to ensure that preparations of the state will be adequate to deal with such emergencies or disasters and to preserve the lives and property of the people of the State of Louisiana;

WHEREAS, when the Governor determines that a disaster or emergency has occurred, or the threat thereof is imminent, R.S. 29:724(B)(1) empowers him to declare a state of emergency by executive order or proclamation, or both;

WHEREAS, the National Weather Service indicated a high risk of numerous severe thunderstorms beginning on the late evening of Tuesday, December 13, 2022 throughout the night into most of the day on Wednesday, December 14, 2022, with the possibility of tornadoes, damaging winds gust, excessive rain, and moderate to large hail;

WHEREAS, by Tuesday night, it was reported that one or more tornadoes had touched down in Caddo, near Four Forks, Louisiana, with several more tornadoes having been reported in Union, Rapides, Madison, East Carroll, and Franklin parishes;

WHEREAS, the tornadoes caused significant damage and power outages throughout northwest and northcentral Louisiana, with a report of two known deaths related to these tornadoes;

WHEREAS, severe damage was caused by the tornados to the safety, health, and security of the citizens of the state, along with damage to private property and public facilities;

WHEREAS, Proclamation Number 183 JBE 2022 has been renewed and extended every thirty (30) days through Executive Order Number JML 24-62, which ends on June 2, 2024, and;

WHEREAS, there is a need to continue Executive Order Number JML 24-62 because several parishes are still working to recover from the damage caused by these storms.

NOW THEREFORE, I, JEFF LANDRY, Governor of the State of Louisiana, by virtue of the authority vested by the Constitution and the laws of the State of Louisiana, do hereby order and direct as follows:

Section 1: Pursuant to the Louisiana Homeland Security and Emergency Assistance and Disaster Act, R.S. 29:721, *et seq.*, a state of emergency is hereby declared to exist in the State of Louisiana as a result of the imminent threat of emergency conditions that threaten the lives and property of the citizens of the State.

Section 2: The Director of the Governor's Office of Homeland Security and Emergency Preparedness (GOHSEP) is hereby authorized to undertake any activity authorized by law that he deems appropriate in response to this declaration.

Section 3: Pursuant to R.S. 29:732, during a declared state of emergency, the prices charged or value received for goods and services sold within the designated emergency area may not exceed the prices ordinarily charged for comparable goods and services in the same market area at or immediately before the time of the state of emergency, unless the price by the seller is attributable to fluctuations in applicable commodity markets, fluctuations in applicable regional or national market trends, or to reasonable expenses and charges and attendant business risk incurred in procuring or selling the goods or services during the state of emergency.

Section 4: Pursuant to R.S. 29:724(D)(1), the Louisiana Procurement Code (R.S. 39:1551, *et seq.*) and Louisiana Public Bid Law (R.S. 38:2211, *et seq.*) and their corresponding rules and regulations are hereby suspended for the purpose of the procurement of any good or services necessary to respond to this emergency, including emergency contracts, cooperative endeavor agreements, and any other emergency amendments to existing contracts.

Section 5: All departments, commissions, boards, agencies and officers of the State, or any political subdivision thereof, are authorized and directed to cooperate in actions the State may take in response to the effects of this severe weather event.

Section 6: This order is effective upon signature and shall remain in effect from Friday, May 31, 2024 to Sunday, June 30, 2024, unless terminated sooner.

IN WITNESS WHEREOF, I have set my hand officially and caused to be affixed the Great Seal of Louisiana in the City of Baton Rouge, on this 31<sup>st</sup> day of May 2024.

Jeff Landry  
Governor

ATTEST BY  
THE GOVERNOR  
Nancy Landry  
Secretary of State  
2406#110

### EXECUTIVE ORDER JML 24-76

#### Renewal of State of Emergency—Heat-Related Emergencies

WHEREAS, pursuant to the Louisiana Homeland Security and Emergency Assistance and Disaster Act, R.S. 29:721, *et seq.*, a state of emergency was declared through Proclamation Number 141 JBE 2023 and has been renewed and extended every thirty (30) days through Executive Order Number JML 24-63, which expires on June 2, 2024;

WHEREAS, when the Governor determines that a disaster or emergency has occurred, or the threat thereof is imminent, R.S. 29:724(B)(l) empowers him to declare a state of emergency by executive order or proclamation, or both;

WHEREAS, the National Weather Service has issued a record number of excessive heat warnings, with heat indices in the 100s, through the summer and into the fall of 2023;

WHEREAS, in addition to the extreme heat, minimal rainfall during these months led to drought conditions throughout most of the state, stressing the abilities of water districts to produce drinking water to its residents and businesses and increasing the threat of wildfires;

WHEREAS, the Office of Public Health advised that several water systems have experienced water outages, equipment breakdown, and boil advisories due to the drought conditions, saltwater intrusion, and increased water demand;

WHEREAS, the Louisiana State Fire Marshal and the Commissioner of the Department of Agriculture and Forestry issued a statewide burn ban on August 7, 2023 that was extended through November 21, 2023 due to the extremely dry conditions;

WHEREAS, although the drought has lessened, heat-related emergencies continue throughout Louisiana;

WHEREAS, the parishes affected by these heat-related emergencies continue to require assistance from the State of Louisiana to provide resources to combat the threats in order to protect the life, safety, and welfare of the citizens of Louisiana;

WHEREAS, R.S. 29:724 authorizes the governor during a declared state of emergency to suspend the provisions of any state regulatory statute prescribing procedures for conducting state business, or the orders, rules or regulations of any state agency, if strict compliance with the provision of any statute, order, rule, or regulation would in any way prevent, hinder, or delay necessary action in coping with the emergency, and;

WHEREAS, it is necessary to continue the measures provided in Proclamation Number 141 JBE 2023 to further protect the health and safety of the citizens of Louisiana.

NOW THEREFORE, I, JEFF LANDRY, Governor of the State of Louisiana, by virtue of the authority vested by the Constitution and the laws of the State of Louisiana, do hereby order and direct as follows:

Section 1: Pursuant to the Louisiana Homeland Security and Emergency Assistance and Disaster Act, R.S. 29:721, *et seq.*, a state of emergency is hereby declared to exist in the State of Louisiana as a result of the imminent threat of emergency conditions that threaten the lives and property of the citizens of the State.

Section 2: The Director of the Governor's Office of Homeland Security and Emergency Preparedness (GOHSEP) is hereby authorized to undertake any activity authorized by law which he deems appropriate in response to this declaration.

Section 3: Pursuant to R.S. 29:732, during a declared state of emergency, the prices charged or value received for goods and services sold within the designated emergency area may not exceed the prices ordinarily charged for comparable goods and services in the same market area at or immediately before the time of the state of emergency, unless the price by the seller is attributable to fluctuations in applicable commodity markets, fluctuations in applicable regional or national market trends, or to reasonable expenses and charges and attendant business risk incurred in procuring or selling the goods or services during the state of emergency.

Section 4: Pursuant to R.S. 29:724(D)(l), the Louisiana Procurement Code (R.S. 39:1551, *et seq.*) and Louisiana Public Bid Law (R.S. 38:2211, *et seq.*) and their corresponding rules and regulations are hereby suspended for the purpose of the procurement of any good or services necessary to respond to this emergency, including emergency contracts, cooperative endeavor agreements, and any other emergency amendments to existing contracts.

Section 5: All departments, commissions, boards, agencies and officers of the State, or any political subdivision thereof, are authorized and directed to cooperate in actions the State may take in response to this event.

Section 6: This order is effective upon signature and shall remain in effect from Friday, May 31, 2024, until Sunday, June 30, 2024, unless terminated sooner.

IN WITNESS WHEREOF, I have set my hand officially and caused to be affixed the Great Seal of Louisiana in the City of Baton Rouge, on this 31<sup>st</sup> day of May 2024.

Jeff Landry  
Governor

ATTEST BY  
THE GOVERNOR  
Nancy Landry  
Secretary of State  
2406#112

## EXECUTIVE ORDER JML 24-77

### Natural Resources Steering Commission

WHEREAS, Executive Order JML 24-13 ordered a review of the management of the State's natural resources;

WHEREAS, Executive Order JML 24-13 directed the Secretary of the Department of Energy and Natural Resources ("DENR") to review and consider ways to better coordinate and consolidate DENR, the Coastal Protection and Restoration Authority, the Louisiana Oil Spill Coordinator's Office, and other specified State boards and commissions dealing with natural resources and energy matters;

WHEREAS, on February 23, 2024, the Secretary of DENR issued a Request for Action to this administration seeking the establishment of a steering committee to identify solutions on each issue of natural resources management, creating a forum for clear directives outlining the division of regulatory, enforcement, support, and management functions within DENR;

WHEREAS, on March 11, 2023, I issued a letter to the Secretary of DENR setting forth my intent to establish the Natural Resources Steering Commission ("NRSC") to comprehensively review and coordinate all aspects of natural resources management throughout the state of Louisiana;

WHEREAS, it is envisioned that in carrying out their duties the NRSC will promote organizational alignment across agencies, governmental efficiency and coordination, the standardization of governmental policies and guidelines, increased collaboration and data sharing, strategic planning, outcome-based programs, continuous improvement, and demand-oriented energy planning, driving towards efficient operations in natural resources regulation, enforcement, management, and support functions;

WHEREAS, it is envisioned that in carrying out their duties the NRSC shall work to accomplish its goals on a reasonable but expedited schedule to promote meaningful change in line with upcoming fiscal shortfalls and to review further coordination and/or consolidation of the natural resources regulatory, enforcement, management, and support functions of the State in the future;

NOW THEREFORE, I, JEFF LANDRY, Governor of the State of Louisiana, by virtue of the authority vested by the Constitution and the laws of the State of Louisiana, do hereby order and direct as follows:

Section 1: The Natural Resources Steering Commission (hereafter "Commission") is established within the Office of the Governor.

Section 2: The duties of the Commission shall include, but are not limited to, the following:

A. Evaluating all aspects of natural resources management throughout the State of Louisiana;

B. Identifying and implementing effective solutions driving towards efficient operations in natural resources regulation, enforcement, management, and support functions;

C. Analyzing the investigation and proposals presented by the working groups established by DENR in furtherance of the priorities established in Executive Order JML 24-13;

D. Soliciting input and recommendations from all agencies, departments, and any other stakeholders of the State's natural resources and energy regulatory, enforcement, management, and support functions;

E. Conducting analysis and assessment of Louisiana's natural resources regulatory, enforcement, management, and support functions to investigate further coordination and/or consolidation;

F. Aligning the State's natural resources regulation, enforcement, management, and support functions in accordance with the priorities established in Executive Order JML 24-13, and all subsequent letters; and

G. Acting in an advisory capacity to the Governor and DENR pursuant to the priorities established in Executive Order JML 24-13.

Section 3: By September 1, 2024, the Commission shall submit a comprehensive written report to the Governor on the issues set forth in Section 2 of this Order.

Section 4: The Commission shall be composed of five (5) members as follows:

1. The Governor's Executive Assistant for Coastal Activities;

2. The Secretary of DENR;

3. The Commissioner of Conservation for DENR;

4. Two (2) members appointed by the Governor.

Section 5: The Governor's Executive Assistant for Coastal Activities shall serve as chairman of the Commission. The Commission may elect other officers, as deemed necessary.

Section 6: The Commission shall meet at least once in calendar year 2024 and at the call of the chair.

Section 7: Commission members shall not receive additional compensation or a per diem from the Office of the Governor for serving on the Commission.

Section 8: Support staff, facilities, and resources for the Commission shall be provided by the Office of the Governor.

Section 9: All departments, commissions, boards, offices, entities, agencies, and officers of the State of Louisiana, or any political subdivision thereof, are authorized and directed to cooperate with the Commission in implementing the provisions of this Order.

Section 10: This Order is effective upon signature and shall continue in effect until amended, modified, terminated, or rescinded by the Governor, or terminated by operation of law.

IN WITNESS WHEREOF, I have set my hand officially and caused to be affixed the Great Seal of Louisiana in the City of Baton Rouge, on this 4<sup>th</sup> day of June, 2024.

Jeff Landry  
Governor

ATTEST BY  
THE GOVERNOR  
Nancy Landry  
Secretary of State  
2406#113

## EXECUTIVE ORDER JML 24-78

State of Emergency—Severe Storms and Tornadoes  
May 14-17, 2024 Amended

WHEREAS, the Louisiana Homeland Security and Emergency Assistance and Disaster Act, La. R.S. 29:721, *et seq.*, confers upon the Governor of the State of Louisiana emergency powers to deal with emergencies and disasters, including those caused by fire, flood, earthquake or other natural or manmade causes, in order to ensure that preparations of this State will be adequate to deal with such emergencies or disasters and to preserve the lives and property of the people of the State of Louisiana;

WHEREAS, when the Governor determines that a disaster or emergency has occurred, or the threat thereof is imminent, La. R.S. 29:724(B)(1) empowers him to declare a state of emergency by executive order or proclamation, or both;

WHEREAS, the National Weather Service (“NWS”) issued multiple warnings from May 13, 2024 through May 17, 2024 in anticipation of several lines of severe thunderstorms travelling through the State threatening severe straight-line winds, flooding, hail, and possible tornadoes;

WHEREAS, the NWS has confirmed that a tornado struck the parish of Pointe Coupee on May 13-14, 2024, causing power outages of greater than 50% parish-wide, causing damage to at least 14 homes and destroying one mobile home. This required the parish to declare a state of emergency and execute its emergency response plans;

WHEREAS, the NWS has also confirmed that a tornado struck the parish of West Baton Rouge on May 13-14, 2024, causing damage to several homes and causing at least two fatalities. This required the parish to declare a state of emergency and execute its emergency response plans;

WHEREAS, the NWS has also confirmed that a tornado struck the parish of St. Martin on May 13-14, 2024, causing damage to at least nine homes, 19 mobile homes, four businesses and one public building, injuring 9 people and causing one fatality. It is estimated that there is 150,000 cubic yards of vegetative debris in the Henderson Area, which does not include other areas requiring debris removal. This required the parish to declare a state of emergency and execute its emergency response plans;

WHEREAS, the NWS has also confirmed that a tornado struck the parish of Iberville on May 13-14, 2024, causing damage to one home, four mobile homes, and two public buildings. This required the parish to declare a state of emergency and execute its emergency response plans;

WHEREAS, the NWS has also confirmed that a tornado struck the parish of St. James on May 17, 2024, causing power outages of greater than 9% in the community near Convent, Louisiana and damaging 47 homes. This required the parish to declare a state of emergency and execute its emergency response plans;

WHEREAS, the NWS has also confirmed 80 mph straight-line wind in the parish of East Feliciana on May 16, 2024 causing 22.75% power outages in the parish, and significant damage and debris in the parish. This required the parish to declare a state of emergency and execute its emergency response plans;

WHEREAS, the NWS has also confirmed 78 mph straight-line winds in the parish of Lafayette on May 16,

2024 causing 49% power outages in the parish, and significant damage and debris in the parish. This required the parish to declare a state of emergency and execute its emergency response plans; and

WHEREAS, numerous other parishes have issued emergency declarations, and executed their emergency response plans, and may require assistance from the State of Louisiana to provide resources to protect the life, safety, and welfare of the citizens of Louisiana.

NOW THEREFORE, I, JEFF LANDRY, Governor of the State of Louisiana, by virtue of the authority vested by the Constitution and laws of the State of Louisiana, order and direct as follows:

Section 1: Pursuant to the Louisiana Homeland Security and Emergency Assistance and Disaster Act, R.S. 29:721, *et seq.*, a state of emergency is hereby declared to exist as a result of the emergency conditions that currently threaten the lives, safety, and property of the citizens in Louisiana. State resources will be utilized to provide the following assistance in the parishes indicated:

A. Debris Removal Assistance: The State will provide assistance in the form of 75% of costs related to debris removal that are incurred within the first ten (10) days of debris operations or a validly issued Notice to Proceed to a debris contractor for the following parishes: *St. Martin, Iberville, West Baton Rouge, Point Coupee, St. James, East Feliciana and Lafayette.*

B. Shelter Assistance: The State will provide assistance in the form of 75% of costs related to sheltering that are incurred within the first seven (7) days from the Incident Date for the parish of *St. James.*

C. Emergency Protective Measures: The State will provide assistance in the form of 75% of costs attributable to emergency protective measures (limited to overtime pay) related to this event that are incurred on the Incident Date for the following parishes: *St. Martin, Iberville; West Baton Rouge, Point Coupee, St. James, East Feliciana, and Lafayette.*

Section 2: The State will review resource requests submitted through WebEOC from all parishes, and will allocate resources as necessary to assist parishes in their recovery efforts. As incident impacts and parish resource requests are reviewed and validated, this section will be amended to identify those parishes authorized to receive State resources.

Section 3: The Director of the Governor's Office of Homeland Security and Emergency Preparedness (GOHSEP) is hereby authorized to undertake any activity authorized by law that he deems appropriate in response to this declaration.

Section 4: Pursuant to R.S. 29:732, during a declared state of emergency, the prices charged or value received for goods and services sold within the designated emergency area may not exceed the prices ordinarily charged for comparable goods and services in the same market area at or immediately before the time of the state of emergency, unless the price by the seller is attributable to fluctuations in applicable commodity markets, fluctuations in applicable regional or national market trends, or to reasonable expenses and charges and attendant business risk incurred in procuring or selling the goods or services during the state of emergency.

Section 5: Pursuant to R.S. 29:724(D)(1), the Louisiana Procurement Code (R.S. 39:1551. et seq.) and Louisiana Public Bid Law (R.S. 38:2211, et seq.) and their corresponding rules and regulations are hereby suspended for the purpose of the procurement of any good or services necessary to respond to this emergency by the following parishes: *St. Martin, Iberville; West Baton Rouge, Point Coupee, St. James, East Feliciana, and Lafayette* including emergency contracts, cooperative endeavor agreements, and any other emergency amendments to existing contracts.

Section 6: All departments, commissions, boards, agencies and officers of the State, or any political subdivision thereof, are authorized and directed to cooperate in actions the State may take in response to this event.

Section 7: This Order amends JML 24-72 effective May 14, 2024 and shall continue in effect until Thursday, June 13, 2024, unless amended, modified, terminated, or rescinded earlier by the Governor, or terminated by operation of law.

IN WITNESS WHEREOF, I have set my hand officially and caused to be affixed the Great Seal of Louisiana in the City of Baton Rouge, on this 5<sup>th</sup> day of June, 2024.

Jeff Landry  
Governor

ATTEST BY  
THE GOVERNOR  
Nancy Landry  
Secretary of State  
2406#114

### EXECUTIVE ORDER JML 24-79

#### Renewal of State of Emergency—Hurricane Ida

WHEREAS, the Louisiana Homeland Security and Emergency Assistance and Disaster Act, R.S. 29:721, et seq., confers upon the Governor of the State of Louisiana emergency powers to deal with emergencies and disasters, including those caused by fire, flood, earthquake, or other natural or manmade causes, in order to ensure that preparations of this state will be adequate to deal with such emergencies or disasters and to preserve the lives and property of the people of the State of Louisiana;

WHEREAS, pursuant to the Louisiana Homeland Security and Emergency Assistance and Disaster Act, R.S. 29:721, et seq., Governor John Bel Edwards declared a state of emergency in response to the imminent threat posed by Hurricane Ida on August 26, 2021, in Proclamation Number 165 JBE 2021;

WHEREAS, Proclamation Number 165 JBE 2021 has been renewed and extended every thirty (30) days through JML 24-65, which is in effect through Sunday, June 9, 2024;

WHEREAS, Hurricane Ida made landfall on the Louisiana coast as a major hurricane on Sunday, August 29, 2021, bringing devastating winds, widespread power-outages, and severe damage to Louisiana and its citizens.

WHEREAS, on August 27, 2021, President Joseph R. Biden approved an Emergency Declaration for the State of Louisiana, authorizing appropriate assistance under Title V of the Stafford Act, to be coordinated by the United States

Department of Homeland Security and the Federal Emergency Management Agency;

WHEREAS, on August 29, 2021, President Biden approved a Major Disaster Declaration for the State of Louisiana, authorizing individual and public assistance for all impacted parishes;

WHEREAS, R.S. 29:724 authorizes the governor during a declared state of emergency to suspend the provisions of any state regulatory statute prescribing procedures for conducting state business, or the orders, rules or regulations of any state agency, if strict compliance with the provision of any statute, order, rule, or regulation would in any way prevent, hinder, or delay necessary action in coping with the emergency;

WHEREAS, damage from this storm continues to pose a threat to citizens and communities across the Gulf Coast and create conditions that place lives and property in the state in jeopardy;

NOW THEREFORE, I, JEFF LANDRY, Governor of the State of Louisiana, by virtue of the authority vested by the Constitution and the laws of the State of Louisiana, do hereby order and direct as follows:

Section 1: Pursuant to the Louisiana Homeland Security and Emergency Assistance and Disaster Act, R.S. 29:721, et seq., a state of emergency is hereby declared to continue to exist statewide in the State of Louisiana as a result of the threat of emergency conditions that threaten the lives and property of the citizens of the State.

Section 2: The Director of the Governor's Office of Homeland Security and Emergency Preparedness (GOHSEP) is hereby authorized to continue to undertake any activity authorized by law that he deems appropriate in response to this declaration.

Section 3: Pursuant to R.S. 29:732, during a declared state of emergency, the prices charged or value received for goods and services sold within the designated emergency area may not exceed the prices ordinarily charged for comparable goods and services in the same market area at or immediately before the time of the state of emergency, unless the price by the seller is attributable to fluctuations in applicable commodity markets, fluctuations in applicable regional or national market trends, or to reasonable expenses and charges and attendant business risk incurred in procuring or selling the goods or services during the state of emergency.

Section 4: Pursuant to R.S. 29:724(D)(1), the Louisiana Procurement Code (R.S. 39:1551, et seq.) and Louisiana Public Bid Law (R.S. 38:2211, et seq.) and their corresponding rules and regulations continue to be suspended for the purpose of the procurement of any goods or services necessary to respond to this emergency, including emergency contracts, cooperative endeavor agreements, and any other emergency amendments to existing contracts.

Section 5: Pursuant to R.S. 29:724(D)(1), the provisions of R.S. 39:126 regarding prior approval of change orders continue to be suspended.

Section 6: All departments, commissions, boards, agencies and officers of the State, or any political subdivision thereof, are authorized and directed to cooperate in actions the State may take in response to the effects of this severe weather event.

Section 7: This Order is effective upon signature and shall continue in effect from Friday, June 7, 2024 to Sunday, July 7, 2024, unless amended, modified, or terminated sooner.

IN WITNESS WHEREOF, I have set my hand officially and caused to be affixed the Great Seal of Louisiana in the City of Baton Rouge, on this 7<sup>th</sup> day of June 2024.

Jeff Landry  
Governor

ATTEST BY  
THE GOVERNOR  
Nancy Landry  
Secretary of State  
2406#115

### EXECUTIVE ORDER JML 24-80

#### Renewal of State of Emergency—Police Officer Shortage

WHEREAS, the Louisiana Homeland Security and Emergency Assistance and Disaster Act, R.S. 29:721, *et seq.*, confers upon the Governor of the State of Louisiana emergency powers to deal with emergencies and disasters;

WHEREAS, pursuant to the Louisiana Homeland Security and Emergency Assistance and Disaster Act, R.S. 29:721, *et seq.*, Governor Jeff Landry declared a state of emergency in response to the imminent threat of emergency conditions that threaten the lives, property, and safety of the citizens of the State for the limited purpose of R.S. 14:139.1 (C)(1), in JML 24-22;

WHEREAS, this emergency has been renewed and extended every thirty (30) days through JML 24-66, which is in effect through Sunday, June 9, 2024;

WHEREAS, our Nation and State are experiencing a police officer staffing crisis, and law enforcement agencies are losing officers faster than they can hire new ones;

WHEREAS, nationally, law enforcement agencies experienced 47% more resignations in 2022 than in 2019 and 20% more retirements in 2022 than in 2019;

WHEREAS, 78% of national law enforcement agencies reported having difficulty in recruiting qualified candidates, and 65% reported having too few candidates applying to be law enforcement officers;

WHEREAS, 50% of national law enforcement agencies reported having to change agency policies to increase the chances of gaining qualified applicants, and 25% reported having to reduce or eliminate certain agency services, units, or positions because of staffing difficulties;

WHEREAS, the national police officer shortage has affected Louisiana with departments experiencing record-low employment and an increase in police officer response times resulting in an increased threat to the lives, property, and safety of persons within the State of Louisiana;

WHEREAS, the Louisiana Sheriffs' Association estimates that Louisiana sheriffs' offices were down approximately 1,800 deputies statewide as of July 2023;

WHEREAS, there currently exists a shortage of law enforcement officers in the State of Louisiana;

WHEREAS, the provisions of R.S. 14:139.1 do not apply when a public emergency necessitates an increase in the number of deputies;

NOW THEREFORE, I, JEFF LANDRY, Governor of the State of Louisiana, by virtue of the authority vested by the Constitution and the laws of the State of Louisiana, do hereby order and direct as follows:

Section 1: Pursuant to the Louisiana Homeland Security and Emergency Assistance and Disaster Act, R.S. 29:721, *et seq.*, a state of emergency is hereby declared to continue to exist in the State of Louisiana as a result of the imminent threat of emergency conditions that threaten the lives, property, and safety of the citizens of the State for the limited purpose of R.S. 14:139.1 (C)(1).

Section 2: This Order is effective upon signature and shall continue in effect from Friday, June 7, 2024 to Monday, July 1, 2024, unless amended, modified, or terminated sooner.

IN WITNESS WHEREOF, I have set my hand officially and caused to be affixed the Great Seal of Louisiana in the City of Baton Rouge, on this 7<sup>th</sup> day of June 2024.

Jeff Landry  
Governor

ATTEST BY  
THE GOVERNOR  
Nancy Landry  
Secretary of State  
2406#116

### EXECUTIVE ORDER JML 24-81

#### Renewal of State of Emergency—Threat of Subsidence, Subsurface Instability, and Presence of Hydrocarbons in Sulphur Mines Salt Dome Area

WHEREAS, pursuant to the Louisiana Homeland Security and Emergency Assistance and Disaster Act, R.S. 29:721, *et seq.*, a state of emergency was declared through Proclamation Number 160 JBE 2023;

WHEREAS, Proclamation Number 160 JBE 2023 has been renewed and extended every thirty (30) days through JML 24-67 which is in effect through Sunday, June 9, 2024;

WHEREAS, when the Governor determines that a disaster or emergency has occurred, or the threat thereof is imminent, R.S. 29:724(B)(1) empowers the Governor to declare a state of emergency by executive order or proclamation, or both;

WHEREAS, local, state, and federal agencies began monitoring subsurface seismic activity occurring in the vicinity of the Sulphur Mines salt dome in Calcasieu Parish in December of 2021, with a true seismic monitoring array being ordered by the Office of Conservation, which came online in January of 2023;

WHEREAS, the Office of Conservation began investigating unexplained hydrocarbon bubbling within the area of concern in January of 2023, as well as monitoring seismicity, and the rate of subsidence in the area of concern;

WHEREAS, on Wednesday September 20, 2023, in response to this subsidence and seepage, Commissioner of Conservation, Monique M. Edwards made a declaration of emergency under the authority of Louisiana Revised Statutes 30:1 *et seq.*, ordering the operator of the salt cavern underneath the area of subsidence to undertake all necessary



activities to evaluate and abate any deterioration of the cavern's integrity;

WHEREAS, the State anticipates that further assistance may be needed to assist Calcasieu Parish in their response to this continuing threat; and

WHEREAS, it is necessary to continue the measures provided in Proclamation Number 160 JBE 2023 to further protect the health and safety of the citizens of Louisiana;

NOW THEREFORE I, JEFF LANDRY, Governor of the State of Louisiana, by virtue of the authority vested by the Constitution and laws of the State of Louisiana, do hereby order and direct as follows:

Section 1: Pursuant to the Louisiana Homeland Security and Emergency Assistance and Disaster Act, R.S. 29:721 *et seq.*, a state of emergency is hereby declared to exist in the Parish of Calcasieu, as a result of seismic activity, lost cavern integrity, increased hydrocarbon bubbling, and accelerated subsidence, that collectively indicate a potential for structural failure that could potentially threaten the lives and property of the citizens of the State.

Section 2: The Director of the Governor's Office of Homeland Security and Emergency Preparedness is hereby authorized to undertake any activity authorized by law which he deems appropriate in response to this declaration.

Section 3: All departments, commissions, boards, agencies, and officers of the State or any political subdivision thereof, are authorized and directed to cooperate in actions, the State may take in response to this incident.

Section 4: This Order is effective upon signature and shall continue in effect from Friday, June 7, 2024 to Sunday, July 7, 2024, unless amended, modified, or terminated sooner.

IN WITNESS WHEREOF, I have set my hand officially and caused to be affixed the Great Seal of Louisiana in the City of Baton Rouge, on this 7<sup>th</sup> day of June 2024.

Jeff Landry  
Governor

ATTEST BY  
THE GOVERNOR  
Nancy Landry  
Secretary of State  
2406#117

# Emergency Rules

## DECLARATION OF EMERGENCY

Office of the Governor  
Division of Administration  
Racing Commission

Controlled Medication (LAC 35:I.1725)

In accordance with the emergency provisions of the Administrative Procedures Act, R.S. 49:962, the Racing Commission has adopted LAC 35:I.1725. This action has been deemed necessary by the Racing Commission to prevent imminent peril to the public health, safety, and welfare by updating its controlled therapeutic medication schedule for horses in fulfillment of the Legislature's mandate to the Racing Commission "to encourage forceful and honest statewide control of horse racing for the public health, safety, and welfare by safeguarding the people of this state against corrupt, incompetent, dishonest and unprincipled horse racing practices" and "[t]o institute and maintain a program to encourage and permit development of the business of horse racing with pari-mutual wagering thereon on a higher plane." R.S. 4:141(A) and (A)(1).

All in fulfillment of the Legislature's mandate for the Racing Commission to "institute and maintain a regulatory program for the business of racing horses, which program assures the protection of public health, safety and welfare, vesting with the commission forceful statewide control of horse racing with full powers to prescribe rules and regulations and conditions under which all horse racing is conducted with wagering upon the result thereof with the state." R.S. 4:141(A)(3).

This emergency adoption updates the Racing Commission's controlled therapeutic medication schedule for horses by adding additional medications and changing allowable dosage and/or withdrawal times. This Emergency Rule shall become effective June 8, 2024 and shall remain in effect for a period of 180 days from adoption, or until finally adopted as Rule.

### Title 35 HORSE RACING

#### Part I. General Provisions

#### Chapter 17. Corrupt and Prohibited Practices

##### §1725. Controlled Medication

A. Controlled medications are permitted in Louisiana as set forth in the Controlled Therapeutic Medication Schedule for Horses – Version 4.1 as published by the Association of Racing Commissioners International, Inc. and shall only be administered as therein prescribed and regulated at the threshold levels set forth in said list, with the following exceptions:

1. The following medications may only be used intravenously on thoroughbreds at the specified dosages, either as one of the following medications administered at a withdrawal time of 24 hours at the specified dosages or as a combination of two of the following medications administered within 48 hours at a withdrawal time of 48

hours for the first medication and at a withdrawal time of 24 hours for the second medication at the specified dosages:

- a. phenylbutazone at a dosage of up to 2 grams;
- b. Banamine, or flunixin meglumine, at a dosage of up to 500 milligrams; and
- c. Ketofen, or ketoprofen, at a dosage of up to 1 gram.

2. The following medications may only be used one at a time intravenously on thoroughbreds and may not be used in combination at the specified withdrawal times and dosages:

- a. dexamethasone at a dosage of up to 20 milligrams with a withdrawal time of 48 hours; and
- b. triamcinolone at a dosage of up to 10 milligrams with a withdrawal time of 72 hours.

3. The following medications may only be used one at a time intra-articularly on thoroughbreds, or as joint injections, at a withdrawal time of 7 days at the specified dosages and may not be used in any combination at a withdrawal time of 7 days at the specified dosages:

- a. triamcinolone at a dosage of up to 20 milligrams;
- b. Depo-Medrol, or methylprednisolone acetate, at a dosage of up to 200 milligrams; and
- c. betamethasone at a dosage of up to 60 milligrams;

4. The following medications may only be used on thoroughbreds at the specified withdrawal times and dosages:

- a. dimethyl sulfoxide (DMSO), administered intravenously, at a dosage of up to 100 milliliters with a withdrawal time of 24 hours;
- b. methocarbamol at a dosage of up to 2 grams with a withdrawal time of 48 hours;
- c. dantrolene at a dosage of up to 500 milligrams with a withdrawal time of 24 hours;
- d. acepromazine, administered orally or intravenously, at a dosage of up to 50 milligrams with a withdrawal time of 48 hours;
- e. xylazine at a dosage of up to 300 milligrams with a withdrawal time of 24 hours;
- f. detomidine at a dosage of up to 10 milligrams with a withdrawal time of 24 hours;
- g. Ventipulmin, or clenbuterol hydrochloride, at a dosage of up to 725 micrograms with a withdrawal time of 72 hours;
- h. butorphanol at a dosage of up to 10 milligrams with a withdrawal time of 48 hours;
- i. omeprazole with no withdrawal time;
- j. calcium gluconate or calcium-magnesium-phosphorous-potassium-dextrose solution (CMPK) with no withdrawal time; and
- k. acetylcysteine with no withdrawal time;

B. The Controlled Therapeutic Medication Schedule for Horses – Version 4.1 as published by the Association of Racing Commissioners International, Inc., shall be maintained on the commission website and at the domicile office and be made available to the public upon request.

AUTHORITY NOTE: Promulgated in accordance with R.S. 4:148.

HISTORICAL NOTE: Adopted by the Racing Commission in 1971, promulgated by the Department of Commerce, Racing Commission, LR 2:449 (December 1976), amended LR 3:45 (January 1977), LR 4:287 (August 1978), amended by the Office of the Governor, Division of Administration, Racing Commission, LR 41:1672 (September 2015), LR 50:

Stephen Landry  
Executive Director

2406#003

**DECLARATION OF EMERGENCY**

**Office of the Governor  
Division of Administration  
Racing Commission**

Controlled Medication (LAC 35:I.1725)

In accordance with the emergency provisions of the Administrative Procedures Act, R.S. 49:962, the Racing Commission has adopted LAC 35:I.1725. This action has been deemed necessary by the Racing Commission to prevent imminent peril to the public health, safety, and welfare by updating its controlled therapeutic medication schedule for horses in fulfillment of the Legislature’s mandate to the Racing Commission “to encourage forceful and honest statewide control of horse racing for the public health, safety, and welfare by safeguarding the people of this state against corrupt, incompetent, dishonest and unprincipled horse racing practices” and “[t]o institute and maintain a program to encourage and permit development of the business of horse racing with pari-mutual wagering thereon on a higher plane.” R.S. 4:141(A) and (A)(1).

All in fulfillment of the Legislature’s mandate for the Racing Commission to “institute and maintain a regulatory program for the business of racing horses, which program assures the protection of public health, safety and welfare, vesting with the commission forceful statewide control of horse racing with full powers to prescribe rules and regulations and conditions under which all horse racing is conducted with wagering upon the result thereof with the state.” R.S. 4:141(A)(3).

This emergency adoption returns the Racing Commission’s controlled therapeutic medication schedule for horses to the schedule that existed prior to the adoption of the two prior emergency rules. This Emergency Rule shall become effective June 7, 2024 and shall remain in effect for a period of 180 days from adoption.

**Title 35**

**HORSE RACING**

**Part I. General Provisions**

**Chapter 17. Corrupt and Prohibited Practices**

**§1725. Controlled Medication**

A. Controlled medications are permitted in Louisiana as set forth in the *Controlled Therapeutic Medication Schedule for Horses—Version 4.1* as published by the Association of Racing Commissioners International, Inc. and shall only be administered as therein prescribed and regulated at the threshold levels set forth in said list.

B. The *Controlled Therapeutic Medication Schedule for Horses—Version 4.1* as published by the Association of Racing Commissioners International, Inc., shall be maintained on the commission website and at the domicile office and be made available to the public upon request.

AUTHORITY NOTE: Promulgated in accordance with R.S. 4:148.

HISTORICAL NOTE: Adopted by the Racing Commission in 1971, promulgated by the Department of Commerce, Racing Commission, LR 2:449 (December 1976), amended LR 3:45 (January 1977), LR 4:287 (August 1978), amended by the Office of the Governor, Division of Administration, Racing Commission, LR 41:1672 (September 2015), LR 50:

Stephen Landry  
Executive Director

2406#039

**DECLARATION OF EMERGENCY**

**Department of Wildlife and Fisheries  
Wildlife and Fisheries Commission**

2024 Recreational Gag Grouper Season Modification

Louisiana’s recreational gag grouper season was previously scheduled to open on July 1, 2024. The regional administrator of NOAA Fisheries has informed the secretary that the 2024 recreational season for the harvest of gag grouper in the federal waters of the Gulf of Mexico has been modified and will open on September 1, 2024 until NOAA Fisheries projects the annual allocation has been met. The most recent gag grouper population assessment indicated the stock is overfished and undergoing overfishing. Compatible season regulations in state waters are preferable to provide effective rules and efficient enforcement for the fishery, and to prevent overfishing of the species in the long term.

In accordance with the emergency provisions of R.S. 49:962, which allows the Department of Wildlife and Fisheries and the Wildlife and Fisheries Commission to use emergency rules to set finfish seasons, R.S. 56:326.3 which provides that the Wildlife and Fisheries Commission may set seasons for saltwater finfish, and the authority given to the secretary by the commission in LAC 76:VII.335.G.5 to modify opening and closing dates of any commercial or recreational reef fish seasons in Louisiana state waters when informed by the regional administrator of NOAA fisheries that the seasons have been modified in adjacent federal waters, the secretary hereby declares:

The season for the recreational harvest of gag grouper in Louisiana state waters shall open at 12:01 a.m. on September 1, 2024 and remain open until 11:59 p.m. on December 31, 2024, or until otherwise modified. The season for the recreational harvest of gag grouper will then remain closed until the regularly scheduled opening of the 2025 season, currently September 1, 2025. During the closure periods above, no person shall recreationally harvest or possess gag grouper whether within or without Louisiana waters.

Madison D. Sheahan  
Secretary

2406#001

# Rules

## RULE

### Department of Agriculture and Forestry Board of Veterinary Medicine

#### Peer Assistance Program for Impaired Veterinarians (LAC 46:LXXXV.Chapter 9)

In accordance with the Administrative Procedure Act, R.S. 49:950 et seq. and the 2022 Louisiana Administrative Code Review, the Board of Veterinary Medicine (“Board”) has conducted a comprehensive review of Chapter 9 and intends to notify the public with the repromulgation of the sections below as is. The historical notes shall be updated to reflect this Chapter 9 rule review.

#### Title 46

### PROFESSIONAL AND OCCUPATIONAL STANDARDS

#### Part LXXXV. Veterinarians

#### Chapter 9. Peer Assistance Program for Impaired Veterinarians

##### §901. Purpose

A. The purpose of the program is to identify and assist licensed veterinarians and paraprofessionals impaired by chemical dependency on drugs or alcohol or by mental illness and to establish a peer assistance program in conjunction with a state or national professional association and to report findings to the Louisiana Board of Veterinary Medicine.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:1518.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Veterinary Medicine, LR 16:228 (March 1990), repromulgated by the Department of Agriculture and Forestry, Board of Veterinary Medicine, LR 50:772 (June 2024).

##### §903. Terms Used in the Program

A. The following terms are used in the program of impaired veterinarians.

*Impaired Veterinarian*—a veterinarian licensed by the Louisiana Board of Veterinary Medicine whose ability to perform professional services is impaired by chemical dependency on drugs or alcohol or by mental illness.

*Paraprofessional*—a registered veterinary technician or a certified euthanasia technician.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:1518.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Veterinary Medicine, LR 16:228 (March 1990), repromulgated by the Department of Agriculture and Forestry, Board of Veterinary Medicine, LR 50:772 (June 2024).

##### §905. Reporting Instances of Impairment

A. If a person knows or suspects that an individual is impaired by chemical dependency on alcohol or drugs or by

mental illness, the person may report the individual's name and any relevant information to an approved peer assistance program.

B. An approved peer assistance program shall report to the Louisiana Board of Veterinary Medicine in writing the name of a veterinarian or paraprofessional that the program knows or suspects to be impaired and any relevant information concerning that veterinarian or paraprofessional.

C. An approved peer assistance program that receives a report of referral under this Section may intervene to assist the impaired veterinarian or paraprofessional to obtain and complete successfully a course of treatment and rehabilitation.

D. If the Board of Veterinary Medicine receives an initial complaint relating to an impaired veterinarian or paraprofessional, the board:

1. may refer the veterinarian or paraprofessional to an approved peer assistance program; or

2. may require the veterinarian or paraprofessional to participate in or complete successfully a course of treatment or rehabilitation;

3. shall maintain separate records on all inquiries and referrals in connection with the peer assistance program in accordance with R.S. 37:1518.B of the Louisiana Veterinary Practice Act.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:1518.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Veterinary Medicine, LR 16:228 (March 1990), repromulgated by the Department of Agriculture and Forestry, Board of Veterinary Medicine, LR 50:772 (June 2024).

##### §907. Enrollment in Program

A. An impaired veterinarian or paraprofessional who enrolls in an approved treatment program shall enter into an agreement with the board authorizing appropriate board action if the veterinarian or paraprofessional does not remain in the program. The professional's license shall be suspended or revoked; but enforcement of the suspension or revocation may be stayed for the length of time the professional remains in the program and makes satisfactory progress to completion, complies with the terms of the agreement, and adheres to any limitations on his or her practice imposed by the board to protect the public. Failure to enter into such an agreement shall disqualify the veterinarian or paraprofessional from the peer assistance program.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:1518.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Veterinary Medicine, LR 16:228 (March 1990), repromulgated by the Department of Agriculture and Forestry, Board of Veterinary Medicine, LR 50:772 (June 2024).

Jared B. Granier  
Executive Director

2406#041

**RULE**

**Department of Agriculture and Forestry  
Board of Veterinary Medicine**

Zoo Personnel  
(LAC 46:LXXXV.Chapter 13)

In accordance with the Administrative Procedure Act, R.S. 49:950 et seq. and the 2022 Louisiana Administrative Code Review, the Board of Veterinary Medicine (“Board”) has conducted a comprehensive review of Chapter 13 and intends to notify the public with the repromulgation of the sections below as is. The historical notes shall be updated to reflect this Chapter 13 rule review.

**Title 46  
PROFESSIONAL AND OCCUPATIONAL  
STANDARDS**

**Part LXXXV. Veterinarians**

**Chapter 13. Zoo Personnel**

**§1300. Definitions**

*Chemical Restraint Drugs*—legend or scheduled (controlled) drugs used in the capture and/or restraint of dangerous animals.

*Dangerous Animal*—a zoo animal which poses a threat or risk of harm to a human being, to itself, to another animal, to zoo property, or to private property.

*Licensed Veterinarian or Veterinarian*—a veterinarian licensed to practice veterinary medicine in the state of Louisiana as provided in R.S. 37:1513(6).

*Storage and Use Plan*—a written protocol stating the storage, inventory, and record keeping requirements for the use of chemical restraint drugs used in the capture of dangerous animals.

*Trained Layperson*—an employee of a zoo who has been trained by a licensed veterinarian according to the requirements of §1303 of this Chapter.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:1518.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Veterinary Medicine, LR 19:1429 (November 1993), repromulgated by the Department of Agriculture and Forestry, Board of Veterinary Medicine, LR 50:773 (June 2024).

**§1301. Administration of Chemical Restraint Drugs**

A. A trained layperson may administer chemical restraint drugs to a dangerous animal when said animal has escaped from its usual area of confinement in a zoo.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:1518.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Veterinary Medicine, LR 19:1429 (November 1993), repromulgated by the Department of Agriculture and Forestry, Board of Veterinary Medicine, LR 50:773 (June 2024).

**§1303. Training Requirements for Zoo Personnel**

A. Laypersons who are employed by a zoo and who will administer chemical restraint drugs must be trained by a veterinarian.

B. Trained by a veterinarian means:

1. that the veterinarian has provided the employee with:

a. a list of each species of animal which may require capture by the use of chemical restraint drugs;

b. the specific drug to be used on a particular species; and

c. the specific amount, listed in cc's, of said drug for each species with an appropriate dosage range to account for the varying weights for the particular animal which necessitates capture by chemical restraint drugs;

2. that the veterinarian has demonstrated to the employee the safe and proper use of capture equipment.

C. A certificate offering proof of training for each employee shall be filed with the board by the licensed veterinarian.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:1518.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Veterinary Medicine, LR 19:1429 (November 1993), repromulgated by the Department of Agriculture and Forestry, Board of Veterinary Medicine, LR 50:773 (June 2024).

**§1305. Protocols and Plans**

A. An escape and capture protocol to be used by the veterinarian in the training of zoo employees shall be submitted to the board for approval.

B. A storage and use plan for capture drugs which meets or exceeds the requirements of all federal drug enforcement agencies and the standards for record keeping found in Chapter 7 of these rules shall be submitted to the board for the board's approval.

1. Use plans shall include a requirement that each use of a controlled substance shall be documented for review by the licensed veterinarian responsible for the purchase and inventory of that drug.

2. Review of each use shall be indicated on the usage log by providing a place for the responsible veterinarian to enter his or her initials.

C. An inventory protocol for all capture drugs which meets or exceeds the requirements of all federal drug enforcement agencies and the standards for prescribing and dispensing drugs found in Chapter 7 of these rules shall be submitted to the board for the board's approval.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:1518.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Veterinary Medicine, LR 19:1430 (November 1993), repromulgated by the Department of Agriculture and Forestry, Board of Veterinary Medicine, LR 50:773 (June 2024).

**§1307. Penalties**

A. Failure of a licensed veterinarian to comply with any or all provisions of this Chapter shall be considered a violation of the rules of professional conduct. Said veterinarian may be subject to disciplinary action as provided for in R.S. 37:1518 and 1526.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:1518.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Veterinary Medicine, LR 19:1430 (November 1993), repromulgated by the Department of Agriculture and Forestry, Board of Veterinary Medicine, LR 50:773 (June 2024).

Jared B. Granier  
Executive Director

2406#040

## RULE

### Department of Agriculture and Forestry Office of Agricultural and Environmental Sciences Structural Pest Control Commission

#### Structural Pest Control (LAC 7:XXV.Chapter 1)

Editor's Note: The following Rule is being repromulgated to correct manifest typographical errors upon submission. The original Rule can be viewed in the December 20, 2023 *Louisiana Register* on pages 2074-2079.

The Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Structural Pest Control Commission, amended LAC 7:XXV.101, 107, 109, 117, 119, 123, 141, 147, 165 and 167. The Rule is promulgated in accordance with the provisions of the Administrative Procedure Act, R.S. 49:950 et seq. The Rule change is made in accordance with R.S. 3:3366, which gives the Structural Pest Control Commission the authority to adopt rules and regulations.

The Rule change clarifies the definitions of construction, containment structure, employee, rule, and standard contract. The Rule adds language to allow the commission staff to review the contents of an application to take the certification examination for licensure and approve or deny the applicant's application to take the examination. Further, throughout this Section, the language "commission staff" is added to existing rules to provide clarification for who can do certain tasks. Additionally, the Rule change provides a deadline of six years for an applicant to take the license examination after receiving application approval for examination. There are no costs associated with applying to be approved to take the license examination.

The Rule change adds that expired structural fumigation contracts should be held by the department for a two-year period. The Rule change adds language to include "new construction" contracts. This language reflects what is currently in place for pre and post construction contracts but adds new construction, so the rules are consistent for all contract types. The Rule change updates to current technology used by the department and removes receiving by fax and instead adds submitting online. The Rule change adds language under contracts for termite control work for inspection diagrams for all structures covered and sets a minimum threshold for termite control work damage repair warranties. This minimum amount was voted on by the commission, and is industry supported. The Rule changes remove outdated language for fumigation, specifically "certified fumigation technician" which was previously removed from the rules, except this one which was missed.

Lastly, the Rule change makes corrections to referenced statutes in the Chapter. This Rule is hereby adopted on the day of promulgation.

#### Title 7

#### AGRICULTURE AND ANIMALS

#### Part XXV. Structural Pest Control

#### Chapter 1. Structural Pest Control Commission

#### §101. Definitions

A. - B. ...

\* \* \*

*Construction*—the act of building a structure from the start of the first stage of physical work until completion which is when a final inspection by an appropriate building inspector is completed.

\* \* \*

*Containment Structure*—new and existing structures at bulk facilities that meet the design, construction materials and capacity requirements used to contain spills or leaks from stationary pesticide containers or pesticide dispensing activities.

a. - b. ...

\* \* \*

*Employee*—any person employed by a permittee, working under the supervision of, and engaged in structural pest control work as defined in La. R.S. 3:3362. Excluded are: clerical, janitorial or office maintenance employees or those employees completely disassociated with performing structural pest control work.

\* \* \*

*Rule*—as defined in R.S. 49:951(8).

\* \* \*

*Standard Contract*—see definition of "contract" in this Section.

\* \* \*

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:3362 and R.S. 3:3366.

HISTORICAL NOTE: Promulgated by the Department of Agriculture, Structural Pest Control Commission, LR 11:323 (April 1985), amended by the Department of Agriculture and Forestry, Structural Pest Control Commission LR 15:954 (November 1989), 17:251 (March 1991), LR 23:855 (July 1997), LR 30:1143 (June 2004), amended by the Department of Agriculture and Forestry, Office of Agriculture and Environmental Sciences, LR 31:26 (January 2005), amended by the Department of Agriculture and Forestry, Structural Pest Control Commission, LR 32:796 (May 2006), repromulgated LR 32:1015 (June 2006), amended LR 33:39 (January 2007), LR 35:204 (February 2009), LR 35:1468 (August 2009), LR 37:272 (January 2011), amended by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Structural Pest Control Commission, LR 39:300 (February 2013), LR 41:333 (February 2015), LR 42:213 (February 2016), LR 44:1235 (July 2018), LR 46:1541 (November 2020), LR 47:1100 (August 2021), LR 48:2728 (November 2022), LR 49:2074 (December 2023), repromulgated LR 50:774 (June 2024).

#### §107. License to Engage in Structural Pest Control

##### Work Required

A. - B.1.c. ...

d. four years of experience within the last six years as a technician under the supervision of a structural pest control operator in another state in the licensee phase for which the individual desires to take the examinations. Experience with an out-of-state structural pest control operator shall be substantiated by evidence acceptable to the commission or commission staff;

2. - 2.c. ...

d. four years of experience within the last six years as a technician under the supervision of a structural pest control operator in another state in the licensee phase for which the individual desires to take the examinations and complete a commission approved comprehensive termite program. Experience with an out-of-state structural pest

control operator shall be substantiated by evidence acceptable to the commission or commission staff;

3. - 3.c. ...

d. four years of experience within the last six years, having completed 30 jobs in structural fumigation as a technician under the supervision of a structural pest control operator in another state in the licensee phase for which the individual desires to take the examinations. Experience with an out-of-state structural pest control operator shall be substantiated by evidence acceptable to the commission or commission staff.

C. - C.3. ...

4. four years of experience, having completed 200 jobs in ship fumigation within the last six years as a technician under the supervision of a structural pest control operator in another state in ship fumigation. Experience with an out-of-state structural pest control operator shall be substantiated by evidence acceptable to the commission or commission staff.

D. - F.1. ...

2. be approved by the commission or commission staff to take the examination for licensure;

3. ...

G. Out-of-state applicants for licensure shall meet the educational requirements shown in Paragraph B.1 of this Section or produce evidence satisfactory to the commission or commission staff of four years of experience within the last six years, under the supervision of a recognized and reputable pest control operator. Experience in pest control work in another state will be verified with the appropriate regulatory agency of the other state before out-of-state applicant will be allowed to take the examination for licensure in Louisiana.

H. Commission staff shall review each application for licensure. Commission staff may verify the contents of any application prior to taking final action to approve/disapprove the applicant to take the examination. Commission staff may disapprove an applicant, or defer action on the application to take the examination, in any instance with the contents of the application cannot be verified. Commission staff may defer an application for licensure to the commission for further review.

I. If commission staff defers review of the application for licensure to the commission, the commission shall consider each application for examination for licensure in open session. The commission may verify the contents of any application prior to taking final action to approve/disapprove the applicant to take the examination. The commission may disapprove an applicant, or defer action on the application to take the examination, in any instance when the contents of the application cannot be verified. Action to grant/deny approval for the applicant to take the examination shall be taken only upon the affirmative vote of three members of the commission. No license shall be issued until the commission has approved the application.

J. All applicants who are approved by the commission or commission staff will, upon successfully completing the examination for licensure as set forth in §109 of this Chapter

hereof, receive a single license to engage in structural pest control work, which license shall specify on the face thereof the specific phase or phases of structural pest control work for which the license is issued, as follows:

1. general pest control;
2. commercial vertebrate control;
3. termite control;
4. structural fumigation;
5. ship fumigation;
6. commodity fumigation.

K. A license to engage in structural pest control work is permanent unless suspended or revoked by the commission as provided in §131 of this Chapter.

L. A licensee shall perform or supervise structural pest control work only in the phase or phases of the license for which he is licensed by the commission.

M. Each license is personal to the holder and shall not be transferred to another for any purpose or for any period of time and may not be utilized in any way by any person other than the licensee whose name appears on the face of the license.

N. All licenses shall be displayed at the place of business at all times.

O. The commission may deny a license to any person proven to have committed any of the violations set forth in §127 of this Chapter hereof.

P. A licensee approved in one phase of pest control work may be licensed in additional phases by successfully completing the examination for the additional phase. However, the license for additional phase or phases of structural pest control work shall not be issued until the commission or commission staff approves the licensee to take the examination for the additional phase or phases.

Q. Any permittee\licensee utilizing telephone answering services and/or call centers other than at locations holding a place of business permit shall submit written notification to the department.

R. A licensee shall only have one license with all phases for which he possesses issued at one place of business.

S. When a license phase has not been recertified, the licensee shall comply with all requirements for initial licensing contained in §107 and §109 of this Chapter or in a written request to the department to retest.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:3366 and 3:3368.

HISTORICAL NOTE: Promulgated by the Department of Agriculture, Structural Pest Control Commission, LR 11:326 (April 1985), amended by the Department of Agriculture and Forestry, Structural Pest Control Commission, LR 15:955 (November 1989), LR 19:1009 (August 1993), LR 23:855 (July 1997), LR 23:1493 (November 1997), amended by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Structural Pest Control Commission, LR 31:2761 (November 2005), amended by the Department of Agriculture and Forestry, Structural Pest Control Commission, LR 32:796 (May 2006), repromulgated LR 32:1016 (June 2006), amended LR 37:276 (January 2011), amended by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, 308 Structural Pest Control Commission, LR 42:213 (February 2016), LR 44:1235 (July 2018), LR 48:2728 (November 2022), LR 49:2075 (December 2023), repromulgated LR 50:774 (June 2024).

**§109. Application for Examination; Contents of Application**

A. ...  
B. A complete application for examination shall be filed in the commission office.

C. Each applicant for examination shall pay a nonrefundable fee of \$50 per examination upon the approval of the applicant's application for examination.

D. - D.3. ...

4. ...

a. upon request of the commission or commission staff, the applicant shall submit from the said supervising licensee, a written statement that the jobs have been participated in by the applicant under his supervision and that the applicant has demonstrated the requisite knowledge to perform and supervise such work;

b. ...

c. if at the time of application, the licensee who provided supervision is deceased, his whereabouts are unknown, or fails or refuses to supply the statement, affidavit, or both, required under Subparagraphs a. and b. above, then the commission or commission staff may waive the requirements for such statement, affidavit, or both upon:

i. ...

ii. verification by commission staff of the applicant's experience in pest control work.

E. Any applicant who is not approved by the commission or commission staff to take the examination will be notified of the commission's or commission staff's decision. An applicant who has not been approved to take an examination will not be admitted to the examination.

F. ...

G. Once the application has been approved by the commission or commission staff, examinations for a structural pest control license will be given upon request of the applicant at a department approved location, during business hours. Requests for exams shall be made at least seven days in advance and will be scheduled based on availability.

H. - K. ...

L. The approval of an application for examination is valid for six years. If the applicant does not take the license examination or fails to pass the license examination within six years from the date of application approval, the applicant must reapply according to requirements set forth in this Section and §107 of this Chapter.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:3366 and 3:3368.

HISTORICAL NOTE: Promulgated by the Department of Agriculture, Structural Pest Control Commission, LR 11:326 (April 1985), amended by the Department of Agriculture and Forestry, Structural Pest Control Commission, LR 15:955 (November 1989), LR 35:206 (February 2009), LR 37:278 (January 2011), LR 48:2728 (November 2022), LR 49:2076 (December 2023), repromulgated LR 50:776 (June 2024).

**§117. Obligations of the Licensee/Permittee**

A. - G. ...

H. Any person applying pesticides for a fee and the permittee or the primary licensee shall maintain records according to LAC 7:XXV.117.H, at the physical address listed on the place of business permit of all applications of pesticides and inspections for wood destroying insects on a record keeping form or in a format approved by the director

of pesticide and environmental programs of the department. These records shall be retained for a period of two years after the date of the pesticide application for ship and commodity fumigation, general pest control and commercial vertebrate control, and a period of two years after the expiration of applicable contracts for termite control and structural fumigation. The licensee shall make a copy of these records available to any employee of the department for inspection during normal working hours within 48 hours upon notification, excluding legal holidays.

H.1. - Q. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:3366 and 3:3368.

HISTORICAL NOTE: Promulgated by the Department of Agriculture, Structural Pest Control Commission, LR 11:327 (April 1985), amended by the Department of Agriculture and Forestry, Structural Pest Control Commission, LR 15:956 (November 1989), LR 21:930 (September 1995), LR 23:855 (July 1997), LR 26:2437 (November 2000), LR 29:1062 (July 2003), amended by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Structural Pest Control Commission, LR 30:196 (February 2004), LR 31:2761 (November 2005), LR 35:1468 (August 2009), LR 37:280 (January 2011), LR 39:301 (February 2013), LR 42:214 (February 2016), LR 44:1236 (July 2018), LR 46:1541 (November 2020), LR 49:2076 (December 2023), repromulgated LR 50:776 (June 2024).

**§119. Contracts for Termite Control Work**

A. - A.4. ...

5. include inspection diagram(s) indicating all structure(s) covered;

6. ...

7. include a damage repair warranty for not less than \$25,000 and be exclusive to the property owner for five years subject to the terms and conditions of the contract, if the contract is for pre-construction or new construction termiticide treatment.

B. - G.5. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:3366 and R.S. 3:3370.

HISTORICAL NOTE: Promulgated by the Department of Agriculture, Structural Pest Control Commission, LR 11:328 (April 1985), amended by the Department of Agriculture and Forestry, Structural Pest Control Commission, LR 15:957 (November 1989), LR 26:2437 (November 2000), LR 27:1179 (August 2001), LR 27:2084 (December 2001), LR 28:1171 (June 2002), amended by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Structural Pest Control Commission, LR 30:196 (February 2004), LR 30:1144 (June 2004), amended by the Department of Agriculture and Forestry, Office of Agriculture and Environmental Sciences, LR 31:26 (January 2005), amended by the Department of Agriculture and Forestry, Structural Pest Control Commission, LR 35:1468 (August 2009), LR 37:282 (January 2011), LR 46:1541 (November 2020), LR 49:2077 (December 2023), repromulgated LR 50:776 (June 2024).

**§123. Change in Status of Licensee**

A. Any change in a licensee's status (e.g., death, retirement, prolonged illness, merger of companies, sale, change of ownership, etc.) shall be reported to the department, in writing, within 14 days after the change in status occurs by the permittee or primary licensee.

B. When any change in status occurs, provisions shall be made for supervision at any location where there is no licensee during the interim until another licensee is approved by the commission or commission staff for examination. The person in charge of the permitted location where the change



in status occurred shall notify the department, in writing, of the name and address of the licensee providing supervision during the interim within 14 days after the change occurs. Supervising licensee shall notify the department of his acceptance of this supervision within 14 days of his acceptance.

C. When the change in status results in no licensee being domiciled at a permitted location, an applicant who is eligible for licensure shall be approved by the commission or commission staff for examination either:

C.1. - D. ...

E. When the death or disability of a licensee occurs, resulting in no licensee being domiciled at the permitted location, the commission or commission staff may extend the period for qualifying a new licensee for an additional 90 days before revoking or canceling the permit for operation.

F. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:3366 and 3:3368.

HISTORICAL NOTE: Promulgated by the Department of Agriculture, Structural Pest Control Commission, LR 11:328 (April 1985), amended by the Department of Agriculture and Forestry, Structural Pest Control Commission, LR 15:957 (November 1989), LR 37:283 (January 2011), amended by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Structural Pest Control Commission, LR 39:301 (February 2013), LR 49:2077 (December 2023), repromulgated LR 50:776 (June 2024).

#### **§141. Minimum Specifications for Termite Control**

##### **Work**

A. - B.5. ...

6. Within 12 months of an initial supplemental treatment for a new construction contract, the perimeter shall be trenched and treated. The permittee or primary licensee shall report the completion of the perimeter trench and treat to the department on the termite perimeter application form no later than the tenth day of the month after the date of the perimeter application.

7. All new construction and post construction liquid trench and treat applications shall be contracted and reported according to R.S. 3:3370 and LAC 7:XXV.119.D. and pay the fee as described in LAC 7:XXV.119.E.

C. - I.3. ...

4. Within 12 months of any supplemental treatment for a new construction contract, bait stations shall be installed. The permittee or primary licensee shall report the completion of the bait station installation to the department on the termite perimeter application form in accordance with R.S. 3:3370 and LAC 7:XXV.119.D. and pay the fee as described in LAC 7:XXV.119.E.

5. Above-ground bait stations shall be used according to their label and labeling when the presence of subterranean termites are detected in the contracted structure and shall be monitored not less than quarterly.

6. All bait stations shall be monitored\inspected according to the label and labeling.

7. Monitoring and ground bait stations shall surround the contracted structure and shall not be more than 20 feet apart, where soil is available unless the label requires stations closer and/or does not allow for "where soil is available."

8. Monitoring and ground bait stations, where soil is available, shall be no further than 20 feet from the slab or pier's outside perimeter except for non-structural wood elements including but not limited to trees, stumps, wood piles, landscape timbers and detached fences.

9. Records of contracts, inspection diagrams, monitoring, and bait applications shall be kept according to LAC 7:XXV.117.H.4.

10. A consumer information sheet, supplied by the manufacturer and approved by the commission, shall be supplied to the registered pest control operator. The pest control operator shall, in turn, supply a copy of the consumer information sheet to all persons contracted.

11. All monitoring and bait stations shall be removed by the pest control operator from the contracted property within 90 days of the termination of the contract, unless denied access to the property. In the event the bait and baiting system manufacturer stops the use by the pest control operator of their bait and baiting system; all monitoring and bait stations shall be removed by the pest control operator from the contracted property within 90 days of the stop use notification, unless denied access to the property.

J. - J.2. ...

3. All combination liquid spot and baits and baiting systems treatments shall be contracted and reported according to R.S. 3:3370 and LAC 7:XXV.119.D and pay the fee as described in LAC 7:XXV.119.E.

4. Within 12 months of any supplemental treatment for a new construction contract, bait stations shall be installed. The permittee or primary licensee shall report the completion of the bait station installation to the department on the termite perimeter application form in accordance with R.S. 3:3370 and LAC 7:XXV.119.D. and pay the fee as described in LAC 7:XXV.119.E .

5. Records of contracts, inspection diagrams, monitoring (if required), and applications shall be kept according to LAC 7:XXV.117.I. At termination of the contract, the pest control operator shall remove all components of bait and baiting systems.

6. All structures that cannot be treated according to the combination liquid spot and bait and baiting systems treatment minimum specifications shall have a waiver of the listed item or items signed by the owner prior to the baiting treatment.

7. A bait and baiting systems consumer information sheet, supplied by the manufacturer and approved by the commission, shall be supplied to the registered pest control operator. The pest control operator shall, in turn, supply a copy of the consumer information sheet to all persons contracted.

8. Combination liquid spot and bait and baiting systems treatment of existing slab-type construction shall bait following the label and labeling and liquid spot treat to the following minimum specifications.

a. Trench and treat 10 feet on both sides of live subterranean termite infestation site(s) around the perimeter of the structure, adjacent to the foundation wall. All trenches shall be approximately 4 inches wide at the top, angled toward the foundation and sufficiently deep (minimum 6 inches) to permit application of the required chemical. Apply

the emulsion into the trench at a rate and manner prescribed on the label and labeling. Rodding will be acceptable only where trenching will damage irrigation equipment, utility equipment, flowers and/or shrubs. Maximum distance between rod holes shall be 4 inches.

b. Rod under or drill through abutting slab(s) and treat all areas in the abutting slab(s) within the 20 feet as required in LAC 7:XXV.141.J.7.a. When the abutting slab is drilled, the holes shall be no more than 18 inches apart, unless label requires closer distance along the above stated areas.

c. Treat bath trap(s) as per label and labeling. Bath trap(s) access hole of a minimum of 6 x 8 inches shall be provided to all bathtub plumbing.

i. If the soil in a trap does not reach the bottom of the slab, the trap shall be filled to within 2 inches of the top of the slab with soil prior to treatment. Treat bath trap(s) as required by label and labeling.

ii. A tar filled bath trap shall also be drilled and treated as required by label and labeling.

iii. If bath trap is solid concrete pore, it shall be drilled and treated as close as practical to the bathtub plumbing.

d. All showers shall be drilled and treated as close as practical to shower plumbing according to label and labeling.

e. All other openings (plumbing, etc.) shall be treated as required by label and labeling.

f. In lieu of trench and treat, a commission approved method of hydraulic injection shall be used in conjunction with an approved termiticide with label and labeling for hydraulic injection use. Hydraulic injection shall be performed around the slab to form a treatment zone.

9. Combination liquid spot and bait and baiting systems treatments of existing pier-type construction with live subterranean termite infestation(s) shall bait following the label and labeling and liquid treat to the following minimum specifications.

a. Trench and treat 10 feet on both sides of infestation site(s) on brick/block chain wall(s) and all piers within 10 feet of an infested pier or chain wall. Trench, drill, and treat as required in LAC 7:XXV.141.

b. Above-ground bait stations shall be monitored not less than quarterly.

c. In lieu of trench and treat, a commission approved method of hydraulic injection shall be used in conjunction with an approved termiticide with label and labeling for hydraulic injection use. Hydraulic injection shall be performed around the slab to form a treatment zone.

10. Combination liquid spot and bait and baiting systems treatment of existing slab-type construction and pier-type construction without live subterranean termite infestation(s) shall bait following the label and labeling and liquid treat as required in LAC 7:XXV.141.J.7.c - e.

11. Whenever any property under a combination liquid spot and bait and baiting systems treatment contract becomes infested with subterranean termites, the operator shall treat the property according to the minimum specifications as stated in LAC 7:XXV.141.J.

K. - L.4. ...

5. The treatments of structures required in this Section shall be submitted by online form or called in to the

department's district office in which the treatment occurs, a minimum of one hour prior to beginning the application of termiticides. The information provided shall include: treatment company name; treatment structure street address, city, parish; directions to the property being pre-treated; date and time of beginning the application of termiticides to the property; square or linear footage of the each structure to be treated; and number of structures. Permittees or licensees shall keep a log of all pretreats including the information noted. The following is a list of parishes in each of the department's eight district offices. Treatments in a parish shall be called into the corresponding district office:

L.5.a. - M.4. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:3366.

HISTORICAL NOTE: Promulgated by the Department of Agriculture, Structural Pest Control Commission, LR 11:330 (April 1985), amended by the Department of Agriculture and Forestry, Structural Pest Control Commission, LR 15:958 (November 1989), LR 20:644 (June 1994), LR 21:931 (September 1995), LR 23:1285 (October 1997), LR 25:235 (February 1999), LR 25:1620 (September 1999), LR 26:2437 (November 2000), LR 27:1180 (August 2001), LR 29:1063 (July 2003), LR 30:1145 (June 2004), repromulgated LR 30:1614 (August 2004), amended LR 35:207 (February 2009), LR 35:1469 (August 2009), repromulgated LR 35:1872 (September 2009), amended, LR 37:286 (January 2011), amended by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Structural Pest Control Commission, LR 39:301 (February 2013), amended by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Structural Pest Control Commission, LR 39:1413 (June 2013), LR 41:333 (February 2015), LR 42:214 (February 2016), LR 46:1542 (November 2020), LR 47:1100 (August 2021), LR 48:994 (April 2022), LR 48:994 (April 2022), LR 48:2729 (November 2022), LR 49:2077 (December 2023), repromulgated LR 50:777 (June 2024).

#### **§147. Fumigation**

A. - C.2. ...

D. Requirements for Commodity Fumigation. A licensed fumigator shall:

D.1. - D.5. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:3306.

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Structural Pest Control Commission, LR 11:332 (April 1985), amended LR 17:251 (March 1991), LR 37:293 (January 2011), LR 44:1237 (July 2018), LR 46:1542 (November 2020), LR 49:2079 (December 2023), repromulgated LR 50:778 (June 2024).

#### **§165. Requests for Adoption, Amendment, or Repeal of a Rule**

A. Any interested person may, pursuant to R.S. 49:964, request the commission to adopt, amend, or repeal a rule (rule change) that the commission has the authority to make.

B. - E. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:3366 and R.S. 49:953(C).

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Structural Pest Control Commission, LR 39:303 (February 2013), LR 49:2079 (December 2023), repromulgated LR 50:778 (June 2024).

#### **§167. Procedure for Declaratory Orders and Rulings**

A. This rule provides for the filing and prompt disposition of requests for declaratory orders and rulings as to the applicability of any statutory provision or as to the

applicability of any rule or order of the commission, as required by R.S. 49:977.4 and 49:968(D).

B. - F. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:3366, R.S. 49:962 and R.S. 49:963(D).

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Structural Pest Control Commission, LR 39:304 (February 2013), LR 49:2079 (December 2023), repromulgated LR 50:778 (June 2024).

Mike Strain, DVM  
Commissioner

2406#005

## RULE

### Office of the Governor Board of Home Inspectors

Meetings, Continuing Education and Ethics  
(LAC 46:XL.107, 121, and 501)

In accordance with the provisions of the Administrative Procedure Act, R.S. 49:950 et seq., and through the authority granted in R.S. 37:1475(4), the Board of Home Inspectors has amended LAC 46:XL.107, 121 and 501. The amendment to §107 is in compliance with newly enacted R.S. 42:14.E and 42:17.2.1 and provides for reasonable accommodation for members of the public and board members with disabilities to participate in meetings. The amendment to §121 increases the maximum number of hours of continuing education to be obtained by home inspectors from four to ten for attending board meetings. The amendment to §501.B.7 extends to one year the period within which home inspectors and companies and firms with which a home inspector is employed would be restricted from performing contracting services on an inspected home. This Rule is hereby adopted on the day of promulgation.

#### Title 46

### PROFESSIONAL AND OCCUPATIONAL STANDARDS

#### Part XL. Home Inspectors

#### Chapter 1. General Rules

#### §107. Meetings

A. - D. ...

E. All members of the public with a disability recognized by the Americans with Disabilities Act or their caretaker shall be allowed to participate in any meeting via electronic means, by video conference, teleconference or other reasonable means. At least 15 days prior to the scheduled meeting, the member of the public with such disability must make a request by email or telephone to the chief operating officer of the board and identify the reasonable means in which he or she wishes to participate in the meeting. This Subsection E does not apply to properly called executive session meetings.

F. All board members with a disability recognized by the Americans with Disabilities Act or their caretaker shall be allowed to participate in any meeting and vote via electronic means, by video conference, teleconference or other reasonably accommodated means. Participation by such board member shall count towards the making of a quorum.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:1474-1475 and R.S. 42:7 and R.S. 42:14(E) and 42:17.2.1.

HISTORICAL NOTE: Promulgated by the Department of Economic Development, Board of Home Inspectors, LR 26:2739 (December 2000), amended by the Office of the Governor, Board of Home Inspectors, LR 41:919 (May 2015), LR 50:779 (June 2024).

#### §121. Continuing Education; Instructors

A.1. - B.5. ...

6. The licensee may receive up to ten hours of continuing education credit per licensing period for attending a quarterly or special board meeting or for serving on a committee appointed by the board and up to three hours of credit per appointment and six hours per licensing period for acting as a special investigating entity as described in §707.

B.7. - F.9. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:1477 and R.S. 37:1479-1480.

HISTORICAL NOTE: Promulgated by the Department of Economic Development, Board of Home Inspectors, LR 26:2742 (December 2000), amended by the Office of the Governor, Board of Home Inspectors, LR 36:2860 (December 2010), LR 37:2405 (August 2011), LR 38:2531 (October 2012), LR 40:1003 (May 2014), LR 43:314 (February 2017), LR 43:1911 (October 2017), LR 48:2288 (September 2022), LR 50:779 (June 2024).

#### Chapter 5. Code of Ethics

#### §501. Code of Ethics

A. - B.6. ...

7. The LHI or any company or firm with which the home inspector is an employee, owner, or independent contractor, shall not solicit to repair, replace, or upgrade, or repair, replace or upgrade for compensation, any system or component of the home which the inspector noted in the inspection report as deficient, in need of repair or replacement, or unsafe for a period of one year following the date of the home inspection.

8 - 14. ...

AUTHORITY NOTE: Promulgated in accordance with R.S.37:1475 and 37:1478.B.

HISTORICAL NOTE: Promulgated by the Department of Economic Development, Board of Home Inspectors, LR 26:2749 (December 2000), amended by the Office of the Governor, Board of Home Inspectors, LR 30:1693 (August 2004), LR 36:2863 (December 2010), LR 37:2406 (August 2011), LR 41:924 (May 2015), repromulgated LR 41:2339 (November 2015), amended LR 43:315 (February 2017), LR 43:1913 (October 2017), LR 50:779 (June 2024).

Morgan Spinosa  
Chief Operating Officer

2406#007

**RULE**

**Office of the Governor  
Board of Trustees of the Firefighters' Pension  
and Relief Fund for the City of New Orleans**

Open Meetings via Electronic Means  
(LAC 58:V.2101 and 2103)

The Board of Trustees of the Firefighters' Pension and Relief Fund for the City of New Orleans ("Fund"), pursuant to R.S. 11:363(F), has amended LAC 58:V.2101 and 2103. The adoption of Chapter 21 provides for disability accommodations by providing accessibility to board meetings by electronic means. This Rule is hereby adopted on the day of promulgation.

**Title 58**

**RETIREMENT**

**Part V. Firefighters' Pension and Relief Fund for the  
City of New Orleans and Vicinity**

**Chapter 21. Procedural Rules and Regulations of the  
Board of Trustees**

**§2101. Agency Ineligibility**

A. The fund does not meet the criteria pursuant to Act 393 to be eligible to conduct open public meetings via electronic means, because it

1. is not a state agency as defined by R.S. 49:951; and
2. has powers, duties or functions that are limited in scope to a particular political subdivision or region.

AUTHORITY NOTE: Promulgated in accordance with Act 393 of the 2023 Regular Session of the Louisiana Legislature.

HISTORICAL NOTE: Promulgated by the Board of Trustees of the Firefighters' Pension and Relief Fund for the City of New Orleans and Vicinity, LR 50:780 (June 2024).

**§2103. Disability Accommodations**

A. Despite ineligibility to conduct open meetings via electronic means, nonetheless the fund is obligated to provide for participation via electronic means on an individualized basis by people with disabilities.

B. People with disabilities are defined as any of the following:

1. a member of the public with a disability recognized by the Americans with Disabilities Act (ADA);
2. a designated caregiver of such a person; or
3. a participant member of the fund with an ADA-qualifying disability.

C. The written public notice for an open meeting, as required by R.S. 42:19, shall include the name, telephone number and email address of the fund representative to whom a disability accommodation may be submitted.

D. The requestor shall be provided with an accommodation, including the teleconference and/or video conference link, for participation via electronic means as soon as possible following receipt of the request, but no later than the start of the scheduled meeting.

E. Participation via electronic means shall count for purposes of establishing quorum and voting.

AUTHORITY NOTE: Promulgated in accordance with Act 393 of the 2023 Regular Session of the Louisiana Legislature.

HISTORICAL NOTE: Promulgated by the Board of Trustees of the Firefighters' Pension and Relief Fund for the City of New Orleans and Vicinity, LR 50:780 (June 2024).

Thomas Meagher  
Secretary-Treasurer

2406#011

**RULE**

**Office of the Governor  
Division of Administration  
Office of Group Benefits**

Schedule of Benefits and Prescription Drug Benefits  
(LAC 32:III.107, 109; V.205, 207,  
305, 307, 405, 505, and 507)

In accordance with the provisions of the Administrative Procedure Act, R.S. 49:950 et seq., as authorized pursuant to R.S. 42:801 and 42:802, the Office of the Governor, Division of Administration, Office of Group Benefits, has amended Chapter 1 of LAC 32:III, Primary Plan of Benefits, and Chapters 2, 3, 4, and 5 of LAC 32:V, Additional Plans and Operations. The Rule is revised to amend the Schedule of Benefits and Prescription Drug Benefits schedule. The Schedule of Benefits for the Magnolia Local Plus, Magnolia Open Access, Magnolia Local, Pelican HSA775, and Pelican HRA1000 plans are amended to correct language used to describe physician office visits, flu shots and H1N1 vaccines, and ambulance services; the Prescription Drug Benefits schedules for the Magnolia Local Plus, Magnolia Open Access, Magnolia Local, and Pelican HRA1000 plans are amended to correct language used to describe the prescription drug benefits. This Rule is hereby adopted on the day of promulgation.

**Title 32**

**EMPLOYEE BENEFITS**

**Part III. Primary Plan of Benefits**

**Chapter 1. Operation of Primary Plan**

**§107. Schedule of Benefits**

A. Benefits, Copayments, and Coinsurance

	Copayments and Coinsurance	
	Network Providers	Non-Network Providers
Physician Office Visits <ul style="list-style-type: none"> <li>• General Practice</li> <li>• Family Practice</li> <li>• Internal Medicine</li> <li>• OB/GYN</li> <li>• Pediatrics</li> </ul>	\$25 Copayment per Visit	No Coverage
* * *		
Emergency Ground Ambulance Services; In-State	\$50 Copayment	\$50 Copayment
Emergency Ground Ambulance Services; Out-of-State	\$50 Copayment	\$50 Copayment
Non-Emergency Ground Ambulance Services	\$50 Copayment	No Coverage

	Copayments and Coinsurance	
	Network Providers	Non-Network Providers
***		
Flu shots and H1N1 vaccines (administered at Network Providers, Non-Network Providers, Pharmacy, Job Site or Health Fair)	100% - 0%	100% - 0%
***		
<sup>1</sup> Subject to Plan Year Deductible, if applicable <sup>2</sup> Pre-Authorization Required, if applicable. Not applicable for Medicare primary. <sup>3</sup> Age and/or Time Restrictions Apply <sup>4</sup> No Benefits will be payable unless Prior Authorization is obtained, including Plan Participants with Medicare as the Primary Plan.		

AUTHORITY NOTE: Promulgated in accordance with R.S. 42:801(C) and 802(B)(1).

HISTORICAL NOTE: Promulgated by the by the Office of the Governor, Division of Administration, Office of Group Benefits, LR 41:350 (February 2015), effective March 1, 2015, amended LR 43:2153 (November 2017), effective January 1, 2018, LR 49:1377 (August 2023), LR 50:780 (June 2024).

**§109. Prescription Drug Benefits**

A. Prescription Drug Benefits

***
<b>Plan pays balance of eligible expenses</b>
***
Member who chooses a brand-name drug for which an approved generic version is available, pays the cost difference between the brand-name drug and the generic drug, plus the co-pay for the brand-name drug; the cost difference does not apply to the \$1,500 out of pocket amount.
***

B. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 42:801(C) and 802(B)(1).

HISTORICAL NOTE: Promulgated by the by the Office of the Governor, Division of Administration, Office of Group Benefits, LR 41:352 (February 2015), effective March 1, 2015, amended LR 43:2154 (November 2017), effective January 1, 2018, LR 50:781 (June 2024).

**Part V. Additional Plans and Operations**

**Chapter 2. PPO Plan Structure—Magnolia Open Access Plan**

**§205. Schedule of Benefits**

A. Benefits and Coinsurance

	Coinsurance		
	Active Employees/ Non-Medicare Retirees (regardless of retire date)		Retirees with Medicare (regardless of retire date)
	Network Providers	Non-Network	Network Providers
***			
Emergency Ground Ambulance Services; In-State	90% - 10% <sup>1</sup>	90% - 10% <sup>1</sup>	80% - 20% <sup>1</sup>
Emergency Ground Ambulance Services; Out-of-State	90% - 10% <sup>1</sup>	70% - 30% <sup>1</sup>	80% - 20% <sup>1</sup>

	Coinsurance		
	Active Employees/ Non-Medicare Retirees (regardless of retire date)		Retirees with Medicare (regardless of retire date)
	Network Providers	Non-Network	Network Providers
***			
Non-Emergency Ground Ambulance Services	90% - 10% <sup>1</sup>	70% - 30% <sup>1</sup>	80% - 20% <sup>1</sup>
***			
<sup>1</sup> Subject to Plan Year Deductible, if applicable <sup>2</sup> Pre-Authorization Required, if applicable. Not applicable for Medicare primary. <sup>3</sup> Age and/or Time Restrictions Apply <sup>4</sup> No Benefits will be payable unless Prior Authorization is obtained, including Plan Participants with Medicare as the Primary Plan.			

AUTHORITY NOTE: Promulgated in accordance with R.S. 42:801(C) and 802(B)(1).

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, Office of Group Benefits, LR 41:356 (February 2015), effective March 1, 2015, amended LR 43:2155 (November 2017), effective January 1, 2018, LR 48:2769 (November 2022), LR 49:1378 (August 2023), LR 50:781 (June 2024).

**§207. Prescription Drug Benefits**

A. Prescription Drug Benefits

***
<b>Plan pays balance of eligible expenses</b>
***
Member who chooses a brand-name drug for which an approved generic version is available, pays the cost difference between the brand-name drug and the generic drug, plus the co-pay for the brand-name drug; the cost difference does not apply to the \$1,500 out of pocket amount.
***

B. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 42:801(C) and 802(B)(1).

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, Office of Group Benefits, LR 41:358 (February 2015), effective March 1, 2015, amended LR 43:2157 (November 2017), effective January 1, 2018, LR 50:781 (June 2024).

**Chapter 3. Narrow Network HMO Plan Structure—Magnolia Local Plan (in certain geographical areas)**

**§305. Schedule of Benefits**

A. Benefits, Copayments, and Coinsurance

	Copayments and Coinsurance	
	Network Providers	Non-Network Providers
Physician Office <ul style="list-style-type: none"> <li>General Practice</li> <li>Family Practice</li> <li>Internal Medicine</li> <li>OB/GYN</li> <li>Pediatrics</li> </ul>	\$25 Copayment per Visit	No Coverage
***		
Emergency Ground Ambulance Services; In-State	\$50 Copayment	\$50 Copayment
Emergency Ground Ambulance Services; Out-of-State	\$50 Copayment	\$50 Copayment

	Copayments and Coinsurance	
	Network Providers	Non-Network Providers
Non-Emergency Ground Ambulance Services	\$50 Copayment	No Coverage
***		
Flu shots and H1N1 vaccines (administered at Network Providers, Non-Network Providers, Pharmacy, Job Site or Health Fair)	100% - 0%	100% - 0%
***		
<sup>1</sup> Subject to Plan Year Deductible, if applicable <sup>2</sup> Pre-Authorization Required, if applicable. Not applicable for Medicare primary. <sup>3</sup> Age and/or Time Restrictions Apply <sup>4</sup> No Benefits will be payable unless Prior Authorization is obtained, including Plan Participants with Medicare as the Primary Plan.		

AUTHORITY NOTE: Promulgated in accordance with R.S. 42:801(C) and 802(B)(1).

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, Office of Group Benefits, LR 41:359 (February 2015), effective March 1, 2015, amended LR 43:2157 (November 2017), effective January 1, 2018, LR 48:2770 (November 2022), LR 49:1379 (August 2023), LR 50:781 (June 2024).

**§307. Prescription Drug Benefits**

**A. Prescription Drug Benefits**

***
Plan pays balance of eligible expenses
***
Member who chooses a brand-name drug for which an approved generic version is available, pays the cost difference between the brand-name drug & the generic drug, plus the co-pay for the brand-name drug; the cost difference does not apply to the \$1,500 out of pocket amount.
***

B. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 42:801(C) and 802(B)(1).

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, Office of Group Benefits, LR 41:360 (February 2015), effective March 1, 2015, amended LR 43:2158 (November 2017), effective January 1, 2018, LR 50:782 (June 2024).

**Chapter 4. PPO/Consumer-Driven Health Plan Structure—Pelican HSA 775 Plan**

**§405. Schedule of Benefits**

**A. Benefits and Coinsurance**

	Coinsurance	
	Network Providers	Non-Network Providers
***		
Emergency Ground Ambulance Services; In-State	80% - 20% <sup>1</sup>	80% - 20% <sup>1</sup>
Emergency Ground Ambulance Services; Out-of-State	80% - 20% <sup>1</sup>	80% - 20% <sup>1</sup>
Non-Emergency Ground Ambulance Services	80% - 20% <sup>1</sup>	80% - 20% <sup>1</sup>
***		

	Coinsurance	
	Network Providers	Non-Network Providers
<sup>1</sup> Subject to Plan Year Deductible, if applicable <sup>2</sup> Pre-Authorization Required, if applicable. Not applicable for Medicare primary. <sup>3</sup> Age and/or Time Restrictions Apply		

AUTHORITY NOTE: Promulgated in accordance with R.S. 42:801(C) and 802(B)(1).

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, Office of Group Benefits, LR 41:361 (February 2015), effective March 1, 2015, amended LR 43:2159 (November 2017), effective January 1, 2018, LR 50:782 (June 2024).

**Chapter 5. PPO/Consumer-Driven Health Plan Structure—Pelican HRA 1000 Plan**

**§505. Schedule of Benefits**

**A. Benefits and Coinsurance**

	Coinsurance	
	Network Providers	Non-Network Providers
***		
Emergency Ground Ambulance Services; In-State	80% - 20% <sup>1</sup>	80% - 20% <sup>1</sup>
Emergency Ground Ambulance Services; Out-of-State	80% - 20% <sup>1</sup>	80% - 20% <sup>1</sup>
Non-Emergency Ground Ambulance Services	80% - 20% <sup>1</sup>	80% - 20% <sup>1</sup>
***		
<sup>1</sup> Subject to Plan Year Deductible, if applicable <sup>2</sup> Pre-Authorization Required, if applicable. Not applicable for Medicare primary. <sup>3</sup> Age and/or Time Restrictions Apply <sup>4</sup> No Benefits will be payable unless Prior Authorization is obtained, including Plan Participants with Medicare as the Primary Plan.		

AUTHORITY NOTE: Promulgated in accordance with R.S. 42:801(C) and 802(B)(1).

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, Office of Group Benefits, LR 41:364 (February 2015), effective March 1, 2015, amended LR 43:2160 (November 2017), effective January 1, 2018, LR 49:1381 (August 2023), LR 50:782 (June 2024).

**§507. Prescription Drug Benefits**

**A. Prescription Drug Benefits**

***
Plan pays balance of eligible expenses
***
Member who chooses a brand-name drug for which an approved generic version is available, pays the cost difference between the brand-name drug & the generic drug, plus the co-pay for the brand-name drug; the cost difference does not apply to the \$1,500 out of pocket amount.
***

B. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 42:801(C) and 802(B)(1).

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, Office of Group Benefits,

2406#002

Heath Williams  
Chief Executive Officer

**RULE**

**Board of Elementary and Secondary Education**

Bulletin 126—Charter Schools  
Governance and Processes  
(LAC 28:CXXXIX.4003)

Editor’s Note: Section 4003 is being repromulgated to address a publication error. The original Notice of Intent may be viewed in the March 20, 2024 *Louisiana Register* on pages 417-419.

In accordance with the provisions of R.S. 17:6(A)(10) and the Administrative Procedure Act (APA), R.S. 49:953(B)(1) et seq., the Board of Elementary and Secondary Education has amended LAC 28:CXXXIX in *Bulletin 126—Charter Schools*. The change modifies the application process to reduce duplicative efforts, requires charter board governance training, reduces from seven to four years the time in which business professional qualifications must be obtained, further outlines autonomy, and includes items regarding display of the national motto and completion of numeracy skills coursework in compliance with state laws. This Rule is hereby adopted on the day of promulgation.

**Title 28  
EDUCATION**

**Part CXXXIX. Bulletin 126—Charter Schools**

**Chapter 40. Charter School Autonomy**

**§4003. Applicability of State Laws**

A. - A.48. ...

49. display of the national motto in each classroom in each school under its jurisdiction, R.S. 17:262;

50. completion of approved numeracy skills course in accordance with LAC 28:CXV.511, R.S. 17:24.13;

51. dyslexia screening and reporting, R.S. 17:392.11.

**AUTHORITY NOTE:** Promulgated in accordance with R.S. 17:6(A)(10) and R.S. 17:3996.

**HISTORICAL NOTE:** Promulgated by the Board of Elementary and Secondary Education in LR 44:246 (February 2018), amended LR 48:1269 (May 2022), LR 50:419 (May 2024), repromulgated LR 50:783 (June 2024).

Kimberly Tripeaux  
Interim Executive Director

2406#004

**RULE**

**Department of Education  
Educational Television Authority**

Conducting Open Meetings via Electronic Means  
(LAC 4:XXIII.Chapter 9)

The Louisiana Educational Television Authority (LETA), in accordance with R.S. 49:950 et seq., and through the authority granted in R.S. 17:2504(A), 2505(3), 42:14, R.S. 42:17.2, and R.S. 42:17.2.1, has promulgated regulations relative to open meetings being conducted by electronic means and relative to accessibility for individuals with Americans with Disabilities Act (ADA) disabilities. Act 393 of the 2023 Regular Legislative Session, allows certain public bodies to conduct open meetings electronically, requires access to open meetings for members of the body and the public having ADA disabilities and their caregivers. For state agencies, the Act requires the promulgation of administrative rules to effectuate such provisions. LETA qualifies as such a body and hereby promulgates LAC 4:XXIII.Chapter 9 to establish a uniform methodology for participation in meetings via electronic means. This Rule is hereby adopted on the day of promulgation.

**Title 4**

**ADMINISTRATION**

**Part XXIII. ADA Accessibility**

**Chapter 1. Educational Television Authority  
§101. Agency Eligibility**

A. The Louisiana Educational Television Authority meets the below criteria pursuant to Act 393 of the 2023 Regular Legislative Session to be eligible to conduct open public meetings via electronic means:

1. is a state agency as defined by R.S. 49:951;
2. has powers, duties, or functions that are not limited in scope to a particular political subdivision or region;
3. conducts at least six regularly scheduled meetings in a calendar year; and
4. is not one of the agencies identified by R.S. 42:17.2(I) to which open meetings via electronic means shall not apply.

**AUTHORITY NOTE:** Promulgated in accordance with R.S. 17:2504(A), R.S. 17:2505(3), R.S. 42:14, R.S. 42:17.2, and R.S. 42:17.2.1.

**HISTORICAL NOTE:** Promulgated by the Department of Education, Educational Television Authority, LR 50:783 (June 2024).

**§103. Postings Prior to Meeting via Electronic Means**

A. At least 24 hours prior to the meeting, the Louisiana Educational Television Authority shall post the following on the agency’s website:

1. meeting notice and agenda; and

2. detailed information regarding how members of the public may:

a. participate in the meeting via electronic means, including the applicable videoconference link and/or teleconference phone number; and

b. submit written comments regarding matters on the agenda prior to the meeting.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:2504(A), R.S. 17:2505(3), R.S. 42:14, R.S. 42:17.2, and R.S. 42:17.2.1.

HISTORICAL NOTE: Promulgated by the Department of Education, Educational Television Authority, LR 50:783 (June 2024).

### **§105. Electronic Meeting Requirements and Limitations**

A. For any meeting conducted via electronic means, the Louisiana Educational Television Authority shall ensure compliance with all requirements outlined in R.S. 42:17.2(C).

B. The Louisiana Educational Television Authority shall not conduct any more than one-third of its open meetings via electronic means, and will only conduct successive meetings via electronic meetings as needed.

C. A schedule of meetings identifying which will be conducted via electronic means and which will be conducted as in-person meetings shall be posted on the agency's website at [www.lpb.org](http://www.lpb.org) on an annual basis, however, such schedule is subject to change at the chair's discretion.

D. All members of the Louisiana Educational Television Authority, whether participating from the anchor location or via electronic means, shall be counted for the purpose of establishing a quorum and may vote.

E. An online archive of any open meetings conducted via electronic means shall be maintained and available for two years on the agency's website at [www.lpb.org](http://www.lpb.org).

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:2504(A), R.S. 17:2505(3), R.S. 42:14, R.S. 42:17.2, and R.S. 42:17.2.1.

HISTORICAL NOTE: Promulgated by the Department of Education, Educational Television Authority, LR 50:784 (June 2024).

### **§107. Disability Accommodations**

A. Although an open meeting may be scheduled as in-person, the Louisiana Educational Television Authority is obligated to provide for participation via electronic means on an individualized basis by people with disabilities.

B. People with disabilities are defined as any of the following:

1. a member of the public with a disability recognized by the Americans with Disabilities Act (ADA);

2. a designated caregiver of such a person; or

3. a participant member of the agency with an ADA-qualifying disability.

C. The Louisiana Educational Television Authority shall ensure that the written public notice for an open meeting, as required by R.S. 42:19, includes the name, telephone number and email address of the designated agency representative to whom a disability accommodation may be submitted.

D. The requestor shall be provided with an accommodation, including the teleconference and/or video conference link, for participation via electronic means as

soon as possible following receipt of the request, but no later than the start of the scheduled meeting.

E. Participation via electronic means shall count for purposes of establishing quorum and voting.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:2504(A), R.S. 17:2505(3), R.S. 42:14, R.S. 42:17.2, and R.S. 42:17.2.1.

HISTORICAL NOTE: Promulgated by the Department of Education, Educational Television Authority, LR 50:784 (June 2024).

Clarence Copeland  
Executive Director

2406#018

## **RULE**

### **Department of Health Bureau of Health Services Financing and Office of Aging and Adult Services**

Home and Community-Based Services Waivers  
Community Choices Waiver  
(LAC 50:XXI.Chapters 81, 83, 85, 86, 87, 89, 93 and 95)

The Department of Health, Bureau of Health Services Financing and the Office of Aging and Adult Services has amended LAC 50:XXI.Chapters 81, 83, 85, 86, 87, 89, 93, and 95 in the Medical Assistance Program as authorized by R.S. 36:254 and pursuant to Title XIX of the Social Security Act. This Rule is promulgated in accordance with the provisions of the Administrative Procedure Act, R.S. 49:950 et seq. This Rule is hereby adopted on the day of promulgation.

## **Title 50**

### **PUBLIC HEALTH—MEDICAL ASSISTANCE Part XXI. Home and Community Based Services Waivers**

#### **Subpart 7. Community Choices Waiver**

#### **Chapter 81. General Provisions**

#### **§8101. Introduction**

A. The target population for the Community Choices Waiver (CCW) includes individuals who:

A.1. - D....

1. The appropriate form authorized by the Office of Aging and Adult Services (OAAS) shall be used to designate a responsible representative.

a. ...

b. The written designation is valid until it is revoked by the individual granting the designation. To revoke the written designation, the revocation must be submitted in writing to OAAS or its designee.

2. - 2.b....

3. No individual, unless granted an exception by OAAS, may concurrently serve as a responsible representative for more than two participants in OAAS-operated Medicaid home and community-based service programs. This includes but is not limited to:

a. the Program of All-Inclusive Care for the Elderly (PACE);

b. long term-personal care services (LT-PCS);



c. ...

d. the Adult Day Health Care (ADHC) Waiver.

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:254 and Title XIX of the Social Security Act.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Bureau of Health Services Financing and the Office of Aging and Adult Services, LR 37:3517 (December 2011), amended LR 40:791 (April 2014), amended by the Department of Health, Bureau of Health Services Financing and the Office of Aging and Adult Services, LR 44:1896 (October 2018), repromulgated LR 44:2005 (November 2018), amended LR 50:784 (June 2024).

### **§8103. Request for Services Registry**

A. ...

B. Individuals who desire their name to be placed on the community choices waiver registry shall be screened to determine whether they meet:

1. nursing facility level of care; and

B.2. - C. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:254 and Title XIX of the Social Security Act.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Bureau of Health Services Financing and the Office of Aging and Adult Services, LR 37:3517 (December 2011), amended by the Department of Health, Bureau of Health Services Financing and the Office of Aging and Adult Services, LR 44:1896 (October 2018), LR 50:785 (June 2024).

### **§8105. Programmatic Allocation of Waiver Opportunities**

A. ...

B. Community Choices Waiver opportunities shall be offered to individuals on the registry according to priority groups. The following groups shall have priority for Community Choices Waiver opportunities, in the order listed:

1. individuals with substantiated cases of abuse or neglect referred by protective services who, without Community Choices Waiver services, would require institutional placement to prevent further abuse or neglect;

2. - 4. ...

5. individuals who are not presently receiving home and community-based services (HCBS) under another Medicaid program, including, but not limited to:

a. ...

b. long term—personal care services (LT-PCS); and/or

c. ...

6. all other eligible individuals on the CCW registry, by date of first request for services.

C. If an applicant is determined to be ineligible for any reason, the next individual on the CCW registry is notified as stated above and the process shall continue until an individual is determined eligible. A Community Choices Waiver opportunity is assigned to an individual when eligibility is established and the individual is certified.

D. Notwithstanding the priority group provisions, 75 Community Choices Waiver opportunities are reserved for qualifying individuals who have been diagnosed with amyotrophic lateral sclerosis (ALS). Qualifying individuals who have been diagnosed with ALS shall be offered an opportunity on a first-come, first-serve basis.

E. Notwithstanding the priority group provisions, up to 300 Community Choices Waiver opportunities may be granted to qualified individuals who require emergency

expedited waiver services. These individuals shall be offered an opportunity on a first-come, first-serve basis.

1. To be considered for an emergency expedited waiver opportunity, the individual must, at the time of the request for the expedited opportunity, be approved for the maximum amount of services allowable under the LT-PCS and require institutional placement, unless offered an expedited waiver opportunity.

2. The following criteria shall be considered in determining whether to grant an emergency expedited waiver opportunity:

a. - e. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:254 and Title XIX of the Social Security Act.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Bureau of Health Services Financing and the Office of Aging and Adult Services, LR 37:3517 (December 2011), amended LR 39:319 (February 2013), LR 39:1778 (July 2013), amended by the Department of Health, Bureau of Health Services Financing and the Office of Aging and Adult Services, LR 44:1896 (October 2018), LR 45:756 (June 2019), LR 50:785 (June 2024).

## **Chapter 83. Covered Services**

### **§8302. Long Term-Personal Care Services**

A. Community Choices Waiver participants cannot also receive long term-personal care services.

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:254 and Title XIX of the Social Security Act.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Bureau of Health Services Financing and the Office of Aging and Adult Services, LR 39:320 (February 2013), amended by the Department of Health, Bureau of Health Services Financing and the Office of Aging and Adult Services, LR 44:1897 (October 2018), LR 50:785 (June 2024).

### **§8305. Environmental Accessibility Adaptations**

A. - A.4. ...

a. If final inspection, conducted either by OAS staff or the assessor, reveals that the adaptation(s) is substandard, the costs of correcting the work will be the responsibility of the party in error.

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:254 and Title XIX of the Social Security Act.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Bureau of Health Services Financing and the Office of Aging and Adult Services, LR 37:3519 (December 2011), amended LR 39:320 (February 2013), amended by the Department of Health, Bureau of Health Services Financing and the Office of Aging and Adult Services, LR 44:1897 (October 2018), LR 50:785 (June 2024).

### **§8307. Personal Assistance Services**

A. Personal assistance services (PAS) provide assistance and/or supervision necessary for the participant with functional impairments to remain safely in the community. PAS include the following services and supports based on the approved POC:

1. - 3. ...

4. supervision or assistance with health related tasks (any health related procedures governed under the Nurse Practice Act) where the direct service worker has received proper training pursuant to R.S. 37:1031-1034;

A.5. - H. ...

I. The following individuals are allowed to provide PAS to a participant:

1. the participant's spouse;

a. when it is determined that the spouse may be the worker due to the participant needing extraordinary care.

2. - 4. ...

5. the person to whom the participant has given representative and mandate authority (also known as power of attorney).

6. Repealed.

J. The participant's responsible representative is prohibited from being a PAS worker for a participant.

1. Repealed.

K. Participants are not permitted to receive PAS while living in a home or property owned, operated, or controlled by an owner, operator, agent, or employee of a licensed provider of long term care services and providers are prohibited from providing and billing for services under these circumstances. Participants may not live in the home of their direct support worker unless the direct support worker is related to, and it is the choice of, the participant.

1. The provisions of §8307.K may be waived with prior written approval by OAAS or its designee.

L. It is permissible for the PAS allotment to be used flexibly within a prior authorized week in accordance with the participant's preferences and personal schedule, and with proper documentation.

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:254 and Title XIX of the Social Security Act.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Bureau of Health Services Financing and the Office of Aging and Adult Services, LR 37:3519 (December 2011), amended LR 39:320 (February 2013), LR 39:1778 (July 2013), LR 40:791 (April 2014), amended by the Department of Health, Bureau of Health Services Financing and the Office of Aging and Adult Services, LR 44:1898 (October 2018), LR 47:885 (July 2021), LR 49:486 (March 2023), LR 50:785 (June 2024).

### §8309. Transition Services

A. - C. ...

D. These services do not include monthly rental payments, mortgage expenses, food, recurring monthly utility charges, and household appliances and/or items intended for purely diversional/recreational purposes. These services may not be used to pay for furnishing or to set-up living arrangements that are owned or leased by a waiver provider.

E. - F. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:254 and Title XIX of the Social Security Act.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Bureau of Health Services Financing and the Office of Aging and Adult Services, LR 37:3520 (December 2011), amended by the Department of Health, Bureau of Health Services Financing and the Office of Aging and Adult Services, LR 44:1898 (October 2018), LR 50:786 (June 2024).

### §8313. Caregiver Temporary Support Services

A. - E. ...

F. When caregiver temporary support services are provided by an ADHC center, services may be provided no more than 10 hours per day.

G. Caregiver temporary support services may be utilized no more than 30 calendar days or 29 overnight stays per plan of care year for no more than 14 consecutive calendar days or 13 consecutive overnight stays. The service limit may be increased based on documented need and prior approval by OAAS.

H. Caregiver temporary support services may not be delivered at the same time as adult day health care or personal assistance services.

I. Caregiver temporary support services may be provided for the relief of the principal caregiver for participants who receive monitored in-home caregiving (MIHC) services.

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:254 and Title XIX of the Social Security Act.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Bureau of Health Services Financing and the Office of Aging and Adult Services, LR 37:3521 (December 2011), amended LR 39:321 (February 2013), LR 40:792 (April 2014), amended by the Department of Health, Bureau of Health Services Financing and the Office of Aging and Adult Services, LR 44:1898 (October 2018), LR 50:786 (June 2024).

### §8323. Skilled Maintenance Therapy

A. - F.2.h. ...

3. speech language therapy (SLT) services which preserve abilities for independent function in communication, facilitate oral motor and swallowing function, facilitate use of assistive technology, and/or prevent progressive disabilities including:

a. - h. ...

i. consulting or collaborating with other service providers or family members, as specified in the POC.

G. - H. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:254 and Title XIX of the Social Security Act.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Bureau of Health Services Financing and the Office of Aging and Adult Services, LR 37:3522 (December 2011), amended LR 39:321 (February 2013), amended by the Department of Health, Bureau of Health Services Financing and the Office of Aging and Adult Services, LR 44:1899 (October 2018), LR 47:885 (July 2021), LR 50:786 (June 2024).

### §8329. Monitored In-Home Caregiving Services

A. ...

B. The principal caregiver is responsible for supporting the participant to maximize the highest level of independence possible by providing necessary care and supports that may include:

1. - 4. ...

5. supervision or assistance while escorting/accompanying the participant outside of the home to perform services indicated in the plan of care and to provide the same level of supervision or assistance as would be rendered in the home; and

6. ...

C. The following individuals are allowed to be the MIHC principal caregiver:

1. the participant's spouse;

2. the participant's curator;

3. the participant's tutor;

4. the participant's legal guardian; or

5. the person to whom the participant has given representative and mandate authority (also known as power of attorney).

D. The participant's responsible representative is prohibited from being a MIHC principal caregiver for a participant.

1. - 3. Repealed.

E. Participants electing monitored in-home caregiving services shall not receive the following Community Choices Waiver services during the period of time that the participant is receiving monitored in-home caregiving services:

1. personal assistance services; or
2. home delivered meal services.

F. Monitored in-home caregiving providers must be licensed HCBS providers with a monitored in-home caregiving module who employ professional staff, including a registered nurse and a care manager, to support principal caregivers to perform the direct care activities performed in the home. The provider must assess and approve the home in which services will be provided, and shall enter into contractual agreements with caregivers who the agency has approved and trained. The provider will pay per diem stipends to caregivers.

G. The MIHC provider must use secure, web-based information collection from principal caregivers for the purposes of monitoring participant health and caregiver performance. All protected health information (PHI) must be transferred, stored, and otherwise utilized in compliance with applicable federal and state privacy laws. Providers must sign, maintain on file, and comply with the LDH HIPAA business associate addendum.

H. The department shall reimburse for monitored in-home caregiving services based upon a tiered model which is designed to address the participant's acuity.

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:254 and Title XIX of the Social Security Act.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Bureau of Health Services Financing and the Office of Aging and Adult Services, LR 40:792 (April 2014), amended LR 41:2642 (December 2015), amended by the Department of Health, Bureau of Health Services Financing and the Office of Aging and Adult Services, LR 44:1900 (October 2018), LR 50:786 (June 2024).

### **§8335. Financial Management Services**

A. Financial management services (FMS) assist the participant to live independently in the community while controlling their services by choosing the staff who work with them.

B. FMS are provided to participants who have chosen and are capable of self-directing their Community Choices Waiver services.

C. FMS are provided by a Medicaid enrolled fiscal employer agent (F/EA) and the F/EA's responsibilities and standards for participation are identified in LAC 50:XXI.Chapter 11, Subchapters A-C.

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:254 and Title XIX of the Social Security Act.

HISTORICAL NOTE: Promulgated by the Department of Health, Bureau of Health Services Financing and the Office of Aging and Adult Services, LR 50:787 (June 2024).

### **Chapter 85. Self-Direction Initiative**

#### **§8501. Self-Direction Service Option**

A. - C.1. ...

2. Involuntary Termination. The department may terminate the self-direction service option for a participant and require him/her to receive provider-managed services under the following circumstances:

- a. - c. ...
- d. the participant or responsible representative:
  - i. - iii. ...
  - iv. fails to cooperate with the department, fiscal agent or support coordinator;

C.2.d.v. - D.3. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:254 and Title XIX of the Social Security Act.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Bureau of Health Services Financing and the Office of Aging and Adult Services, LR 37:3523 (December 2011), amended LR 39:321 (February 2013), LR 39:1779 (July 2013), amended by the Department of Health, Bureau of Health Services Financing and the Office of Aging and Adult Services, LR 44:1900 (October 2018), LR: 49:1726 (October 2023), LR 50:787 (June 2024).

### **Chapter 86. Organized Health Care Delivery System**

#### **§8601. General Provisions**

A. - C. ...

D. Prior to enrollment, an OHCDs must show the ability to provide all of the following Community Choices Waiver services:

1. - 8. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:254 and Title XIX of the Social Security Act.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Bureau of Health Services Financing and the Office of Aging and Adult Services, LR 40:792 (April 2014), amended LR 41:2643 (December 2015), amended by the Department of Health, Bureau of Health Services Financing and the Office of Aging and Adult Services, LR 44:1901 (October 2018), LR 50:787 (June 2024).

### **Chapter 87. Plan of Care**

#### **§8701. Plan of Care**

A. The applicant and support coordinator have the flexibility to construct a plan of care that serves the participant's health and welfare needs. The service package provided under the POC shall include services covered under the Community Choices Waiver in addition to services covered under the Medicaid state plan (not to exceed the established service limits for either waiver or state plan services) as well as other services, regardless of the funding source for these services. All services approved pursuant to the POC shall be medically necessary and provided in a cost-effective manner. The POC shall be developed using a person-centered process coordinated by the support coordinator.

B. - C.3. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:254 and Title XIX of the Social Security Act.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Bureau of Health Services Financing and the Office of Aging and Adult Services, LR 37:3524 (December 2011), amended LR 39:321 (February 2013), amended by the Department of Health, Bureau of Health Services Financing and the Office of Aging and Adult Services, LR 44:1901 (October 2018), LR 50:787 (June 2024).

### **Chapter 89. Admission and Discharge Criteria**

#### **§8901. Admission Criteria**

A. Admission to the Community Choices Waiver program shall be determined in accordance with the following criteria:

1. - 3. ...

4. justification, as documented in the approved POC, that the Community Choices Waiver services are appropriate, cost effective and represent the least restrictive environment for the individual; and

5. reasonable assurance that the health and welfare of the participant can be maintained in the community with the provision of Community Choices Waiver services.

B. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:254 and Title XIX of the Social Security Act.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Bureau of Health Services Financing and the Office of Aging and Adult Services, LR 37:3524 (December 2011), amended LR 39:322 (February 2013), amended by the Department of Health, Bureau of Health Services Financing and the Office of Aging and Adult Services, LR 44:1901 (October 2018), LR 50:787 (June 2024).

### **§8903. Admission Denial or Discharge Criteria**

A. Admission shall be denied or the participant shall be discharged from the Community Choices Waiver program if any of the following conditions are determined.

1. - 4. ...

5. Continuity of services is interrupted as a result of the participant not receiving and/or refusing Community Choices Waiver services (exclusive of support coordination services) for a period of 30 consecutive days.

EXCEPTION: An exception may be granted by OAAS to delay discharge if interruption is due to an acute care hospital, rehabilitation hospital, or nursing facility admission.

6. The health and welfare of the individual cannot be reasonably assured through the provision of Community Choices Waiver services.

7. - 9. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:254 and Title XIX of the Social Security Act.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Bureau of Health Services Financing and the Office of Aging and Adult Services, LR 37:3524 (December 2011), amended LR 39:322 (February 2013), amended by the Department of Health, Bureau of Health Services Financing and the Office of Aging and Adult Services, LR 44:1901 (October 2018), LR 50:788 (June 2024).

### **Chapter 93. Provider Responsibilities**

#### **§9301. General Provisions**

A. ...

B. The provider shall not request payment unless the participant for whom payment is requested is receiving services in accordance with the Community Choices Waiver program provisions and the services have been prior authorized and actually provided.

C. Any provider of services under the Community Choices Waiver shall not refuse to serve any individual who chooses their agency unless there is documentation to support an inability to meet the individual's health and welfare needs, or all previous efforts to provide service and supports have failed and there is no option but to refuse services.

C.1. - D. ...

E. Any provider of services under the Community Choices Waiver shall not interfere with the eligibility, assessment, care plan development, or care plan monitoring processes with use of methods including, but not limited to:

1. - 3. ...

F. Any provider of services under the Community Choices Waiver shall have the capacity and resources to provide all aspects of any service they are enrolled to provide in the specified service area.

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:254 and Title XIX of the Social Security Act.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Bureau of Health Services Financing and the Office of Aging and Adult Services, LR 37:3524 (December 2011),

amended LR 39:322 (February 2013), amended by the Department of Health, Bureau of Health Services Financing and the Office of Aging and Adult Services, LR 44:1901 (October 2018), LR 50:788 (June 2024).

### **§9303. Reporting Requirements**

A. ...

B. Support coordinators and direct service providers are responsible for documenting the occurrence of incidents or accidents that affect the health and welfare of the participant and for completing an incident report. The incident report shall be submitted to the department or its designee with the specified requirements within specified timelines.

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:254 and Title XIX of the Social Security Act.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Bureau of Health Services Financing and the Office of Aging and Adult Services, LR 37:3525 (December 2011), amended LR 39:322 (February 2013), amended by the Department of Health, Bureau of Health Services Financing and the Office of Aging and Adult Services, LR 44:1902 (October 2018), LR 50:788 (June 2024).

### **Chapter 95. Reimbursement**

#### **§9501. Reimbursement and Rate Requirements**

A. Reimbursement for the following services shall be a prospective flat rate for each approved unit of service provided to the participant. One quarter hour (15 minutes) is the standard unit of service, which covers both the service provision and administrative costs for the following services, and reimbursement shall not be made for less than one quarter hour (15 minutes) of service:

1. personal assistance services (except for the "a.m. and p.m." service delivery model);

a. ...

b. there is a separate reimbursement rate for shared personal assistance services;

2. in-home caregiver temporary support services when provided by a personal care services or home health agency;

A.3. - C.2.a. ...

D. The following services shall be reimbursed at an established monthly rate:

1. ...

2. transition intensive support coordination;

3. monthly monitoring/maintenance for certain assistive devices/technology and medical supplies procedures; and

4. financial management services.

E. - E.2. ...

F. Reimbursement shall not be made for Community Choices Waiver services provided prior to the department's, or its designee's, approval of the POC and release of prior authorization for the services.

G. - H. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:254 and Title XIX of the Social Security Act.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Bureau of Health Services Financing and the Office of Aging and Adult Services, LR 37:3525 (December 2011), amended LR 39:322 (February 2013), LR 39:508, 508 (March 2013), repromulgated LR 39:1048 (April 2013), amended LR 39:1779 (July 2013), LR 40:793 (April 2014), LR 42:897 (June 2016), amended by the Department of Health, Bureau of Health Services Financing and the Office of Aging and Adult Services, LR

Ralph L. Abraham, M.D.  
Secretary

2406#033

**RULE**

**Department of Public Safety and Corrections  
Gaming Control Board**

**Open Meetings Accessibility; ADA  
(LAC 42:III.Chapter 5)**

The Department of Public Safety and Corrections, Gaming Control Board, in accordance with Act 393 of the 2023 Regular Legislative Session, R.S. 27:15, R.S. 27:24, and the provisions of the Administrative Procedures Act, R.S. 49:950 et seq., has created LAC 42:III.Chapter 5. The Rule change allows for attendance of board meeting via electronic means and the accommodation and participation of persons with disabilities to attend board meetings. This Rule is hereby adopted on the day of promulgation.

**Title 42**

**LOUISIANA GAMING**

**Part III. Gaming Control Board**

**Chapter 5. Open Meetings Accessibility; ADA**

**§501. Electronic Meetings**

A. Pursuant to the provisions of R.S. 42:17.2, the Louisiana Gaming Control Board (“board”) may meet and conduct some meetings via electronic means.

AUTHORITY NOTE: Promulgated in accordance with R.S. 27:15 and 24 and Act 393 of the 2023 Regular Session of the Louisiana Legislature.

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Gaming Control Board, LR 50:789 (June 2024).

**§503. Postings Prior to Meeting via Electronic Means**

A. At least twenty-four hours prior to the meeting, the board shall post the following on its website:

1. meeting notice and agenda; and
2. detailed information regarding how members of the public may:
  - a. participate in the meeting via electronic means, including the applicable videoconference link and/or teleconference phone number; and
  - b. submit written public comments regarding matters on the agenda prior to the meeting.

AUTHORITY NOTE: Promulgated in accordance with R.S. 27:15 and 24 and Act 393 of the 2023 Regular Session of the Louisiana Legislature.

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Gaming Control Board, LR 50:789 (June 2024).

**§505. Electronic Meeting Requirements**

A. To the extent practicable, a schedule of meetings identifying which will be conducted via electronic means and which will be conducted as in-person meetings shall be posted on the agency’s website on an annual basis or as available.

B. All members of the board, whether participating from the anchor location or via electronic means, shall be counted for the purpose of establishing a quorum and may vote.

C. An online archive of any open meetings conducted via electronic means shall be maintained and available for two years on the agency’s website.

AUTHORITY NOTE: Promulgated in accordance with R.S. 27:15 and 24 and Act 393 of the 2023 Regular Session of the Louisiana Legislature.

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Gaming Control Board, LR 50:789 (June 2024).

**§507. Disability Accommodations**

A. People with disabilities are defined as any of the following:

1. a member of the public with a disability recognized by the Americans with Disabilities Act (ADA);
2. a designated caregiver of such a person; or
3. c. a participant member of the agency with an ADA-qualifying disability.

B. The board shall ensure that the written public notice for an open meeting, as required by R.S. 42:19, includes the name, telephone number and email address of the designated agency representative to whom a disability accommodation may be submitted.

C. The designated agency representative shall provide the requestor with the accommodation, including the teleconference and/or video conference link, for participation via electronic means as soon as possible following receipt of the request, but no later than the start of the scheduled meeting.

D. Participation via electronic means shall count for purposes of establishing quorum and voting.

AUTHORITY NOTE: Promulgated in accordance with R.S. 27:15 and 24 and Act 393 of the 2023 Regular Session of the Louisiana Legislature.

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Gaming Control Board, LR 50:789 (June 2024).

Ronnie S. Johns  
Chairman

2406#043

**RULE**

**Department of Wildlife and Fisheries  
Wildlife and Fisheries Commission**

**Ecotour Activities on WMAs (LAC 76:XIX.119)**

The Wildlife and Fisheries Commission does hereby establish regulations for ecotour activities on Wildlife Management Areas (WMAs). The proposal will add regulations for commercial ecotour activities on certain WMAs. This Rule is hereby adopted on the day of promulgation.

**Title 76**

**WILDLIFE AND FISHERIES**

**Part XIX. Hunting and WMA Regulations**

**Chapter 1. Resident Game Hunting Season**

**§119. WMA Ecotours**

A. Licensed Ecotours

1. Pursuant to R.S. 56:1833 on Wild Louisiana Guide License, individuals possessing a Wild Louisiana Guide License may conduct commercial boat/vessel ecotour activities on Maurepas Swamp and Pearl River WMAs only,

via permit issued by the Department of Wildlife and Fisheries. Commercial ecotour activities must:

a. Obtain annually, a Special Use Permit from the Department of Wildlife and Fisheries. Such permits will specify:

- i. dates, times, locations, and routes, whereby which tours may be conducted on a given WMA;
- ii. number and types of vehicles and/or vessels, as well as number of individual tours or outings that will be allowed within a given timeframe;
- iii. requirements for annual reporting will include number of tours conducted, number of vehicles and vessels per tour conducted, number of clients per tour conducted, dates, and beginning and ending times of activities;
- iv. any additional requirements deemed necessary and appropriate by the department.

b. Pay to the department, a license fee of \$500 annually and a client fee of \$2 per trip for each person accompanying the guide on said WMAs; payments to be made quarterly or as determined by the Department of Wildlife and Fisheries.

- c. The following is prohibited on ecotour outings:
- i. taking, handling, harassing, feeding, baiting, luring, or releasing of wildlife;
  - ii. possession of animals;
  - iii. use of airboats;
  - iv. any additional activities specifically prohibited in the annual special use permit.

d. The number of permits shall be determined by the department but shall not exceed five permits per approved WMA per year.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:110.1 and R.S. 56:115.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 50:789 (June 2024).

Madison D. Sheahan  
Secretary

2406#044

**RULE**

**Department of Wildlife and Fisheries  
Wildlife and Fisheries Commission**

**Hunting Regulations for the 2024-2026 Seasons  
(LAC 76:XIX.Chapter 1)**

The Wildlife and Fisheries Commission has amended the general and wildlife management area rules and regulations for the 2024-2026 season, the resident game hunting season for the 2024-2026 hunting seasons, the general and wildlife management area rules and regulations for the turkey season, the turkey hunting areas, and seasons, and bag limits for the 2025 turkey season, and the migratory bird seasons, regulations and bag limits for the 2024-2026 hunting seasons. The department manages the take of resident game, outlaw quadrupeds and migratory birds in Louisiana and this action defines legal participants, sets the legal season bag

limits along with legal methods of take and hunting season dates for the 2024-2025 hunting season for wildlife in Louisiana. This Rule is hereby adopted on the day of promulgation.

**Title 76**

**WILDLIFE AND FISHERIES**

**Part XIX. Hunting and WMA Regulations**

**Chapter 1. Resident Game Hunting Season**

**§101. General**

A. The resident game hunting season regulations have been adopted by the Wildlife and Fisheries Commission. A complete copy of the regulations pamphlet may be obtained from the department.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:115.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 21:707 (July 1995), amended LR 22:585 (July 1996), LR 23:871 (July 1997), LR 24:1324 (July 1998), LR 25:1290 (July 1999), LR 26:1506 (July 2000), LR 27:1061 (July 2001), LR 28:1615 (July 2002), LR 29:1122 (July 2003), LR 30:1493 (July 2004), LR 31:1627 (July 2005), LR 32:1253 (July 2006), LR 33:1399 (July 2007), LR 34:1447 (July 2008), LR 35:1278 (July 2009), LR 36:1580 (July 2010), LR 37:2206 (July 2011), LR 38:1747 (July 2012), LR 39:2307 (August 2013), LR 40:1534 (August 2014), LR 41:958 (May 2015), LR 42:1107 (July 2016), LR 44:1273 (July 2018), LR 45:933 (July 2019), LR 46:957 (July 2020), LR 47:901 (July 2021), LR 48:1863 (July 2022), LR 49:1231 (July 2023), LR 50:790 (June 2024).

**§103. Resident Game Birds and Animals**

A. Shooting Hours—one-half hour before sunrise to one-half hour after sunset.

B. Consult Regulation Pamphlet for Seasons or Specific Regulations on Wildlife Management Areas or Specific Localities

Species	Season Dates	Daily Bag Limit	Possession Limit
Quail	OPENS: third Saturday of November CLOSES: last day of February	10	30
Rabbit and Squirrel	OPENS: first Saturday of October CLOSES: last day of February	8	24
Squirrel*	OPENS: first Saturday of May for 23 days	3	9
Deer 2024-2025	See Schedule	1 antlered and 1 antlerless (when legal)	Deer Areas 1,2,3,5,6,7,8, and 9—6/season (not to exceed 3 antlered deer or 4 antlerless deer). Deer Areas 4 and 10 limit—3/season (not to exceed 2 antlered or 2 antlerless deer).

\*NOTE: Spring squirrel season is closed on the Kisatchie National Forest, National Wildlife Refuges, U.S. Army Corps of Engineers property. Some state wildlife management areas will be open, check WMA season schedule.

C. Deer Hunting Schedule 2024-2025

Area	Archery	Primitive Firearms (All Either Sex Except as Noted)	Still Hunt (No dogs allowed)	With or Without Dogs
1	OPENS: first day of Oct. CLOSES: last day of Jan.	OPENS: second Sat. of Nov. CLOSES: Fri. after second Sat. of Nov. OPENS: Mon. after the next to last Sun. of Jan. CLOSES: last day of Jan.	OPENS: Sat. before Thanksgiving Day except when there are 5 Sats. in Nov., then it will open on the third Sat. of Nov. CLOSES: Fri. before second Sat. of Dec. except when there are 5 Sats. in Nov. and then it will close on the Fri. before the first Sat. of Dec. OPENS: Mon. after first Sat. of Jan. CLOSES: next to last Sun. of Jan.	OPENS: second Sat. of Dec. except when there are 5 Sats. in Nov., then it will open on the first Sat. of Dec. CLOSES: Sun. after first Sat. of Jan.
2	OPENS: first day of Oct. CLOSES: last day of Jan.	OPENS: next to last Sat. of Oct. CLOSES: Fri. before last Sat. of Oct. OPENS: Mon. after the last day of Modern Firearm Season in Jan. CLOSES: after 7 days	OPENS: last Sat. of Oct. CLOSES: Tues. before second Sat. of Dec. in odd numbered years and on Wed. during even numbered years except when there are 5 Sats. in Nov. and then it will close on the Tues. in odd numbered years or Wed. during even numbered years before the first Sat. of Dec.	OPENS: Wed. before the second Sat. of Dec. in odd numbered years and on Thurs. during even numbered years except when there are 5 Sats. in Nov., then it will open on the Wed. before the first Sat. of Dec. on odd years and Thurs. during even numbered years CLOSES: 40 days after opening in odd numbered years or 39 days after opening in even numbered years
3	OPENS: third Sat. of Sept. CLOSES: Jan. 15	OPENS: second Sat. of Oct. CLOSES: Fri. before third Sat. of Oct. OPENS: Mon. after last day of Modern Firearm Season CLOSES: after 7 days	OPENS: third Sat. of Oct. CLOSES: Sun. after Thanksgiving Day	OPENS: Mon. after Thanksgiving Day CLOSES: after 35 days
4	OPENS: first day of Oct. CLOSES: last day of Jan.	OPENS: second Sat. of Nov. CLOSES: Fri. after second Sat. of Nov. OPENS: Mon. after the next to last Sun. of Jan. CLOSES: last day of Jan.	OPENS: Sat. before Thanksgiving Day except when there are 5 Sats. in Nov., then it will open on the third Sat. of Nov. CLOSES: Fri. before second Sat. of Dec. except when there are 5 Sats. in Nov. and then it will close on the Fri. before the first Sat. of Dec. OPENS: Mon. after first Sat. of Jan. CLOSES: next to last Sun. of Jan.	OPENS: second Sat. of Dec. except when there are 5 Sats. in Nov., then it will open on the first Sat. of Dec. CLOSES: Sun. after first Sat. of Jan.
5	OPENS: first day of Oct. CLOSES: Feb. 15 (first 15 days are BUCKS ONLY)	(All Either Sex except as noted.) OPENS: second Sat. of Nov. CLOSES: Fri. before third Sat. of Nov. OPENS: Mon. after next to last Sun. of Jan. Bucks Only CLOSES: last day of Jan.	OPENS: Sat. before Thanksgiving Day except when there are 5 Sats. in Nov., then it will open on the third Sat. of Nov. CLOSES: Fri. before second Sat. of Dec. except when there are 5 Sats. in Nov. and then it will close on the Fri. before the first Sat. of Dec. (BUCKS ONLY UNLESS EITHER SEX SEASON IS IN PROGRESS) OPENS: Sat. before Thanksgiving Day except when there are 5 Sats. in Nov., then it will open on the third Sat. of Nov. CLOSES: Sun. of the same weekend. (EITHER SEX) OPENS: Fri. after Thanksgiving Day CLOSES: Sun. after Thanksgiving Day (EITHER SEX)	OPENS: second Sat. of Dec. except when there are 5 Sats. in Nov., then it will open on the first Sat. of Dec. CLOSES: next to last Sun. of Jan. (BUCKS ONLY UNLESS EITHER SEX SEASON IS IN PROGRESS) OPENS: second Sat. of Dec. CLOSES: Sun. after second Sat. of Dec. except when there are 5 Sats. in Nov., then it will open the first Sat. of Dec. and closes Sun. of the same weekend (EITHER SEX) OPENS: third Sat. of Dec. CLOSES: Sun. after third Sat. of Dec. except when there are 5 Sats. in Nov., then it will open the second Sat. of Dec. and close Sun. of the same weekend (EITHER SEX)
6	OPENS: first day of Oct. CLOSES: Feb. 15 (first 15 days are BUCKS ONLY)	OPENS: second Sat. of Nov. CLOSES: Fri. before third Sat. of Nov. OPENS: Mon. after the next to last Sun. of Jan. CLOSES: last day of Jan.	OPENS: Sat. before Thanksgiving Day except when there are 5 Sats. in Nov., then it will open on the third Sat. of Nov. CLOSES: Fri. before second Sat. of Dec. except when there are 5 Sats. in Nov. and then it will close on the Fri. before the first Sat. of Dec.	OPENS: second Sat. of Dec. except when there are 5 Sats. in Nov., then it will open on the first Sat. of Dec. CLOSES: next to last Sun. of Jan.

Area	Archery	Primitive Firearms (All Either Sex Except as Noted)	Still Hunt (No dogs allowed)	With or Without Dogs
7	OPENS: third Sat. of Sept. CLOSES: Jan. 15.	OPENS: second Sat. of Oct. CLOSES: Fri. before third Sat. of Oct. OPENS: Mon. after last day of Modern Firearm Season CLOSES: after 7 days	OPENS: third Sat. of Oct. CLOSES: Sun. after Thanksgiving	OPENS: Mon. after Thanksgiving Day CLOSES: after 35 days
8	OPENS: third Sat. of Sept. CLOSES: Jan. 15	OPENS: second Sat. of Oct. CLOSES: Fri. before third Sat. of Oct. OPENS: Mon. after last day of Modern Firearm Season CLOSES: after 7 days	OPENS: third Sat. of Oct. CLOSES: Sun. after Thanksgiving Day	OPENS: Mon. after Thanksgiving Day CLOSES: after 35 days
9	OPENS: first day of Oct. CLOSES: Feb. 15 (first 15 days are BUCKS ONLY)	OPENS: second Sat. of Nov. CLOSES: Fri. before third Sat. of Nov. OPENS: Mon. after next to last Sun. of Jan. Bucks Only CLOSES: last day of Jan. Bucks Only	OPENS: Sat. before Thanksgiving Day except when there are 5 Sats. in Nov., then it will open on the third Sat. of Nov. CLOSES: Fri. before second Sat. of Dec. except when there are 5 Sats. in Nov. and then it will close on the Fri. before the first Sat. of Dec. (BUCKS ONLY UNLESS EITHER SEX SEASON IS IN PROGRESS) OPENS: Sat. before Thanksgiving Day except when there are 5 Sats. in Nov., then it will open on the third Sat. of Nov. CLOSES: Sunday of the same weekend (EITHER SEX) OPENS: Fri. after Thanksgiving Day CLOSES: Sun. after Thanksgiving Day (EITHER SEX)	OPENS: second Sat. of Dec. except when there are 5 Sats. in Nov., then it will open on the first Sat. of Dec. CLOSES: next to last Sun. of Jan. (BUCKS ONLY UNLESS EITHER SEX SEASON IS IN PROGRESS) OPENS: second Sat. of Dec. CLOSES: Sun. after second Sat. of Dec. except when there are 5 Sats. in Nov., then it will open the first Sat. of Dec. and closes Sun. of the same weekend (EITHER SEX) OPENS: third Sat. of Dec. CLOSES: Sun. after third Sat. of Dec. except when there are 5 Sats. in Nov., then it will open the second Sat. of Dec. and close Sun. of the same weekend (EITHER SEX)
10	OPENS: third Sat. of Sept. CLOSES: Jan. 15	OPENS: second Sat. of Oct. CLOSES: Fri. before third Sat. of Oct. OPENS: Mon. after last day of Modern Firearms CLOSES: after 7 days	OPENS: third Sat. of Oct. CLOSES: 38 days after Thanksgiving Day	

D. Deer Hunting Schedule 2025-2026

Area	Archery	Primitive Firearms (All Either Sex Except as Noted)	Still Hunt (No dogs allowed)	With or Without Dogs
1	OPENS: first day of Oct. CLOSES: last day of Jan.	OPENS: second Sat. of Nov. CLOSES: Fri. after second Sat. of Nov. OPENS: Mon. after the next to last Sun. of Jan. CLOSES: last day of Jan.	OPENS: Sat. before Thanksgiving Day except when there are 5 Sats. in Nov., then it will open on the third Sat. of Nov. CLOSES: Fri. before second Sat. of Dec. except when there are 5 Sats. in Nov. and then it will close on the Fri. before the first Sat. of Dec. OPENS: Mon. after first Sat. of Jan. CLOSES: next to last Sun. of Jan.	OPENS: second Sat. of Dec. except when there are 5 Sats. in Nov., then it will open on the first Sat. of Dec. CLOSES: Sun. after first Sat. of Jan.
2	OPENS: first day of Oct. CLOSES: last day of Jan.	OPENS: next to last Sat. of Oct. CLOSES: Fri. before last Sat. of Oct. OPENS: Mon. after the last day of Modern Firearm Season in Jan. CLOSES: after 7 days	OPENS: last Sat. of Oct. CLOSES: Tues. before second Sat. of Dec. in odd numbered years and on Wed. during even numbered years except when there are 5 Sats. in Nov. and then it will close on the Tues. in odd numbered years or Wed. during even numbered years before the first Sat. of Dec.	OPENS: Wed. before the second Sat. of Dec. in odd numbered years and on Thurs. during even numbered years except when there are 5 Sats. in Nov., then it will open on the Wed. before the first Sat. of Dec. on odd years and Thurs. during even numbered years CLOSES: 40 days after opening in odd numbered years or 39 days after opening in even numbered years
3	OPENS: third Sat. of Sept. CLOSES: Jan. 15	OPENS: second Sat. of Oct. CLOSES: Fri. before third Sat. of Oct. OPENS: Mon. after last day of Modern Firearm Season CLOSES: after 7 days	OPENS: third Sat. of Oct. CLOSES: Sun. after Thanksgiving Day	OPENS: Mon. after Thanksgiving Day CLOSES: after 35 days



Area	Archery	Primitive Firearms (All Either Sex Except as Noted)	Still Hunt (No dogs allowed)	With or Without Dogs
4	OPENS: first day of Oct. CLOSES: last day of Jan.	OPENS: second Sat. of Nov. CLOSES: Fri. after second Sat. of Nov. OPENS: Mon. after the next to last Sun. of Jan. CLOSES: last day of Jan.	OPENS: Sat. before Thanksgiving Day except when there are 5 Sats. in Nov., then it will open on the third Sat. of Nov. CLOSES: Fri. before second Sat. of Dec. except when there are 5 Sats. in Nov. and then it will close on the Fri. before the first Sat. of Dec. OPENS: Mon. after first Sat. of Jan. CLOSES: next to last Sun. of Jan.	OPENS: second Sat. of Dec. except when there are 5 Sats. in Nov., then it will open on the first Sat. of Dec. CLOSES: Sun. after first Sat. of Jan.
5	OPENS: first day of Oct. CLOSES: Feb. 15 (first 15 days are BUCKS ONLY)	(All Either Sex except as noted.) OPENS: second Sat. of Nov. CLOSES: Fri. before third Sat. of Nov. OPENS: Mon. after next to last Sun. of Jan. Bucks Only CLOSES: last day of Jan.	OPENS: Sat. before Thanksgiving Day except when there are 5 Sats. in Nov., then it will open on the third Sat. of Nov. CLOSES: Fri. before second Sat. of Dec. except when there are 5 Sats. in Nov. and then it will close on the Fri. before the first Sat. of Dec. (BUCKS ONLY UNLESS EITHER SEX SEASON IS IN PROGRESS) OPENS: Sat. before Thanksgiving Day except when there are 5 Sats. in Nov., then it will open on the third Sat. of Nov. CLOSES: Sun. of the same weekend. (EITHER SEX) OPENS: Fri. after Thanksgiving Day CLOSES: Sun. after Thanksgiving Day (EITHER SEX)	OPENS: second Sat. of Dec. except when there are 5 Sats. in Nov., then it will open on the first Sat. of Dec. CLOSES: next to last Sun. of Jan. (BUCKS ONLY UNLESS EITHER SEX SEASON IS IN PROGRESS) OPENS: second Sat. of Dec. CLOSES: Sun. after second Sat. of Dec. except when there are 5 Sats. in Nov., then it will open the first Sat. of Dec. and closes Sun. of the same weekend (EITHER SEX) OPENS: third Sat. of Dec. CLOSES: Sun. after third Sat. of Dec. except when there are 5 Sats. in Nov., then it will open the second Sat. of Dec. and close Sun. of the same weekend (EITHER SEX)
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8	OPENS: third Sat. of Sept. CLOSES: Jan. 15	OPENS: second Sat. of Oct. CLOSES: Fri. before third Sat. of Oct. OPENS: Mon. after last day of Modern Firearm Season CLOSES: after 7 days	OPENS: third Sat. of Oct. CLOSES: Sun. after Thanksgiving Day	OPENS: Mon. after Thanksgiving Day CLOSES: after 35 days
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Area	Archery	Primitive Firearms (All Either Sex Except as Noted)	Still Hunt (No dogs allowed)	With or Without Dogs
10	OPENS: third Sat. of Sept. CLOSES: Jan. 15	OPENS: second Sat. of Oct. CLOSES: Fri. before third Sat. of Oct. OPENS: Mon. after last day of Modern Firearms CLOSES: after 7 days		

E. Farm-raised white-tailed deer on supplemented shooting preserves:

1. archery, firearm, primitive firearms—October 1-January 31 (either-sex).

F. Exotics on supplemented shooting preserves:

1. either sex—no closed season.

G. Spring squirrel hunting:

1. season dates—opens first Saturday of May for 23 days;

2. closed areas:

a. Kisatchie National Forest, national wildlife refuges, and U.S. Army Corps of Engineers property and all WMAs except as provided in Paragraph 3 below;

3. wildlife management area schedule—opens first Saturday of May for nine days on all WMAs except Fort Johnson-Vernon, Fort Johnson North, Esler Field, Atchafalaya Delta, Pass-a-Loutre and Salvador/Timken. Dogs are allowed during this season for squirrel hunting;

4. limits—daily bag limit is three and possession limit is nine.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:115, R.S. 56:109(B) and R.S. 56:141(C).

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 21:707 (July 1995), amended LR 22:585 (July 1996), LR 23:871 (July 1997), LR 24:1324 (July 1998), LR 25:1290 (July 1999), repromulgated LR 25:1526 (August 1999), LR 26:1506 (July 2000), LR 27:1061 (July 2001), LR 28:1615 (July 2002), LR 29:1122 (July 2003), repromulgated LR 29:1521 (August 2003), amended LR 30:1494 (July 2004), LR 31:1627 (July 2005), LR 32:1254 (July 2006), LR 33:115 (January 2007), LR 33:1399 (July 2007), LR 34:1447 (July 2008), LR 35:1278 (July 2009), LR 35:2856 (December 2009), LR 36:1580 (July 2010), LR 37:2207 (July 2011), LR 38:1747 (July 2012), LR 39:2307 (August 2013), LR 40:1535 (August 2014), LR 41:958 (May 2015), LR 42:1108 (July 2016), LR 43:1420 (July 2017), LR 44:1273 (July 2018), LR 45:934 (July 2019), LR 46:957 (July 2020), LR 47:901 (July 2021), LR 48:1863 (July 2022), LR 49:1232 (July 2023), LR 50:790 (June 2024).

### **§111. General and Wildlife Management Area Hunting Rules and Regulations**

A. Hunting Seasons and Wildlife Management Area (WMA) Regulations

1. The rules and regulations contained within this digest have been officially approved and adopted by the Wildlife and Fisheries Commission under authority vested by sections 115 and 116 of title 56 of the *Louisiana Revised Statutes* of 1950 and are in full force and effect in conjunction with all applicable statutory laws. The secretary of the Department of Wildlife and Fisheries (LDWF) has the authority to close or alter seasons in emergency situations in order to protect fish and wildlife resources.

2. Pursuant to section 40.1 of title 56 of the *Louisiana Revised Statutes* of 1950, the Wildlife and Fisheries Commission has adopted monetary values which are assigned to all illegally taken, possessed, injured or destroyed fish, wild birds, wild quadrupeds and other

wildlife and aquatic life. Anyone taking, possessing, injuring or destroying fish, wild birds, wild quadrupeds and other wildlife and aquatic life shall be required to reimburse the LDWF a sum of money equal to the value of the wildlife illegally taken, possessed, injured or destroyed. This monetary reimbursement shall be in addition to any and all criminal penalties imposed for the illegal act.

B. Resident Game Birds and Animals

1. Shooting hours: one-half hour before sunrise to one-half hour after sunset.

C. Other Season Dates

1. Turkey. Please refer to turkey regulations.

2. Raccoon and Opossum. No closed season. Raccoon and opossum can be taken at night by one or more licensed hunters with one or more dogs and one .22 caliber or smaller rimfire firearm. A licensed hunter may take raccoon or opossum with .22 caliber or smaller rimfire firearm, .36 caliber or smaller muzzleloader rifle, archery gear, air rifle or shotgun during daylight hours. Hunting from boats or motor vehicles is prohibited. No bag limit for nighttime or daytime raccoon or opossum hunting during the open trapping season except on certain WMAs as listed. The remainder of the year, the raccoon and opossum bag limit for daytime or nighttime is two per person per day or night. No one who hunts raccoons or opossums as prescribed above shall pelt during the closed trapping season nor sell skins or carcasses of raccoons and opossums taken during the open trapping season unless he is the holder of a valid trapping license which shall be required in addition to his basic hunting license. Pelting or selling carcasses is illegal during closed trapping season.

3. Nutria. On WMAs and private property nutria may be taken recreationally by licensed hunters from September 1 through the last day of February, during legal shooting hours by any legal hunting method with a daily limit of five. Except nutria may be taken on Atchafalaya Delta, Salvador/Timken, Pointe-Aux-Chenes and Pass-a-Loutre WMAs from September 1 to March 31. When taken with a shotgun, non-toxic shot must be used. On WMAs during waterfowl seasons, nutria may be taken only with the use of shotguns with shot no larger than F steel, and during gun deer seasons, anyone taking nutria must display 400 square inches of “hunter orange” and wear a “hunter orange” cap or hat. Recreational nutria hunters must remove each nutria carcass in whole condition from the hunting area, except that nutria may be gutted. Possession of detached nutria parts, including nutria tails, by recreational hunters is illegal. Nutria harvested recreationally may not be pelted nor may such nutria or any nutria parts from recreationally taken nutria be sold, including the tail. Trespassing upon private property for the purpose of taking nutria or other furbearing animals is punishable by fines and possible jail time (R.S. 56:265). The Coastwide Nutria Control Program is a separate program and is in no way related to the nutria recreational season. For questions on the Coastwide Nutria

Control Program, call the Lafayette Field Office, (337) 735-8672.

4. Crows. The season for crows shall be September 1 through January 1 with no limit.

5. Pheasant. Open concurrently with the quail season; no limit.

6. Falconry. Special permit required. Resident and migratory game species may be taken except turkeys. Seasons and bag limits are the same as for statewide and WMA regulations. Refer to LAC 76:V.301 for specific falconry rules.

7. Licensed Hunting Preserve, October 1-April 30, Pen-Raised Birds Only. No limit entire season. Refer to LAC 76:V.305 for specific hunting preserve rules.

8. Deer Management Assistance Program (DMAP). Refer to LAC 76:V.111 for specific DMAP rules. Deer management assistance tags must be in the possession of the hunter in order to harvest an antlerless deer. The tag shall be attached through the hock in such a manner that it cannot be removed before the deer is transported (including those taken on either-sex days and those taken with approved archery equipment or primitive firearms). Failure to do so is a violation of R.S. 56:115. Deer harvested on property enrolled in DMAP do not count in the season or daily bag limit for hunters when legally tagged with DMAP tags. DMAP participants must follow the deer season schedule established for their respective areas, except antlerless deer may be harvested any day of the deer season on property enrolled in DMAP provided that a DMAP tag is possessed by the hunter at the time of harvest. Failing to follow DMAP rules and regulations may result in suspension and cancellation of the program on those lands involved.

9. Farm Raised White-tailed Deer and Exotics on Licensed Supplemented Shooting Preserves

a. Definitions

*Exotics*—for purposes of this Section means any animal of the family *Bovidae* (except the tribe *Bovini* [cattle]) or *Cervidae* which is not indigenous to Louisiana and which is confined on a supplemented hunting preserve. *Exotics* shall include, but are not limited to, fallow deer, red deer, elk, sika deer, axis deer, and black buck antelope.

*Hunting*—in its different tenses and for purposes of this Section means to take or attempt to take, in accordance with R.S. 56:8.

*Same as Outside*—for purposes of this Section means hunting on a supplemented hunting preserve must conform to applicable statutes and rules governing hunting and deer hunting, as provided for in title 56 of the *Louisiana Revised Statutes* and as established annually by the Wildlife and Fisheries Commission.

*Supplemented Hunting Preserve*—for purposes of this Section means any enclosure for which a current farm-raising license has been issued by the Department of Agriculture and Forestry (LDAF) with concurrence of the LDWF and is authorized in writing by the LDAF and LDWF to permit hunting.

*White-Tailed Deer*—for purposes of this Rule means any animal of the species *Odocoileus virginianus* which is confined on a supplemented hunting preserve.

b. Seasons:

i. farm-raised white-tailed deer: consult the regulations pamphlet;

ii. exotics: year round.

c. Methods of take:

i. white-tailed deer: same as outside;

ii. exotics: exotics may be taken with traditional bow, compound bow and crossbow or any bow drawn, held or released by mechanical means; shotguns not larger than 10 gauge, loaded with buckshot or rifled slug; centerfire handguns and rifles no smaller than .22 caliber, rimfire no smaller than .30 caliber, pre-charged pneumatic devices no smaller than .30 caliber and at least 150 grains in weight with a minimum muzzle velocity of 800 feet per second or any combination of bullet weight and muzzle velocity that produces muzzle energy of at least 215 foot pounds of energy or muzzleloading rifles or pistols, .44 caliber minimum, or shotguns 10 gauge or smaller, all of which must load exclusively from the muzzle or cap and ball cylinder, using black powder or an approved substitute only, and using ball or bullet projectile, including sabot bullets only and other approved primitive firearms.

d. Shooting hours:

i. white-tailed deer: same as outside;

ii. exotics: one-half hour before sunrise to one-half hour after sunset.

e. Bag limit:

i. farm-raised white-tailed deer: same as outside;

ii. exotics: no limit.

f. Hunting licenses:

i. white-tailed deer: same as outside;

ii. exotics: no person shall hunt any exotic without possessing a valid basic and deer hunting license.

g. Tagging. White-tailed deer and exotics: each animal shall be tagged in the left ear or left antler immediately upon being killed and before being moved from the site of the kill with a tag provided by the LDAF. The tag shall remain with the carcass at all times.

10. Bobcat. No person other than the holder of a valid basic hunting license may take or possess bobcat, except licensed trappers who may take or possess bobcat during the open trapping season. A basic hunting licensee shall only take bobcat during the time period from one-half hour before sunrise to one-half hour after sunset with approved archery equipment, shotgun, muzzleloader or centerfire firearm. A basic hunting licensee shall not take more than one bobcat per calendar year. This regulation applies only to property that is privately owned, state WMAs, Kisatchie National Forest, and the Bayou des Ourses, Bodcau, Bonnet Carré, and Indian Bayou tracts owned by the Corps of Engineers, but does not apply to state wildlife refuges, or other federally owned refuges and lands. On state WMAs and Kisatchie National Forest, the take of bobcat is restricted to those open seasons on the WMAs which require the respective legal weapons noted above.

D. Hunting—General Provisions

1. A basic resident or non-resident hunting license is required of all persons to hunt, take, possess or cause to be transported by any other person any wild bird or quadruped. See information below for exceptions.

2. No person born on or after September 1, 1969, shall hunt unless that person has first been issued a certificate of satisfactory completion of a firearm and hunter education course approved by the department, except any active or veteran member of the United States armed services or any

POST-certified law enforcement officer. Application for the exemption shall be filed in person at the LDWF main office building in the city of Baton Rouge. A person under 16 years of age may hunt without such certificate if he/she is accompanied by and is under the direct supervision of a person who was born before September 1, 1969, and has a valid hunting license or who is 18 years of age or older and has proof of successful completion of a firearm and hunter education course approved by the department. A person who has not completed the firearm and hunter safety course may be issued a valid hunting license by the department. Such license shall be issued with a restriction that requires that person be accompanied by and under the direct supervision of a person who was born before September 1, 1969 and has a valid hunting license or who is 18 years of age or older and has proof of successful completion of a firearm and hunter education course approved by the department.

3. A deer or turkey license, whichever is appropriate, is required in addition to the basic hunting license to hunt, take, possess or cause to be transported any deer or turkey. Additionally, any person younger than 18 years of age engaged in an activity that necessitates the use of deer tags or turkey tags, or involves participation in a youth lottery hunt shall have in their immediate possession a valid, original youth license.

4. A hunting guide license is required for any person or entity who publicly represents himself to be a hunting guide or who transports, aids or provides assistance to another individuals(s) in the act of taking, or attempting to take, any wildlife species for compensation on a transactional or for-hire basis. For purposes of this rule, a hunting guide license is not required for any person or entity employed or contracted by a private hunting club to provide hunting guide services exclusively for the club's private members and its invited guests.

5. Taking game quadrupeds or birds from aircraft or participating in the taking of deer with the aid of aircraft or from automobiles or other moving land vehicles is prohibited.

6. Methods of Taking Resident Game Birds and Quadrupeds

a. It is illegal to intentionally feed, deposit, place, distribute, expose, scatter, or cause to be fed, deposited, placed, distributed, exposed, or scattered raw sweet potatoes to wild game quadrupeds.

b. Use of a traditional bow, compound bow and crossbow or any bow drawn, held or released by mechanical means or a shotgun not larger than a 10 gauge fired from the shoulder shall be legal for taking all resident game birds and quadrupeds. Also, the use of a handgun, rifle and falconry (special permit required) shall be legal for taking all game species except turkey. It shall be illegal to hunt or take squirrels or rabbits at any time with a breech-loaded rifle or handgun larger than .22 caliber, any centerfire firearm, or a muzzleloading firearm larger than .36 caliber. It shall be legal to hunt or take squirrels, rabbits, and outlaw quadrupeds with air rifles.

c. Still hunting is defined as stalking or stationary stand hunting without the use of dog(s). Pursuing, driving or hunting deer with dogs is prohibited when or where a still

hunting season or area is designated, and will be strictly enforced. Shotguns larger than 10 gauge or capable of holding more than three shells shall be prohibited. Plugs used in shotguns must be incapable of being removed without disassembly. Refer to game schedules contained within these regulations for specific restrictions on the use of firearms and other devices.

d. No person shall take or kill any game bird or wild quadruped with a firearm fitted with an infrared sight, laser sight, or except as provided in R.S. 56:116(A)(8) any sighting device which projects a beam of light to the target or otherwise electronically illuminates the target, or device specifically designed to enhance vision at night [R.S. 56:116.1(B)(3)(a-b)].

7. Nuisance Animals. Landowners or their designees may remove beaver and nutria causing damage to their property without a special permit. Water set traps and firearms may be used to remove beaver; nutria may be removed by any means except that nutria cannot be taken by the use of headlight and gun between the hours of sunset and sunrise. Any nuisance beaver or nutria trapped or shot outside open trapping season cannot be pelted or sold. A trapping license is required to sell or pelt nuisance beavers or nutria taken during open trapping season. Squirrels found depredating commercial crops of pecans may be taken year-round by permit issued by the LDWF. This permit shall be valid for 30 days from the date of issuance. Contact the local region office for details.

8. Threatened and endangered species. Taking or harassment of any of these species is a violation of state and federal laws. (LAC 76:I.317)

1. Invertebrates		
Pink Mucket	<i>Lampsilis abrupta</i>	E
Louisiana Pearlshell	<i>Margaritifera hembeli</i>	T
Fat Pocketbook	<i>Potamilus capax</i>	E
Inflated Heelsplitter	<i>Potamilus inflatus</i>	T
Rabbitsfoot	<i>Quadrula cylindrica</i>	T
2. Fish		
Gulf Sturgeon	<i>Acipenser oxyrinchus desotoi</i>	T
Pallid Sturgeon	<i>Scaphirhynchus albus</i>	E
Smalltooth Sawfish	<i>Pristis pectinata</i>	E
3. Amphibians		
Dusky Gopher Frog	<i>Lithobates sevosus</i>	E
4. Reptiles (including eggs)		
Loggerhead Sea Turtle	<i>Caretta caretta</i>	T
Green Sea Turtle	<i>Chelonia mydas</i>	T
Hawksbill Sea Turtle	<i>Eretmochelys imbricata</i>	E
Kemp's Ridley Sea Turtle	<i>Lepidochelys kempii</i>	E
Leatherback Sea Turtle	<i>Dermochelys coriacea</i>	E
Ringed Map Turtle	<i>Graptemys oculifera</i>	T
Gopher Tortoise	<i>Gopherus polyphemus</i>	T
Black Pinesnake	<i>Pituophis melanoleucus lodingi</i>	T
Louisiana Pinesnake	<i>Pituophis ruthveni</i>	T
5. Birds (including eggs)		
Whooping Crane	<i>Grus americana</i>	E
Piping Plover	<i>Charadrius melodus</i>	T
Red Knot	<i>Calidris canutus rufa</i>	T
Interior Least Tern	<i>Sternula antillarum athalassos</i>	E
Red-cockaded Woodpecker	<i>Picoides borealis</i>	E
6. Mammals		
West Indian Manatee	<i>Trichechus manatus</i>	T
Northern Long-eared Bat	<i>Myotis septentrionalis</i>	T
Sperm Whale	<i>Physeter macrocephalus</i>	E
Florida Panther	<i>Felis concolor coryi</i>	E

7. Plants		
American Chaffseed	<i>Schwalbea americana</i>	E
Earth-fruit	<i>Geocarpon minimum</i>	T
Louisiana Quillwort	<i>Isoetes louisianensis</i>	E
Pondberry	<i>Lindera melissifolia</i>	E
E = Endangered; T = Threatened		

9. Outlaw Quadrupeds. Holders of a legal hunting license may take coyotes, feral hogs, and armadillos year round during legal daylight shooting hours. The running of coyotes with dogs is prohibited in all turkey hunting areas during the open turkey season. Coyote hunting is restricted to chase only when using dogs during still hunting segments of the firearm and archery only seasons for deer. Foxes are protected quadrupeds and may be taken only with traps by licensed trappers during the trapping season. Remainder of the year "chase only" allowed by licensed hunters. On private property, outlaw quadrupeds may be taken with or by means of an automatic-loading or hand-operated repeating shotgun capable of holding more than three shells when using buckshot or rifled slug ammunition and may be taken while riding or standing in or upon a moving land vehicle.

10. Nighttime Take of Nuisance Animals and Outlaw Quadrupeds. On private property, the landowner, or his lessee or agent with written permission from the landowner and the landowner's contact information in his possession, may take outlaw quadrupeds (coyotes, armadillos and feral hogs), nutria, or beaver during nighttime hours. However, no person shall be allowed to participate or be present during the nighttime hunting activities if convicted of a Class 3 or greater wildlife violation within the previous five years or if he has any other prohibition which would prevent the legal use of a firearm or participation in a hunting activity. Such taking may be with or without the aid of artificial light, infrared or laser sighting devices, or night vision devices. In addition, pursuant to R.S. 56:116(D)(3) any person who is authorized to possess a firearm suppressor may use a firearm fitted with a sound suppressor when taking outlaw quadrupeds, nutria, or beaver. Any person attempting to take outlaw quadrupeds, nutria, or beaver under the provisions of the Paragraph, shall notify the sheriff of the Parish in which the property is located of his intention to attempt to take outlaw quadrupeds, nutria or beaver within twenty-four hours prior to the attempted taking or immediately upon taking the animal.

11. Hunting and/or discharging firearms on public roads. hunting, standing, loitering or shooting game quadrupeds or game birds while on a public road or public road right-of-way is prohibited. Hunting or discharging a firearm on or across an open LMV road or LMV road right-of-way is prohibited. Spot lighting or shining from public roads is prohibited by state law. Hunting from all public roads and public road rights-of-way is prohibited.

12. Tags. Any part of the deer or wild turkey divided shall have affixed thereto the name, date, address and deer or turkey or youth license number, whichever is the appropriate license, of the person killing the deer or wild turkey and the sex of that animal. This information shall be legibly written in pen or pencil, on any piece of paper or cardboard or any material, which is attached or secured to or enclosing the part or parts. See DMAP Regulations (LAC 76:V.111) for deer management assistance tagging requirements on lands enrolled in DMAP.

13. Sex Identification. Positive evidence of sex identification, including the head or sex organs, shall remain on any deer taken or killed within the state of Louisiana, or on all turkeys taken or killed so long as such deer or turkey is kept in camp or field, or is in route to the domicile of its possessor, or until a deer has been appropriately tagged and validated, and proof of electronic tagging or the carcass tag remains with the carcass, or until such deer or turkey has been stored at the domicile of its possessor or divided at a cold storage facility and has become identifiable as food rather than as wild game. Possessors of any portion of a deer or wild turkey, which has been divided in camp or field, without evidence of positive sex identification shall affix a tag in accordance with LAC 76:XIX.111.D.12 identifying the sex of the animal.

14. Use of Drones for the Recovery of Wounded Deer or Bear. The use of unmanned aerial vehicles (UAV) (commonly referred to as a drone) to aid in the recovery of a wounded deer or bear is prohibited.

#### E. General Deer Hunting Regulations

1. Prior to hunting deer, all deer hunters, regardless of age or license status, must obtain carcass or electronic deer tags and have in possession when hunting deer. Immediately upon harvesting a deer, the hunter must tag the deer with the appropriate carcass or electronic tag. Deer tags may only be used by the hunter to whom the tag was issued. Hunters who allow their deer tags to be used by another person, or who use tags issued to another person, are in violation of this Rule and are subject to fines and other administrative penalties, including, but not limited to, the automatic forfeiture of any remaining deer tags for the season for which they are issued. If using physical tag, the parish and date of kill must be documented on the deer tag and the hunter must validate the harvest by calling the validation toll free number or by utilizing the department's website within 72 hours of the kill. Hunters utilizing electronic tags shall electronically tag and validate their harvest before moving the deer. Hunters harvesting deer on DMAP lands can validate deer per instructions by LDWF using the DMAP harvest data sheets.

2. 2024-2025 Season. One antlered and one antlerless deer per day (when legal) except on Kisatchie National Forest, Indian Bayou Area owned by the US Army Corps of Engineers, and some federal refuges (check refuge regulations) where the daily limit shall be one deer per day. Antlerless deer may be harvested during entire deer season on private lands (all seasons included) except as specified in deer hunting schedule. This does not apply to public lands (WMAs, national forest lands, and federal refuges) which will have specified either-sex days. Deer harvested on property enrolled in DMAP may not count in the season or daily bag limit for hunters. See DMAP Regulations (LAC 76:V.111) for more information.

3. 2025-2026 Season. One antlered and one antlerless deer per day (when legal) except on Kisatchie National Forest, Indian Bayou Area owned by the US Army Corps of Engineers, and some federal refuges (check refuge regulations) where the daily limit shall be one deer per day. Antlerless deer may be harvested during entire deer season on private lands (all seasons included) except as specified in deer hunting schedule. This does not apply to public lands (WMAs, national forest lands, and federal refuges) which

will have specified either-sex days. Deer harvested on property enrolled in DMAP may not count in the season or daily bag limit for hunters. See DMAP Regulations (LAC 76:V.111) for more information.

4. *Bucks Only* and *Legal Antlered Deer* are defined as a deer with at least one visible antler of hardened bony material, broken naturally through the skin. Killing antlerless deer is prohibited except where specifically allowed.

5. *Either-Sex Deer* is defined as male or female deer. Taking or possessing spotted fawns is prohibited.

6. It is illegal to hunt or shoot deer with centerfire firearms smaller than .22 caliber, rimfire firearms smaller than .30 caliber, or a shotgun loaded with anything other than buckshot or slug. Pre-charged pneumatic devices may be used during the modern firearm season for deer provided that they fire a projectile of at least .30 caliber in diameter and at least 150 grains in weight with a minimum muzzle velocity of 800 feet per second or any combination of bullet weight and muzzle velocity that produces muzzle energy of at least 215 foot pounds of energy. Arrows or bolts used with a pre-charged pneumatic device shall only be used with well sharpened broadhead points and may be used to hunt deer only during modern firearm deer season. Handguns may be used for hunting.

7. Taking game quadrupeds or birds from aircraft, participating in the taking of deer with the aid of aircraft or from automobiles or other moving land vehicles is prohibited.

8. Still hunting is defined as stalking or stationary stand hunting without the use of dog(s). Pursuing, driving or hunting deer with dogs or moving vehicles, including ATVs, when or where a still hunting season or area is designated, is prohibited and will be strictly enforced. The training of deer dogs is prohibited in all still hunting areas during the gun still hunting and archery only season. Deer hunting with dogs is allowed in all other areas having open deer seasons that are not specifically designated as still hunting only. A dog may be used to trail and retrieve mortally wounded deer. Except in Wildlife Management Areas, a licensed hunter or tracker may pursue a deer that was legally shot and mortally wounded during legal hunting hours, after legal hunting hours, and to dispatch the deer if the deer is found alive. The licensed hunter or tracker pursuing the mortally wounded deer may utilize lights and a blood-trailing or tracking dog. No more than one dog may be used per tracking party in pursuit of the wounded deer. A second dog may be utilized for the purpose of deer retrieval training. Tracking dogs shall be on a handheld leash or utilize a GPS tracking collar. Any wounded deer, discovered alive, may be dispatched by the licensed hunter or tracker using a centerfire handgun with a barrel no longer than six inches, caliber no larger than .45 or smaller than .25.

9. It is illegal to take deer while deer are swimming or while the hunter is in a boat with motor attached in operating position; however the restriction in this Paragraph shall not apply to any person who has lost one or more limbs.

10. Areas not specifically designated as open are closed.

11. It is unlawful to import, sell, use or possess scents or lures that contain natural deer urine or other bodily fluids,

except natural deer urine products produced by manufacturers or entities that are actively enrolled and participating in either the Responsible Hunting Scent Association (RHSA) or Archery Trade Association Deer Protection Program, which has been tested using real-time quaking induced conversion (RT-QuIC) and certified that no detectable levels of Chronic Wasting Disease (CWD) are present and is clearly labeled as such.

12. Primitive Firearms Season: Still Hunt Only. Specific WMAs will also be open, check WMA schedule for specific details. A deer or senior license, whichever is appropriate, is required for all hunters 18 years of age and older. Additionally, any person younger than 18 years of age hunting the primitive firearms season shall have in their immediate possession a valid, original youth license. Either-sex deer may be taken in all areas open for deer hunting except when a Bucks Only season is in progress. In such cases, hunters must conform to the bucks only regulations except antlerless deer may be harvested any day of the deer season on property enrolled in DMAP provided that a DMAP tag is possessed by the hunter at the time of harvest.

a. Legal Firearms for Primitive Firearms Season

i. Rifles or pistols, .44 caliber minimum, or shotguns 10 gauge or smaller, all of which must load exclusively from the muzzle, use black powder or approved substitute only, take ball, shot, or bullet projectile only, including sabot bullets, and may be fitted with magnified scopes.

ii. Single shot, breech loading rifles or single shot, breech loading pistols, .35 caliber or larger, having an exposed hammer, that use metallic cartridges loaded either with black powder or modern smokeless powder, and may be fitted with magnified scopes.

iii. Single shot, breech loading shotguns, 10 gauge or smaller, having an exposed hammer, loaded with buckshot or slug.

iv. Youths 17 or younger may hunt deer with any legal weapon during the primitive firearms season in each deer hunting area.

13. Archery Season. A deer or senior license, whichever is appropriate, is required for all bow hunters 18 years of age and older. Additionally, any person younger than 18 years of age archery deer hunting shall have in their immediate possession a valid, original youth license. Either-sex deer may be taken in all areas open for deer hunting except when a bucks only season is in progress for gun hunting, and except in areas 5, 6 and 9 from October 1-15. Archers must conform to the bucks only regulations except antlerless deer may be harvested any day of the deer season on property enrolled in DMAP provided that a DMAP tag is possessed by the hunter at the time of harvest. Either-sex deer may be taken on WMAs at any time during archery season except when bucks only seasons are in progress on the respective WMA.

a. Bow and Arrow Regulations. Traditional bow, compound bow and crossbow or any bow drawn, held or released by mechanical means will be a legal means of take for all properly licensed hunters. Hunting arrows for deer must have well-sharpened broadhead points. Bow and arrow fishermen must have a sport fishing license and may not

carry any arrows with broadhead points unless a deer or turkey season is in progress.

i. It is unlawful:

(a). to have in possession or use any poisoned or drugged arrow or arrows with explosive tips;

(b). to hunt deer with a bow having a pull less than 30 pounds;

(c). to hunt with a bow or crossbow fitted with an infrared, laser sight, electrically-operated sight or device specifically designed to enhance vision at night (does not include non-projecting red dot sights) [R.S. 56:116.1.B.(4)].

14. Hunter Orange or Blaze Pink. Any person hunting any wildlife during the open gun deer hunting season and possessing buckshot, slugs, a primitive firearm, or a centerfire rifle shall display on his head, chest and/or back a total of not less than 400 square inches of "hunter orange" or "blaze pink". Persons hunting on privately owned land may wear a "hunter orange" or "blaze pink" cap or hat in lieu of the 400 square inches. These provisions shall not apply to persons hunting deer from elevated stands on property that is privately owned or to archery deer hunters hunting on lands where firearm hunting is not allowed by agreement of the landowner or lessee. However, anyone hunting deer on such lands where hunting with firearms is allowed shall be required to display the 400 square inches or a "hunter orange" or "blaze pink" cap or hat while walking to and from elevated stands. While a person is hunting from an elevated stand, the 400 square inches or cap or hat may be concealed. Warning: deer hunters are cautioned to watch for persons hunting other game or engaged in activities not requiring "hunter orange" or "blaze pink".

15. Physically Challenged Firearms Season on Private Lands (Either-Sex): first Saturday of October for two days. Restricted to individuals with physically challenged hunter permit.

16. Youth and Honorably Discharged Veterans Season on Private Lands (Either-Sex). Areas 1, 4, 5, 6 and 9: last Saturday of October for seven days; Area 2: second Saturday of October for seven days; and Areas 3, 7, 8 and 10: fourth Saturday of September for seven days. Youths 17 or younger only. Youths must be accompanied by an adult 18 years of age or older. Youths must possess a hunter safety certification or proof of successful completion of a hunter safety course. If the accompanying adult is in possession of hunter safety certification, a valid hunting license or proof of successful completion of a hunter safety course, this requirement is waived for the youth. Additionally, any person younger than 18 years of age shall have in their immediate possession a valid, original youth license. Adults may not possess a firearm. Youths may possess only one firearm while hunting. Legal firearms are the same as described for deer hunting. The supervising adult shall maintain visual and voice contact with the youth at all times. Except youths 12 years old or older who have successfully completed a hunter safety course may hunt without a supervising adult. One of the following must be carried by veterans while hunting:

a. Louisiana OMV issued U.S. Veterans Driver's License; or

b. U.S. Department of Defense Form 214 or one of the following DD\_214 equivalents:

i. pre DD 214 era documents (1941\_1950):

(a). WE AGO (war department adjutant general) forms, to include WD AGO 53, WD AGO 55, WD AGO 53\_55;

(b). JAVPERS (naval personnel) discharge documents, to include NAVPERS 553, NAVMC78PD, NAVCG 553;

ii. National Personnel Records Center NPRC "statement of service," issued as a result of a destroyed discharge record during the 1973 National Archives fire;

iii. National Guard/Air National Guard must have NGB\_22 with 6 or more years of service.

F. Description of Areas, 2021-2023

1. Area 1

a. All of the following parishes are open: Concordia, East Carroll, Franklin, Madison, Richland, Tensas, West Carroll.

i. High water benchmark closure. Deer hunting in that portion of Madison Parish, east of US-65 and north of the Port Elevator Road, and all lands east of US-65 in East Carroll Parish, will be archery hunting only once the Mississippi River water level at Vicksburg reaches 43.0 feet MSL (flood stage) and will reopen once level recedes below 41.0 feet MSL.

b. Portions of the following parishes are also open:

i. Catahoula—east of Boeuf River to Ouachita River, east of Ouachita River from its confluence with Boeuf River to LA 8, south and east of LA 8 southwesterly to parish line;

ii. Grant—east of US 165 and south of LA 8;

iii. LaSalle—south of a line beginning where Little River enters Catahoula Lake following the center of the lake eastward to Old River then to US 84, east of US 84 northward to LA 8, south of LA 8 eastward to parish line;

iv. Ouachita—south of US 80 and east of Ouachita River, east of LA 139 from Sicard to junction of LA 134, south of LA 134 to Morehouse line at Wham Brake;

v. Rapides—east of US 165 and north of Red River.

c. Still hunting only in all or portions of the following parishes:

i. Catahoula—south of Deer Creek to Boeuf River, east of Boeuf and Ouachita Rivers to LA 8 at Harrisonburg, west of LA 8 to LA 913, west of LA 913 and LA 15 to Deer Creek;

ii. East Carroll—all;

iii. Franklin—all;

iv. Morehouse—east of US 165 (from Arkansas state line) to Bonita, south and east of LA 140 to junction of LA 830-4 (Cooper Lake Road), east of LA 830-4 to Bastrop, east of LA 139 at Bastrop to junction of LA 593, east and north of LA 593 to Collinston, east of LA 138 to junction of LA 134 and south of LA 134 to Ouachita line at Wham Brake;

v. Ouachita—south of US 80 and east of Ouachita River, east of LA 139 from Sicard to junction of LA 134, south of LA 134 to Morehouse line at Wham Brake;

- vi. Richland—all;
  - vii. West Carroll—all.
2. Area 2
- a. All of the following parishes are open:
    - i. Bienville, Bossier, Caddo, Caldwell, Claiborne, DeSoto, Jackson, Lincoln, Natchitoches, Red River, Sabine, Union, Webster, Winn;
    - ii. except: Kisatchie National Forest which has special regulations. Caney, Corney, Middlefork tracts of Kisatchie have the same regulations as area 2, except still hunting only for deer.
  - b. Portions of the following parishes are also open:
    - i. Allen—north of US 190 from parish line westward to Kinder, east of US 165 from Kinder northward to LA 10 at Oakdale, north of LA 10 from Oakdale westward to the parish line;
    - ii. Avoyelles—that portion west of I-49;
    - iii. Catahoula—west of Boeuf River to Ouachita River, west of Ouachita River from its confluence with Boeuf River to LA 8, north and west of LA 8 southwesterly to parish line;
    - iv. Evangeline—all except the following portions: east of I-49 to junction of LA 29, east of LA 29 south of I-49 to Ville Platte, and north of US 167 east of Ville Platte;
    - v. Grant—all except that portion south of LA 8 and east of US 165;
    - vi. Jefferson Davis—north of US 190;
    - vii. LaSalle—north of a line beginning where Little River enters Catahoula Lake, following the center of the lake eastward to Old River then to US 84, west of US 84 northward to LA 8, north of LA 8 eastward to parish line;
    - viii. Morehouse—west of US 165 (from Arkansas state line) to Bonita, north and west of LA 140 to junction of LA 830-4 (Cooper Lake Road), west of LA 830-4 to Bastrop, west of LA 139 to junction of LA 593, west and south of LA 593 to Collinston, west of LA 138 to junction of LA 134 and north of LA 134 to Ouachita Parish line at Wham Brake;
    - ix. Ouachita—all except south of US 80 and east of Ouachita River, east of LA 139 from Sicard to junction of LA 134, south of LA 134 to Morehouse Parish line at Wham Brake;
    - x. Rapides—all except north of Red River and east of US 165, south of LA 465 to junction of LA 121, west of LA 121 and LA 112 to Union Hill, and north of LA 113 from Union Hill to Vernon Parish line, and that portion south of Alexandria between Red River and US 167 to junction of US 167 with I-49 at Turkey Creek exit, east of I-49 southward to parish line;
    - xi. Vernon—north of LA 10 from the parish line westward to LA 113, south of LA 113 eastward to parish line. Also the portion north of LA 465 west of LA 117 from Kurthwood to Leesville and north of LA 8 from Leesville to Texas state line.
  - c. Still hunting only in all or portions of the following parishes:
    - i. Claiborne and Webster—Caney, Corney and Middlefork tracts of Kisatchie National Forest (see Kisatchie National Forest regulations);
    - ii. Ouachita—east of Ouachita River;

- iii. Rapides—west of US 167 from Alexandria southward to I-49 at Turkey Creek exit, west of I-49 southward to parish line, north of parish line westward to US 165, east of US 165 northward to US 167 at Alexandria. North of LA 465 from Vernon Parish line to LA 121, west of LA 121 to I-49, west of I-49 to LA 8, south and east of LA 8 to LA 118 (Mora Road), south and west of LA 118 to Natchitoches Parish line;
  - iv. Vernon—east of Mora-Hutton Road from Natchitoches Parish line to Hillman Loop Road, south and east of Hillman Loop Road to Comrade Road, south of Comrade Road to LA 465, east and north of LA 465 to Rapides Parish line.
3. Area 3
- a. Portions of the following parishes are open:
    - i. Acadia—north of I-10;
    - ii. Allen—south of LA 10 eastward to US 165 at Oakdale, west of US 165 at Oakdale southward to US 190 at Kinder, south of US 190 at Kinder eastward to parish line;
    - iii. Beauregard—east of LA 27 from the parish line northward to DeRidder and north of US 190 westward from DeRidder to Texas state line;
    - iv. Calcasieu—east of LA 27 from Sulphur northward to the parish line, and north of I-10;
    - v. Jefferson Davis—north of I-10 and south of US 190;
    - vi. Lafayette—west of I-49 and north of I-10;
    - vii. Rapides—south of LA 465 to junction of LA 121, west of LA 121 and LA 112 to Union Hill and north of LA 113 from Union Hill to Vernon Parish line;
    - viii. St. Landry—west of US 167;
    - ix. Vernon—east of LA 113 to Pitkin, south of LA 10 to Allen Parish line, west and north of LA 113, south of LA 465, east of LA 117 from Kurthwood to Leesville, and south of LA 8 from Leesville to Texas state line.
  - b. Still hunting only for portions of the following parishes:
    - i. Acadia—north of I-10;
    - ii. Allen—south of US 190 and west of LA 113;
    - iii. Beauregard—west of LA 113 and east of LA 27 from the parish line northward to DeRidder and north of US 190 westward from DeRidder to Texas state line;
    - iv. Calcasieu—east of LA 27 from Sulphur northward to the parish line, and north of I-10;
    - v. Jefferson Davis—north of I-10 and south of US 190;
    - vi. Lafayette—west of I-49 and north of I-10;
    - vii. Rapides—south of LA 465 to junction of LA 121, west of LA 121 and LA 112 to Union Hill and north of LA 113 from Union Hill to Vernon Parish line;
    - viii. St. Landry—west of US 167;
    - ix. Vernon—west and north of LA 113, south of LA 465, east of LA 117 from Kurthwood to Leesville, and south of LA 8 from Leesville to Texas state line.
4. Area 4
- a. All of St. Helena and Washington Parishes are open.
  - b. Portions of the following parishes are also open:
    - i. East Baton Rouge—all except that portion west of I-110 and west of US 61;



- ii. East Feliciana—east of US 61;
- iii. Livingston—north of I-12;
- iv. Tangipahoa—north of I-12;
- v. St. Tammany—all except that portion south of I-12, west of LA 1077 to LA 22, south of LA 22 to Tchefuncte River, west of Tchefuncte River southward to Lake Pontchartrain.

c. Still hunting only in all or portions of the following parishes:

i. East Feliciana and East Baton Rouge—east of Thompson Creek from the Mississippi state line to LA 10, north of LA 10 from Thompson Creek to LA 67 at Clinton, west of LA 67 from Clinton to Mississippi state line, south of Mississippi state line from LA 67 to Thompson Creek. Also that portion of East Baton Rouge Parish east of LA 67 from LA 64 north to Parish Line, south of Parish Line from LA 64 eastward to Amite River, west of Amite River southward to LA 64, north of LA 64 to LA 37 at Magnolia, east of LA 37 northward to LA 64 at Indian Mound, north of LA 64 from Indian Mound to LA 67. Also, that portion of East Feliciana Parish east of LA 67 from parish line north to LA 959, south of LA 959 east to LA 63, west of LA 63 to Amite River, west of Amite River southward to parish line, north of parish line westward to LA 67;

ii. St. Helena—north of LA 16 from Tickfaw River at Montpelier westward to LA 449, east and south of LA 449 from LA 16 at Pine Grove northward to Rohner Road, south of Rohner Road to LA 1045, south of LA 1045 to the Tickfaw River, west of the Tickfaw River from LA 1045 southward to LA 16 at Montpelier;

iii. Tangipahoa—that portion of Tangipahoa Parish north of LA 10 from the Tchefuncte River to LA 1061 at Wilmer, east of LA 1061 to LA 440 at Bolivar, south of LA 440 to the Tchefuncte River, west of the Tchefuncte River from LA 440 southward to LA 10;

iv. Washington and St. Tammany—east of LA 21 from the Mississippi state line southward to the Bogue Chitto River, north of the Bogue Chitto River from LA 21 eastward to the Pearl River Navigation Canal, east of the Pearl River Navigation Canal southward to the West Pearl River, north of the West Pearl River from the Pearl River Navigation Canal to Holmes Bayou, west of Holmes Bayou from the West Pearl River northward to the Pearl River, west of the Pearl River from Holmes Bayou northward to the Mississippi state line, south of the Mississippi state line from the Pearl River westward to LA 21. Also, that portion of Washington Parish west of LA 25 from the Mississippi state line southward to the Bogue Chitto River, then west of the Bogue Chitto River to its junction with the St. Tammany Parish line, north of the St. Tammany Parish line to the Tangipahoa Parish line, east of the Tangipahoa Parish line to the Mississippi state line, south of the Mississippi state line to its junction with LA 25.

#### 5. Area 5

- a. Portions of the following parishes are open:
  - i. St. Martin—south of I-10 and east of the West Atchafalaya Basin Protection Levee and west of the East Atchafalaya Basin Protection Levee;
  - ii. Iberville—south of I-10 and west of the East Atchafalaya Basin Protection Levee;

iii. Iberia—east of the West Atchafalaya Basin Protection Levee and west of the East Atchafalaya Basin Protection Levee;

iv. St. Mary—east of the West Atchafalaya Basin Protection Levee;

v. High water benchmark closure. Deer hunting in those portions of Iberville and St. Martin parishes south of I-10, west of the East Atchafalaya Basin Protection Levee, east of the West Atchafalaya Basin Protection Levee, and north of Alligator Bayou and Bayou Sorrel will be closed when the river stage of the Atchafalaya River reaches 18 feet msl at Butte LaRose, and will reopen when the river stage recedes to 17 feet msl at Butte LaRose. Deer hunting in those portions of Iberville, St. Martin, St. Mary and Iberia parishes west of the East Atchafalaya Basin Protection Levee, east of the West Atchafalaya Basin Protection Levee and south of Alligator Bayou and Bayou Sorrel will be closed when the river stage of the Atchafalaya River reaches 15 feet msl at Butte LaRose, and will reopen when the river stage recedes to 14 feet msl at Butte LaRose.

#### 6. Area 6

a. All of West Feliciana and Pointe Coupee Parishes are open.

b. Portions of the following parishes are also open:

i. Avoyelles—all except that portion west of I-49;

ii. East Baton Rouge—that portion west of I-110 and west of US 61;

iii. East Feliciana—west of US 61;

iv. Evangeline—that portion east of I-49 to junction of LA 29, east of LA 29 south of I-49 to Ville Platte and north of US 167 east of Ville Platte;

v. Iberville—all north of I-10, and that portion south of I-10 at the Atchafalaya Basin protection levee south to Upper Grand River, then north of Upper Grand River to the Intracoastal Canal at Jack Miller, then west of the Intracoastal Canal northward to Bayou Plaquemine, then north of Bayou Plaquemine to the Mississippi River;

vi. Lafayette—north of I-10 and east of I-49;

vii. Rapides—south of Alexandria between Red River and US 167 to the junction of US 167 with I-49 at Turkey Creek Exit, east of I-49 southward to parish line;

viii. St. Landry—east of US 167;

ix. St. Martin—north of I-10;

x. West Baton Rouge—north of I-10.

c. Still hunting only in all or portions of the following parishes:

i. Avoyelles—north of LA 1 from Simmesport westward to LA 115 at Marksville, east of LA 115 from Marksville northward to the Red River near Moncla, south and west of the Red River to LA 1 at Simmesport;

ii. Rapides—south of Alexandria between Red River and US 167 to the junction of US 167 with I-49 at Turkey Creek Exit, east of I-49 southward to parish line;

iii. West Feliciana—west of Thompson Creek to Illinois-Central Railroad, north of Illinois-Central Railroad to LA 964, east of LA 964 northward to US 61, north of US 61 westward to the junction of US 61 and LA 966, east of LA 966 from US 61 to Chaney Creek, south of Chaney Creek to Thompson Creek.

7. Area 7  
a. Portions of the following parishes are open:  
i. Iberia—south of LA 14 and west of US 90;  
ii. St. Mary—all except that portion north of US 90 from Iberia Parish line eastward to Wax Lake Outlet, east of Wax Lake Outlet southward to Intracoastal Waterway, north of Intracoastal Waterway eastward to the Atchafalaya River, east of the Atchafalaya River.

8. Area 8  
a. Portions of the following parishes are open:  
i. Beauregard—that portion west of LA 27 from parish line northward to DeRidder, south of US 190 from DeRidder to Texas state line;  
ii. Calcasieu—that portion west of LA 27 from the parish line southward to Sulphur and north of I-10 from Sulphur to the Texas state line.

9. Area 9  
a. All of the following parishes are open: Ascension, Assumption, Jefferson, Lafourche, Orleans, Plaquemines, St. Bernard, St. Charles, St. James, St. John, Terrebonne.

b. Portions of the following parishes are open:  
i. Iberia—east of US 90 and west of the West Atchafalaya Basin Protection Levee and east of the East Atchafalaya Basin Protection Levee;

ii. Iberville—east of the East Atchafalaya Basin Protection Levee and south of Upper Grand River to the Intracoastal Canal to Bayou Plaquemines, then south of Bayou Plaquemines to the Mississippi River;

iii. Lafayette—south of I-10 and east of US 90;

iv. Livingston—south of I-12;

v. St. Martin—west of the Atchafalaya Basin Protection Levee and south of I-10. East of the East Atchafalaya Basin Protection Levee and south of I-10;

vi. St. Mary—east of US 90 from Iberia Parish line to the Wax Lake Outlet, east of Wax Lake Outlet southward to Intracoastal Waterway, north of Intracoastal Waterway eastward to the Atchafalaya River, east of the Atchafalaya River except for portion within the East and West Atchafalaya Basin Protection Levees;

vii. St. Tammany—that portion south of I-12, west of LA 1077 to LA 22, south of LA 22 to Tchefuncte River, west of Tchefuncte River southward to Lake Pontchartrain;

viii. Tangipahoa—south of I-12.

c. Still hunting only in all or portions of the following parishes:

i. Iberville—east of the Mississippi River;

ii. Plaquemines—east of the Mississippi River;

iii. St. Bernard—all of the parish shall be still hunting only except that portion of St. Bernard known as the spoil area between the MRGO on the east and Access Canal on the west, south of Bayou Bienvenue and north of Bayou la Loutre;

iv. St. John—south of Pass Manchac from Lake Pontchartrain to US 51, east of US 51 from Pass Manchac to LA 638 (Frenier Beach Road). North of LA 638 from US 51 to Lake Pontchartrain, west of Lake Pontchartrain from LA 638 to Pass Manchac.

10. Area 10

a. All of Cameron and Vermillion Parishes are open.

b. Portions of the following parishes are open:

i. Acadia—south of I-10;

ii. Calcasieu—south of I-10;

iii. Iberia—west of US 90 and north of LA 14;

iv. Jefferson Davis—south of I-10;

v. Lafayette—south of I-10 and west of Hwy 90.

G. WMA Regulations

1. General

a. The following rules and regulations concerning the management, protection and harvest of wildlife have been officially approved and adopted by the Wildlife and Fisheries Commission in accordance with the authority provided in *Louisiana Revised Statutes* of 1950, section 109 of title 56. Failure to comply with these regulations will subject individual to citation and/or expulsion from the management area.

b. Citizens are cautioned that by entering a WMA managed by the LDWF they may be subjecting themselves and/or their vehicles to game and/or license checks, inspections and searches.

c. WMA seasons may be altered or closed anytime by the LDWF secretary in emergency situations (floods, fire or other critical circumstances).

d. Hunters may enter the WMA no earlier than 4 a.m. unless otherwise specified. Hunters must check out and exit the WMA no later than two hours after sunset, or as otherwise specified.

e. All privately owned property which is completely surrounded by a wildlife management area shall be subject to all state hunting and fishing provisions, including those provisions regarding seasons. Such private property shall not be subject to the special hunting and fishing provisions which govern the wildlife management area, except that deer may not be taken with the aid of dogs. However, the owner or lessee of such property shall be required to participate in the deer management assistance program provided for in R.S. 56:110. In addition, the owner or lessee of such property shall not be allowed to hunt, trap or take resident game by the aid of baiting or placing bait intended to attract or entice the resident game to the area where hunters are attempting to take them.

f. Dumping garbage or trash on WMAs is prohibited. Garbage and trash may be properly disposed of in designated locations if provided.

g. Disorderly conduct or hunting under influence of alcoholic beverages, chemicals and other similar substances is prohibited.

h. Damage to or removal of trees, shrubs, hard mast (including but not limited to acorns and pecans), wild plants, non-game wildlife (including reptiles and amphibians) or any species of butterflies, skippers or moths is prohibited without a permit from the LDWF. Gathering and/or removal of American lotus (*grande volée*, *Nelumbo lutea*) seeds and pods, soft fruits, mushrooms and berries shall be limited to five gallons per person per day.

i. Burning of marshes is prohibited. Hunting actively burning marsh is prohibited.

j. Nature Trails. Trails shall be limited to pedestrians only. No vehicles, ATVs, horses, mules, bicycles, etc. allowed. Removal of vegetation (standing or down) or other natural material prohibited.

k. Deer seasons are for legal antlered deer unless otherwise specified.

l. Small game, when listed under the WMA regulations may include both resident game animals and game birds as well as migratory species of birds.

m. Oysters may not be harvested from any WMA, except that oysters may be harvested from private oyster leases and state seed grounds located within a WMA, when authorized by the Wildlife and Fisheries Commission and upon approval by the Department of Health.

n. Free ranging livestock prohibited.

o. Operation of drones or unmanned aerial vehicles (UAV) on WMAs is prohibited.

p. Operating, modifying, tampering with or altering any water control structures on WMAs is prohibited.

q. Limited Access Areas (LAA): Operation of internal combustion powered vessels prohibited September through January. Operation of trolling motors allowed. A *trolling motor* is defined as a self-contained unit that includes a completely submerged electric motor at the end of the shaft, propeller and controls, and is affixed to a vessel, either at the bow or stern. Vehicles prohibited November through January. Limited access areas are on Atchafalaya Delta, Boeuf, Dewey W. Wills, Joyce, Manchac, Pass-a-Loutre, Pointe-aux-Chenes, Pomme de Terre and Russell Sage WMAs. See WMA maps for specific locations.

## 2. Permits

a. A valid WMA access permit shall be required for use of department-administered lands including wildlife refuges, Wildlife Management Areas (WMA) and Wildlife Conservation Areas (WCA). Persons under 18 years of age are exempt from this requirement. WMA access permits are not required for persons only traveling through the department-administered lands provided that the most direct route is taken and no activities or stops take place.

b. Self-Clearing Permits. A self-clearing permit is required for all activities (hunting, fishing, hiking, bird watching, sightseeing, etc.) on WMAs. The self-clearing permit will consist of two portions: check in, check out. All persons must either check in/check out electronically through the LDWF WMA Self-Clearing Permit app/Internet Web Portal or obtain a WMA self-clearing permit from an information station. Users may check in one day in advance of use. Users that check in by electronic means are required to possess proof of check in and must check out within 24 hours. If utilizing paper Self-Clearing Permit from an information station, check in portion must be completed and put in a permit box before each day's activity. The check-out portion must be carried by each person while on the WMA and must be completed and put in a permit box immediately upon exiting the WMA. No permit is required of fishers and boaters who do not travel on a WMA road and/or launch on the WMA as long as they do not get out of the boat and onto the WMA. When mandatory deer checks are specified on WMAs, hunters must check deer at a check station. When mandatory check in for deer seasons is specified on WMAs, hunters must check in at designated locations, and obtain a daily hunt permit. Self-clearing permits are not required for persons only traveling through the WMA provided that the most direct route is taken and no activities or stops take place.

## 3. Special Seasons

a. Youth Deer Hunt. Youths 17 or younger only. Youths must be accompanied by an adult 18 years of age or older. Youths must possess a hunter safety certification or proof of successful completion of a hunter safety course. If the accompanying adult was born before September 1, 1969 and has a valid hunting license or who is 18 years of age or older and has proof of successful completion of a firearm and hunter education course approved by the department, this requirement is waived for the youth. Additionally, any youth participating in the hunt shall have in their immediate possession a valid, original youth license. Adults may not possess a firearm. Youths may possess only one firearm while hunting. Legal firearms are the same as described for deer hunting. The supervising adult shall maintain visual and voice contact with the youth at all times, except properly licensed youths and youths 12 years old or older who have successfully completed a hunter safety course may hunt without a supervising adult. Contact the appropriate region office for maps of specific hunting areas. Either-sex deer may be taken on WMAs with youth hunts. Consult the regulations pamphlet for WMAs offering youth hunts.

NOTE: Some hunts may be by pre-application lottery.

b. Youth Squirrel Hunt (on selected WMAs only). Only youths 17 or younger may hunt. Squirrel, rabbit, raccoon, hogs and opossum may be taken. No dogs allowed. All other seasons will remain open to other hunters. Youths must possess a hunter safety certification or proof of successful completion of a hunter safety course. Youths must be accompanied by one adult 18 years of age or older. If the accompanying adult was born before September 1, 1969 and has a valid hunting license or who is 18 years of age or older and has proof of successful completion of a firearm and hunter education course approved by the department, this requirement is waived for the youth. Adults may not possess a firearm. Youths may possess only one firearm while hunting. The supervising adult shall maintain visual and voice contact with the youth at all times, except properly licensed youths and youths 12 years old or older who have successfully completed a hunter safety course may hunt without a supervising adult. Self-clearing permits are required. Consult the regulations pamphlet for WMAs offering youth squirrel hunts.

c. Youth Mourning Dove Hunt. A youth mourning dove hunt will be conducted on specific WMAs and will follow the same regulations provided for youth deer hunts on the first or second weekend of the mourning dove season (Saturday and/or Sunday only). Consult the regulations pamphlet for WMAs offering youth mourning dove hunts.

d. Physically Challenged Season. An either-sex deer season will be held for hunters possessing a physically challenged hunter permit on WMAs during the dates specified under the individual WMA. Participants must possess a physically challenged hunter permit. Contact region office for permit application and map of specific hunting area. Consult the regulations pamphlet for WMAs offering physically challenged seasons.

e. Turkey Lottery Hunts. Hunts restricted to those persons selected by lottery. Consult the regulations pamphlet for deadlines. Contact region offices for more details.

f. Waterfowl Lottery Hunts. Hunts restricted to those persons selected by lottery. Consult the regulations

pamphlet for deadline. Consult regulations pamphlet for individual WMA schedules or contact any Wildlife Division office for more details.

g. Mourning Dove Lottery Hunts. Consult regulations pamphlet for individual WMA schedules or contact any Wildlife Division office for more details.

h. Trapping. Consult annual trapping regulations for specific dates. All traps must be run daily. Traps with teeth are illegal. Hunter orange required when a deer gun season is in progress.

i. Raccoon Hunting. A licensed hunter may take raccoon or opossum, two per person per day, during daylight hours only, during the open hunting season in progress on WMAs.

*Nighttime Experimental*—all nighttime raccoon hunting where allowed is with dogs only. There is no bag limit. Self-clearing permit required.

j. Sport Fishing. Sport fishing, crawfishing and frogging are allowed on WMAs when in compliance with current laws and regulations except as otherwise specified under individual WMA listings.

k. Small Game Emphasis Areas. Specially designated areas on certain WMAs will allow small game hunting with dogs, confined to that specific area when the remainder of the WMA is restricted to still hunt only. Additionally, off season training of rabbit and bird dogs may be allowed on some of the small game emphasis areas. Small game emphasis areas are offered on Big Colewa Bayou, Bayou Macon, Bodcau, Boeuf, Dewey W. Wills, Marsh Bayou, Pomme de Terre, Richard K. Yancey, Russell Sage, Sandy Hollow, Sherburne, Tunica Hills and Walnut Hill WMAs.

#### 4. Firearms

a. Firearms having live ammunition in the chamber and crossbows cocked in the ready position are not allowed in or on vehicles, boats under power, motorcycles, ATVs, UTVs, ATCs, WMA check stations, or in camping areas on WMAs.

b. Rifles, shotguns, pre-charged pneumatic devices, and bows and arrows are not allowed on WMAs during closed seasons except on designated shooting ranges or as permitted for trapping and except as permitted pursuant to R.S. 56:109(C) and for purposes of transport pursuant to R.S. 56:1691. Bows and broadhead arrows are not allowed on WMAs except during deer archery season, turkey season or as permitted for bowfishing. Any person who meets the qualifications of R.S. 14:95(M) may possess handguns on WMAs provided these firearms are not used for any hunting purpose.

c. Hunting with the following firearms or ammunition on any WMA is prohibited, except during modern or primitive firearm deer seasons, or a firearm season established on any WMA for feral hogs:

- i. centerfire rifles;
- ii. centerfire break-action and centerfire bolt action handguns;
- iii. centerfire scoped handguns;
- iv. shotgun slugs or shot larger than BB lead or F steel. Possession of such ammunition in the presence of a shotgun during closed season shall create a rebuttable presumption of hunting activity.

d. Target shooting and other forms of practice shooting are prohibited on WMAs except as otherwise specified.

e. Discharging of firearms on or across, or hunting from designated roads, ATV/UTV trails, nature trails, hiking trails, and their rights-of-way is prohibited during the modern firearms and primitive firearms deer seasons.

#### 5. Methods of Taking Game

a. Moving deer or hogs on a WMA with organized drives and standers, drivers or making use of noises or noise-making devices is prohibited.

b. On WMAs, except Floy McElroy WMA, the daily limit shall be one antlered deer and one antlerless deer (when legal) per day, not to exceed the Deer Area limit for the Deer Area that a WMA is contained within (all segments included) by all methods of take.

c. Baiting, hunting over bait, or possession of bait is prohibited on all WMAs, except bait may be kept in a vehicle traversing a WMA road or parked on a WMA road. Bait is defined as any substance used to attract game via ingestion.

d. During mandatory deer check hunts, deer may not be skinned nor have any external body parts removed including but not limited to feet, legs, tail, head or ears before being checked out.

e. Deer hunting on WMAs is restricted to still hunting only.

f. Construction of and/or hunting from permanent tree stands or permanent blinds on WMAs is prohibited. Any permanent stand or permanent blind will be removed and destroyed. A permanent blind is any blind using non-natural materials or having a frame which is not dismantled within two hours after the end of legal shooting time each day. Blinds with frames of wood, plastic, metal poles, wire, mesh, webbing or other materials may be used but must be removed from the WMA within two hours after the end of legal shooting time each day. Blinds made solely of natural vegetation and not held together by nails or other metallic fasteners may be left in place but cannot be used to reserve hunting locations. Natural vegetation (including any material used as corner posts) is defined as natural branches that are 2 inches or less in diameter. All decoys must be removed from the WMA daily. Permanent tree stands are any stands that use nails, screws, spikes, etc., to attach to trees and are strictly prohibited. Deer stands may not be left on WMAs unless the stands are removed from trees, placed flat on the ground, and left in a non-hunting position (a non-hunting position is one in which a hunter could not hunt from the stand in its present position). Also, all stands left must be legibly tagged with the user's LDWF ID number. No stand may be left on any WMA prior to the day before deer season opens on that WMA and all stands must be removed from the WMA within one day after the close of deer hunting on that WMA. Free standing blinds must be disassembled when not in use. Stands left will not reserve hunting sites for the owner or user. All portable stands, blinds, tripods, etc., found unattended in a hunting position, not placed flat on the ground, or untagged will be confiscated and disposed of by the LDWF. LDWF is not responsible for unattended stands left on an area.

g. Physically Challenged Wheelchair Confined Deer and Waterfowl Hunting Areas: special deer and waterfowl hunting areas, blinds and stands identified with LDWF logos, have been established for physically challenged hunter permit (PCHP) wheelchair confined hunters on WMAs. Hunters must obtain a PCHP permit and are required to make reservations to use blinds and stands. PCHP wheelchair hunting areas are available on Alexander State Forest, Bayou Pierre, Big Colewa Bayou, Buckhorn, Clear Creek, Floy McElroy, Fort Johnson-Vernon, Maurepas Swamp, Sherburne, and West Bay WMAs. Check WMA hunting schedules or call the LDWF field offices in Pineville, Lafayette, Lake Charles, Minden, Monroe or Hammond for information.

h. Hunting from utility poles and structures, and oil and gas exploration facilities or platforms is prohibited.

i. It is illegal to save or reserve hunting locations using permanent stands or blinds. Stands or blinds attached to trees with screws, nails, spikes, etc. are illegal.

j. Tree climbing spurs, spikes or screw-in steps are prohibited.

k. Unattended decoys will be confiscated and forfeited to the LDWF and disposed of by the LDWF. This action is necessary to prevent preemption of hunting space.

l. Spot lighting (shining) from vehicles is prohibited on all WMAs.

m. Horses and mules may be ridden on WMAs except where prohibited and except during gun seasons for deer and turkey. Riding is restricted to designated roads and trails depicted on WMA map, self-clearing permit is required. Organized trail rides prohibited except allowed by permit only on Esler Field. Hunting and trapping from horses and mules is prohibited except for quail hunting or as otherwise specified. Horse-drawn conveyances are prohibited.

n. All hunters (including archers and small game hunters) except waterfowl hunters and mourning dove hunters on WMAs must display 400 square inches of "hunter orange" or "blaze pink" and wear a "hunter orange" or "blaze pink" cap during open gun season for deer. Quail and woodcock hunters and hunters participating in special dog seasons for rabbit, squirrel and feral hogs are required to wear a minimum of a "hunter orange" or "blaze pink" cap. All other hunters and archers (while on the ground) except waterfowl hunters also must wear a minimum of a "hunter orange" or "blaze pink" cap during special dog seasons for rabbit and squirrel and feral hogs. Also all persons afield during hunting seasons are encouraged to display "hunter orange" or "blaze pink". Hunters participating in special shotgun season for feral hogs on Atchafalaya Delta, Pass-a-Loutre, Pointe-aux-Chenes and Salvador/Timken WMAs must display 400 square inches of "hunter orange" or "blaze pink" and wear a "hunter orange" or "blaze pink" cap.

o. Deer hunters hunting from concealed ground blinds must display a minimum of 400 square inches of "hunter orange" or "blaze pink" above or around their blinds which is visible from 360 degrees.

p. Archery Season for Deer. The archery season on WMAs is the same as outside and is open for either-sex deer except as otherwise specified on individual WMAs. Archery season restricted on Atchafalaya Delta and closed on certain WMAs when special seasons for youth or physically

challenged hunts are in progress. Consult regulations pamphlet for specific seasons.

q. Either-sex deer may be taken on WMAs at any time during archery season except when bucks only seasons are in progress on the respective WMAs. Archers must abide by bucks only regulations and other restrictions when such seasons are in progress.

r. Primitive Firearms Season for Deer. Either-sex unless otherwise specified. See WMA deer schedule. Except youths 17 or younger may use any legal weapon during the primitive firearm season.

#### 6. Camping

a. A WMA camping permit is required for all persons camping on LDWF operated campgrounds on WMAs. Camping on WMAs, including trailers, houseboats, vessels, recreational vehicles and tents, is allowed only in designated areas and for a period not to exceed 16 consecutive days, regardless if the camp is attended or unattended. At the end of the 16-day period, camps must be removed from the area for at least 48 hours. Camping area use limited exclusively to outdoor recreational activities. Camping is available on a first-come, first-serve basis unless otherwise specified.

b. Houseboats and vessels utilized for recreational activities are prohibited from overnight mooring within WMAs except on stream banks adjacent to designated camping areas. Overnight mooring of vessels that provide lodging for hire are prohibited on WMAs. Houseboats and vessels shall not impede navigation. On Atchafalaya Delta WMA houseboats may be moored by permit only in designated areas during hunting season. Permits are available by lottery annually or by five-year lease through a bid program.

c. Discharge of human waste onto lands or waters of any WMA is strictly prohibited by state and federal law. In the event public restroom facilities are not available at a WMA, the following is required. Anyone camping on a WMA in a camper, trailer, or other unit (other than a houseboat or tent) shall have and shall utilize an operational disposal system attached to the unit. Tent campers shall have and shall utilize portable waste disposal units and shall remove all human waste from the WMA upon leaving. Houseboats moored on a WMA shall have a permit or letter of certification from the Health Unit (Department of Health) of the parish within which the WMA occurs verifying that it has an approved sewerage disposal system on board. Further, that system shall be utilized by occupants of the houseboats when on the WMA.

d. No refuse or garbage may be dumped from these boats.

e. Firearms may not be kept loaded or discharged in a camping area unless otherwise specified.

f. Campsites must be cleaned by occupants prior to leaving and all refuse placed in designated locations when provided or carried off by campers.

g. Trash must be contained at all times while camping.

h. Burning of trash is prohibited.

i. Glass containers prohibited on campgrounds.

j. Non-compliance with camping regulations will subject occupant to immediate expulsion and/or citation, including restitution for damages.

k. Swimming is prohibited within 100 yards of boat launching ramps.

#### 7. Restricted Areas

a. For your safety, all oil and gas production facilities (wells, pumping stations and storage facilities) are off limits.

b. No unauthorized entry or unauthorized hunting in restricted areas, refuges, or limited use areas unless otherwise specified.

8. Dogs. All use of dogs on WMAs, except for bird hunting and duck hunting, is experimental as required by law. Having or using dogs on any WMA is prohibited except for nighttime experimental raccoon hunting, squirrel hunting, rabbit hunting, bird hunting, duck hunting, hog hunting and bird dog training when allowed; see individual WMA season listings for WMAs that allow dogs. Dogs running at large are prohibited on WMAs. The owner or handler of said dogs shall be liable. Only recognizable breeds of bird dogs and retrievers are allowed for quail and migratory bird hunting. Only beagle hounds which do not exceed 15 inches at the front shoulders and which have recognizable characteristics of the breed may be used on WMAs having experimental rabbit seasons. A leashed dog may be used to trail and retrieve wounded or unrecovered deer during legal hunting hours. Any dog used to trail or retrieve wounded or unrecovered deer shall have on a collar with owner's name, address and phone number. In addition, a dog may be used to trail and retrieve unrecovered deer after legal hunting hours; however, no person accompanying a dog after legal hunting hours may carry a firearm of any sort.

#### 9. Vehicles

a. An all-terrain vehicle is a wheeled or tracked off-road vehicle (not legal for highway use) with specifications not to exceed the following: weight-750 pounds, length-85", and width-48". ATV tires are restricted to those no larger than 26 x 12 with a maximum 1" lug height and a maximum allowable tire pressure of 12 psi. as indicated on the tire by the manufacturer. Use of all other ATVs or ATV tires are prohibited on a WMA.

b. *Utility Type Vehicle (UTV, also Utility Terrain Vehicle)*—any recreational motor vehicle other than an ATV, wheeled or tracked, not legal for highway use, designed for and capable of travel over designated unpaved roads, traveling on four or more low-pressure tires or tracks, with specifications not to exceed the following: weight-1900 pounds, length-128" and width-68". UTV tires are restricted to those no larger than 27 x 12 with a maximum 1" lug height and a maximum allowable tire pressure of 12 psi. UTV's are commonly referred to as side by sides and may include golf carts.

c. Vehicles having wheels with a wheel-tire combination radius of 17 inches or more measured from the center of the hub and horizontal to ground are prohibited.

d. The testing, racing, speeding or unusual maneuvering of any type of vehicle is prohibited within WMAs due to property damages resulting in high maintenance costs, disturbance of wildlife and destruction of forest reproduction.

e. Tractor or implement tires with farm tread designs R1, R2 and R4 known commonly as spade or lug grip types are prohibited on all vehicles.

f. Airboats, aircraft, personal water craft, "mud crawling vessels" (commonly referred to as crawfish combines which use paddle wheels for locomotion) and hover craft are prohibited on all WMAs and refuges, except type A personal water craft, model year 2003 and beyond, which are eight feet in length and greater, may be operated within WMAs except Bussey Brake WMA from April 1 until the Monday of Labor Day weekend, from sunrise to sunset only, and except personal water craft allowed on designated portions of Alexander State Forest WMA year-round. Personal water craft are defined as a vessel which uses an inboard motor powering a water jet pump as its primary source of propulsion and is designed to be operated by a person sitting, standing or kneeling on the vessel rather than in the conventional manner of sitting or standing inside the vessel. No person shall operate such water craft at a speed greater than slow/no wake within 100 feet of an anchored or moored vessel, shoreline, dock, pier, or persons engaged in angling or any other manually powered vessel.

g. Driving or parking vehicles on food or cover plots and strips is prohibited.

h. Blocking the entrance to roads and trails is prohibited.

i. Licensed motorized vehicles (LMVs) legal for highway use, including motorcycles, are restricted entirely to designated roads as indicated on WMA maps. UTVs are restricted to marked UTV trails only, except that those UTVs in which the manufacturer's specifications do not exceed the weight, length, width, and tire restrictions for ATVs are allowed on ATV trails. ATVs are restricted to marked ATV trails only. When WMA roads are closed to LMVs, ATVs and UTVs may then use those roads when allowed. This restriction does not apply to bicycles.

NOTE: Only ATV and UTV trails marked with signs and/or paint, and depicted on WMA maps are open for use.

j. Use of special ATV trails for physically challenged persons is restricted to ATV physically challenged permittees. Physically challenged ATV permittees are restricted to physically challenged ATV trails or other ATV trails only as indicated on WMA maps or as marked by sign and/or paint. Persons 60 years of age and older, with proof of age, are also allowed to use special physically challenged trails and need not obtain a permit. However, these persons must abide by all rules in place for these trails. Physically challenged persons under the age of 60 must apply for and obtain a physically challenged hunter program permit from the LDWF.

k. Entrances to ATV trails will be marked with peach colored paint. Entrances to physically challenged-only ATV trails will be marked with blue colored paint. Entrances to ATV trails that are open year round will be marked with purple paint. The end of all ATV trails will be marked by red paint. WMA maps serve only as a general guide to the route of most ATV trails, therefore all signage and paint marking as previously described will be used to determine compliance.

l. Roads and trails may be closed due to poor condition, construction or wet weather.

m. ATVs, and motorcycles cannot be left overnight on WMAs except on designated camping areas. ATVs are prohibited from two hours after sunset to 4 a.m., except raccoon hunters may use ATVs during nighttime raccoon

take seasons only. ATVs are prohibited from March 1 through August 31 except squirrel hunters are allowed to use ATV trails during the spring squirrel season on the WMA and except certain trails may be open during this time period to provide access for fishing or other purposes and some ATV trails will be open all year long on certain WMAs.

n. Caution. Many LDWF-maintained roadways on WMAs are unimproved and substandard. A maximum 20 mph speed limit is recommended for all land vehicles using these roads, unless specific signage otherwise allows or restricts.

o. Hunters are allowed to retrieve their own downed deer and hogs with the aid of an ATV or electric bicycle except on Thistlethwaite, Sherburne, Atchafalaya Delta, Pass-a-Loutre, Pointe-aux-Chenes, Salvador/Timken, Lake Boeuf, Biloxi, and the Crusel Tract of Maurepas Swamp WMAs under the following conditions:

i. no firearms or archery equipment is in possession of the retrieval party or on the ATV;

ii. the retrieval party may consist of no more than one ATV and one helper;

iii. ATVs may not be used to locate or search for wounded game or for any other purpose than retrieval of deer and hogs once they have been legally harvested and located;

iv. UTV's may not be used to retrieve downed deer or hogs.

p. No wake zones. Operation of vessels beyond bare steerage speed (the slowest speed a vessel can travel while allowing the operator to maintain directional control of the vessel) in posted no wake zones is prohibited.

q. Electric bicycles are restricted to designated roads and ATV/UTV trails.

r. Factory OEM installed or OEM equivalent exhausts are required for all boat/powercraft motors. No person shall operate or allow to be operated a powercraft with an altered muffler or muffler cutout or in a manner that bypasses or reduces the effectiveness of the muffler system.

#### 10. Commercial Activities

a. Hunting Guides/Outfitters. No person or group may act as a hunting guide, outfitter or in any other capacity for which they are paid or promised to be paid directly or indirectly by any other individual or individuals for services rendered to any other person or persons hunting on any WMA, regardless of whether such payment is for guiding, outfitting, lodging or club memberships.

b. Except for licensed activities otherwise allowed by law, commercial activities are prohibited without a permit issued by the secretary of the LDWF.

c. Commercial Fishing. Permits are required of all commercial fishermen using Grassy Lake, Pomme de Terre and Spring Bayou WMAs. Drag seines (except minnow and bait seines) are prohibited except experimental bait seines allowed on Dewey Wills WMA north of LA 28 in Diversion Canal. Commercial fishing is prohibited during regular waterfowl seasons on Grand Bay, Silver Lake and Lower Sunk Lake on Richard K. Yancey WMA. Commercial fishing is prohibited on Salvador/Timken, Pointe-aux-Chenes, and Russell Sage WMAs except commercial fishing on Pointe-aux-Chenes is allowed in Cut Off Canal. No commercial fishing activity shall impede navigation and no unattended vessels or barges will be allowed. Non-

compliance with permit regulations will result in revocation of commercial fishing privileges for the period the license is issued and one year thereafter. Commercial fishing is allowed on Pass-a-Loutre and Atchafalaya Delta WMAs. See Pass-a-Loutre for additional commercial fishing regulations on mullet.

11. WMAs Basic Season Structure. For season dates, bag limits, shooting hours, special seasons and other information consult the annual regulations pamphlet for specific details.

12. Resident Small Game (squirrel, rabbit, quail, mourning dove, woodcock, snipe, rail and gallinule). Same as outside except closed during modern firearm either-sex deer seasons on certain WMAs (see WMA schedule) and except non-toxic shot, size 6 or smaller must be used for dove, rail, snipe, and gallinule. Unless otherwise specified under a specific WMA hunting schedule, the use of dogs for rabbit and squirrel hunting is prohibited. Spring squirrel season with or without dogs: first Saturday of May for nine days. Consult regulations pamphlet for specific WMAs.

13. Waterfowl (ducks, geese and coots). Consult regulations pamphlet. Hunting after 2 p.m. prohibited on all WMAs except for Atchafalaya Delta, Biloxi, and Pass-a-Loutre. Consult specific WMA regulations for shooting hours on these WMAs.

14. Archery. Consult regulations pamphlet.

15. Hogs. Feral hogs may be taken during any open hunting season on WMAs by properly licensed and/or permitted hunters using only guns or bow and arrow legal for specified seasons in progress, except take of hogs is prohibited during nighttime raccoon seasons. Hogs may not be taken with the aid of dogs, except feral hogs may be taken with the aid of dogs during the month of February on Attakapas, Bodcau, Clear Creek, Little River, Pearl River, Sabine, Sabine Island, and West Bay and that portion of Dewey W. Wills north of the Catahoula Lake Diversion Canal by self-clearing permit. All hogs must be killed immediately and may not be transported live under any conditions. During the February dog season hunters may use centerfire handguns in addition to using guns allowed for season in progress. Additionally, feral hogs may be taken on Atchafalaya Delta, Pass-a-Loutre, Pointe-aux-Chenes and Salvador/Timken WMAs from February 16 through March 31 with archery equipment, shotguns loaded with buckshot or slugs or rimfire rifles no larger than .22 caliber. Additional requirements may be specified under individual WMAs, see regulation pamphlet.

16. Outlaw Quadrupeds and Birds. Consult regulations pamphlet. During hunting seasons specified on WMAs, except the turkey and spring squirrel seasons, take of outlaw quadrupeds and birds, with or without the use of electronic calls, is allowed by properly licensed hunters and only with guns or bows and arrows legal for season in progress on WMA.

#### 17. WMAs Hunting Schedule and Regulations

a. Acadiana Conservation Corridor. Self-Clearing Permit required for all activities.

i. Archery only: Oct. 1-15 bucks only, Oct. 16-Feb. 15, either sex.

ii. All other seasons closed. No motorized vehicles allowed and no access via I-49 right-of-way.

b. Alexander State Forest. From December through February all hunters must check daily with the Office of Forestry for scheduled burning activity. No hunting or other activity will be permitted in burn units the day of the burning. Call 318-487-5172 or 318-487-5058 for information on burning schedules. Attaching stands to Red Cockaded Woodpecker cavity trees is prohibited. Cavity trees are marked with painted, double white bands. Self-Clearing Permits required for hunters only. Vehicles restricted to paved and graveled roads. No parking on or fishing or swimming from bridges. No open fires except in recreational areas. Physically Challenged Wheelchair Confined Deer Hunting Area: Access restricted. Check WMA map for location and call Pineville or Baton Rouge Offices for details and applications. PCHP blind hunting by reservation for Class I, III and IV PCHP permittees only.

i. Deer

(a). Archery: Oct. 1-Jan. 31, either-sex.

(b). Firearms: first Sat. of Nov. for 2 days, either sex. Mandatory Deer Check; Fri. after Thanksgiving Day for 3 days, bucks only.

(c). Primitive Firearms: second Sat. of Oct. for 2 days. Mandatory Deer Check.

(d). Youth Lottery: last Sat. of Oct. for 2 days, Fri. after Thanksgiving for 3 days, third Sat. in Dec. for 2 days, either-sex.

(e). PCHP Blinds: first Sat. of Nov. for 2 days, Mandatory Deer Check, second Sat. in Dec. for 2 days.

ii. Small Game: Same as outside except closed during deer primitive firearms (either-sex), deer firearms (either-sex) and deer firearms (bucks only) and open to squirrel hunting during the spring season, first Sat. of May for 9 days. Beagles allowed for rabbits and dogs allowed for squirrel hunting Sat. before Christmas to the last day of Feb.

iii. Waterfowl: Same as outside. (Certain areas may be closed as posted).

c. Atchafalaya Delta. Self-Clearing Permit required for all activities. All persons must either check in/check out electronically through the LDWF WMA Self-Clearing Permit app/Internet Web Portal or obtain a WMA Self-Clearing Permit from an information station located at Main Delta campground, Wax Delta Campground, Cul-de-sac on Big Island, and Berwick Public Boat Launch (Jesse Fontenot Boat Launch). Camping and houseboat mooring allowed ONLY in designated campgrounds. Houseboat mooring allowed by permit only during hunting season (see Subparagraph G. 6. Camping b. for details) and by normal means during remainder of the year. Vessels/Vehicles: Mudboats or air-cooled propulsion vessels powered by more than 36 total horsepower are prohibited on the WMA. All ATVs/UTVs, motorcycles, horses and mules prohibited except as permitted for authorized WMA trappers. Big Island: Except for youth deer hunting (provided for below), all other hunting closed from October 1 through the last day of youth deer seasons. Main Delta area closed to all hunting except for youth deer hunting during youth deer seasons. Limited Use Area: Access prohibited Mar. 1-Jan. 31. Hunting restricted to rabbit with shotgun only from first day of Feb. through last day of Feb. non-toxic (maximum size #6) shot only, without beagles only. See WMA map for specific location.

i. Deer Archery (either-sex): Oct. 1 - Jan. 31 on Main Delta only; no deer hunting on Wax Lake Delta.

ii. Deer Youth Shotgun (buckshot only, either-sex) and Archery (either-sex): first Sat. of Oct. for 2 days; second Sat. of Oct. for 2 days on Main Delta only; no deer hunting on Wax Lake Delta.

iii. Small Game: same as outside except Rabbit Only:

(a). Wax Lake Delta: first Sat. of Oct. through last day of Feb. Beagles prohibited November through January.

(b). Main Delta: first day of Feb. through last day of Feb. with or without beagles. Closed October through January.

iv. Waterfowl: same as outside, except shooting hours shall be 1/2 hour before sunrise to 2 p.m. during opening weekends of teal and duck season and 1/2 hour before sunrise to sunset the remainder of the season, and except shooting hours are the same as outside for the Youth Hunt weekend.

v. Feral Hogs: may be taken by properly licensed hunters Oct. 1 to the last day of February. In addition, hunters may hunt feral hogs with archery equipment, shotguns loaded with buckshot or slugs or rimfire rifles no larger than .22 caliber from Feb. 16 - March 31. Hunters must also display 400 square inches of "hunter orange" or "blaze pink" and wear a "hunter orange" or "blaze pink" cap during special shotgun season for feral hogs.

d. Attakapas. Area closed to all except Youth Deer Hunters when the Youth deer season is open.

i. Deer:

(a). Deer hunting will be closed when the river stage of the Atchafalaya River reaches 15 feet msl at Butte LaRose and will reopen when the river stage recedes to 14 feet msl at Butte LaRose.

(b). Archery: Oct. 1-15 bucks only, Oct. 16-Feb. 15, either sex.

(c). Youth: last Sat. of Oct. for 2 days, either-sex.

(d). Firearms Either-Sex: Fri. after Thanksgiving Day for 2 days.

(e). Firearms Bucks Only: fourth Sat. of Dec. for 9 days.

(f). Primitive Firearms (Bucks only): third Sat. of Jan. for 2 days.

ii. Turkey: closed.

iii. Small Game and Waterfowl: same as outside except small game hunting closed during either-sex modern firearms seasons closed during youth deer seasons and open to squirrel hunting during the spring season, first Sat. of May for 9 days, with or without dogs. Beagles allowed for rabbits and dogs allowed for squirrel hunting the day after primitive firearms season ends to the last day of Feb.

iv. Raccoon (Nighttime): second Sat. of Sept. for 16 days and the day after the last deer firearms season (bucks only or primitive) to the last day of Feb.

e. Bayou Macon. Area Closed: To all except Youth Deer Hunters last Sat. of Oct. for 2 days. All night activities prohibited except as otherwise provided.

i. Deer

(a). Archery: Oct. 1-Jan. 31, either-sex.

(b). Youth: last Sat. of Oct. for 2 days, either-sex.



(c). Firearms: Either sex: Fri. after Thanksgiving Day for 3 days, Fri. and Sat. Mandatory Deer Check, Sun. Self-Clearing Permit.

(d). Primitive Firearms: third Sat. of Dec. for 9 days.

ii. Turkey: closed.

iii. Small Game and Waterfowl: same as outside except closed during either-sex modern firearms season and open to squirrel hunting during the spring season, first Sat. of May for 9 days, with or without dogs. Beagles allowed for rabbits and dogs allowed for squirrel hunting the day after the last deer firearms season (bucks only or primitive) to the last day of Feb. On that portion designated as Small Game Emphasis Area, beagles are allowed for rabbit and dogs are allowed for squirrel Mon. after third Sat. of Oct.-Sun. prior to firearms either-sex deer, and training of beagles for rabbit and dogs for squirrel allowed June 1- August 31.

iv. Raccoon: (Nighttime): Sept. 1 for 16 days and first Sat. of Jan. to the last day of Feb.

f. Bayou Pierre. Waterfowl Refuge is closed to all hunting, trapping and fishing except for archery hunting for deer, which is allowed on the entire area. Refuge is marked with "Waterfowl Refuge" signs. Contact Minden Office for details for lottery hunts listed below at 318-371-3050.

i. Deer

(a). Archery only: Oct. 1-Jan. 31, either-sex. Archery hunting is allowed in the waterfowl refuge.

ii. Waterfowl Lottery Only: (Designated Portion)

(a). Lottery Youth Hunt: same as outside youth waterfowl hunt.

(b). General Lottery Hunt: second weekend of first split and first weekend of second and third splits of the West Zone season.

iii. Other Small Game: same as outside and open to squirrel hunting during the spring season, first Sat. of May for 9 days, with or without dogs. Beagles allowed for rabbits and dogs allowed for squirrel hunting Sat. before Christmas to last day of Feb.

iv. Raccoon (Nighttime): Sat. before Christmas to last day of Feb.

g. Big Colewa Bayou. Physically Challenged Wheelchair Confined Deer Hunting Area: Access restricted. Check WMA map for location and call Monroe or Baton Rouge Offices for details and applications. Hunting by reservation for wheelchair confined PCHP permittees only. Fri. after Thanksgiving for 3 days, either-sex and second Sat. of Dec. for 16 days, bucks only.

i. Deer:

(a). Archery only: Oct. 1-Jan. 31, either-sex.

ii. Small Game and Waterfowl: same as outside and open to squirrel hunting during the spring season, first Sat. of May for 9 days, with or without dogs. Beagles allowed for rabbit hunting Jan. 1 to last day of Feb. On that portion designated as Small Game Emphasis Area, beagles are allowed for rabbit and dogs are allowed for squirrel Mon. after third Sat. of Oct.-Sun. prior to Thanksgiving, and training of beagles for rabbit and dogs for squirrel allowed June 1-August 31.

iii. All nighttime activities prohibited.

h. Big Lake. Area closed to all south of Big Lake and Crystal Roads when youth deer season is open. North of Big Lake and Crystal Roads open to all activities.

i. Deer

(a). Archery: Oct. 1-Jan. 31, either-sex.

(b). Youth: last Sat. of Oct. for 2 days, either-sex.

Youth hunt on designated portion. See WMA map for specific location.

(c). Firearms Either-sex: Fri. after Thanksgiving Day for 3 days, Fri. and Sat. Mandatory Deer Check, Sun. Self-Clearing Permit.

(d). Firearms Bucks Only: second Sat. of Dec. for 14 days.

(e). Primitive Firearms: day after firearms bucks only season closes for 14 days.

ii. Turkey: opening day of statewide season for 9 days, except season will open for 10 days when statewide season opens on Good Friday.

(a). Youth: Sat. before opening day of statewide season for 2 days, except when that Sat. falls on Easter weekend then season will open on Good Friday for 3 days.

iii. Small Game: same as outside except closed during either-sex firearms seasons and open to squirrel hunting during the spring season, first Sat. of May for 9 days, with or without dogs. Beagles allowed for rabbits and dogs allowed for squirrel hunting the day after primitive firearms season ends to the last day of Feb.

iv. Waterfowl: same as outside except closed during either-sex modern firearms seasons.

v. Raccoon (Nighttime): the day after primitive firearms season ends to the last day of Feb.

vi. Sport Fishing: yoyos, limblines and trotlines prohibited on Big and Chain Lakes.

vii. Commercial fishing: commercial fishing is prohibited.

i. Biloxi. Self-Clearing Permits required for all activities. Vessels/Vehicles: All airboats, ATVs/UTVs, motorcycles, horses, and mules are prohibited. Mud boats or air cooled propulsion vessels can only be powered by straight shaft "long-tail" air-cooled mud motors that are 25 total horsepower or less. All other types of mud boats or air cooled propulsion vessels, including "surface-drive" boats, are prohibited. Overnight mooring of all vessels 50 feet in length or more is prohibited. Dogs are prohibited except retrievers allowed for waterfowl hunting. No structures may be erected including fixed or permanent blinds of any type.

i. Deer

(a). Archery (bucks only): Oct. 1-15.

(b). Deer Archery (either-sex): Oct. 16-Jan. 31.

ii. Small Game and Waterfowl: same as outside except closed to squirrel hunting during the spring season.

j. Bodcau. Area closed to all except Youth deer hunters during the Youth Deer Hunt on designated portion. Limited Use Area: Small game and waterfowl same as rest of WMA. Deer hunting archery only. See WMA map for specific location.

i. Deer

(a). Archery: Oct. 1-Jan. 31, either-sex.

(b). Youth: Sat. after second Fri. of Oct. for 2 days, either-sex on designated portion.

(c). Firearms either-sex: last Sat. of Oct. to the Sun. after Thanksgiving Day. Last Sat. of Oct. and Sun. after last Sat. of Oct., Mandatory Deer Check.

(d). Primitive Firearms: Mon. after Thanksgiving Day for 7 days.

- ii. Turkey
  - (a). Opening day of statewide season for 16 days, except season will open for 17 days when statewide season opens Good Friday.
  - (b). Youth: Sat. before opening day of statewide season for 2 days except when that Sat. falls on Easter weekend, then season will open on Good Friday for 3 days. Fourth Sat. of April for 2 days.
  - iii. Small Game and Waterfowl: same as outside except closed during the youth deer hunt on designated portion and entire area first 2 days of modern firearms deer season except spring squirrel season will be open the first Sat. of May for 9 days only, with or without dogs. Beagles allowed for rabbits and dogs allowed for squirrel hunting day after primitive firearms deer season ends to the last day of Feb. On that portion designated as Small Game Emphasis Area, beagles allowed for rabbit and dogs allowed for squirrel from the first Sat. of Oct. through the Fri. immediately prior to the opening day of firearms deer season, and training of beagles for rabbit and dogs for squirrel allowed June 1-Sept. 30.
    - (a). Youth Squirrel Hunt: fourth Sat. of Sept. for 2 days.
  - iv. Raccoon (Nighttime): day after primitive firearms deer season ends to the last day of Feb. and May 1-Sept. 30.
  - v. Bird Dog Training Area: open all year except closed during WMA Turkey Season. Contact Minden Office for information.
  - vi. Fishing: nets and traps prohibited on Ivan Lake.
  - k. Boeuf. Area Closed to all south of LA 4 except Youth Deer Hunters when youth deer season is open. North of LA 4 open to all activities. Internal combustion engines and craft limited to 10 hp rating or less in the Greentree Reservoir.
    - i. Deer
      - (a). Archery: Oct. 1-Jan. 31, either-sex.
      - (b). Youth: second Sat. of Oct. for 2 days, either-sex.
      - (c). Firearms Either-sex: Fri. after Thanksgiving Day for 3 days, Fri. and Sat. - Mandatory Deer Check, Sun. - Self-Clearing Permit.
      - (d). Firearms Bucks Only: first Sat. of Dec. for 14 days.
      - (e). Primitive Firearms: day after the close of Firearms Bucks Only for 14 days. Second Sat. of Nov. for 7 days.
      - ii. Turkey: closed.
      - iii. Small Game and Waterfowl: same as outside except closed during Deer Either-sex modern firearms season, and except spring squirrel season will be open the first Sat. of May for 9 days only, with or without dogs. Beagles allowed for rabbits and dogs allowed for squirrel hunting the day after the last deer firearms season (bucks only or primitive) to the last day of Feb. Youth Squirrel Hunt: fourth Sat. of Sept. for 2 days. On that portion designated as Small Game Emphasis Area, beagles are allowed for rabbit and dogs are allowed for squirrel Mon. after third Sat. of Oct.-Sun. prior to Thanksgiving, and training of beagles for rabbit and dogs for squirrel allowed June 1-August 31.
- iv. Raccoon (Nighttime): second Sat. of Sept. for 16 days and the day after the last deer firearms season (bucks only or primitive) to the last day of Feb.
  - 1. Buckhorn. Area Closed: last Sat. of Oct. for 2 days to all except Youth and Physically Challenged Deer hunters.
    - i. Deer
      - (a). Archery: Oct. 1-Jan. 31, either-sex.
      - (b). Youth and Physically Challenged: last Sat. of Oct. for 2 days, either-sex.
      - (c). Firearms Either-sex: Fri. after Thanksgiving Day for 3 days, Fri. and Sat. Mandatory Deer Check, Sun. Self-Clearing Permit; and second Sat. of Dec. for 2 days.
      - (d). Firearms Bucks Only: third Sat. of Dec. for 14 days.
      - (e). Primitive Firearms: day after firearms bucks only season ends for 14 days.
      - (f). Youth and Physically Challenged Wheelchair Confined Deer Hunting Area: check map for location. Access restricted. Call Monroe or Baton Rouge Offices for further details.
      - (g). Youth Lottery: second weekend and last consecutive Sat. and Sun. of Dec. except when either of those days falls on Dec. 24 or 25, then it will be the third weekend of Dec. and first consecutive Sat. and Sun. in Jan. Either-sex. Hunting by pre-application lottery only.
      - (h). Physically Challenged Wheelchair Confined: second weekend and last consecutive Sat. and Sun. of Dec. except when either of those days falls on Dec. 24 or 25, then it will be the third weekend of Dec. and first consecutive Sat. and Sun. in Jan. Either-sex. Hunting by reservation for wheelchair confined. PCHP permittees only.
        - ii. Small Game and Waterfowl: same as outside except closed during either-sex modern firearm season and open to squirrel hunting during the spring season, first Sat. of May for 9 days, with or without dogs. Beagles allowed for rabbits and dogs allowed for squirrel hunting the day after primitive firearms season ends to the last day of Feb.
        - iii. Raccoon (Nighttime): day after primitive firearms season ends to the last day of Feb.
          - m. Bussey Brake. Area closed to all hunting and trapping activity. Area closed to all activities between two hours after sunset until 4 a.m. with the exception of rod and reel or cane pole fishing. Fishing may take place between these hours at the north fishing pier or by boat. Access to all other areas are prohibited between these hours. Recreational fishing and all other allowed non-consumptive uses only. No personal watercraft or water skiing. No camping. No ATVs/UTVs or electric bicycles allowed. No motorized vehicles of any type allowed on reservoir levee except at boat launch for purpose of launching boat or to access fishing pier. Pulling boats over levees or any other activities that cause detriment to the levees is prohibited. Horseback riding and non-motorized bicycles are allowed only on the designated trail named Levee Trail (see map at boat launch kiosk). Access is granted at two marked locations, adjacent to the boat launch and just beyond the boat launch parking area. No tying boats to channel marker poles. A No-Wake Zone is in effect in the harbor inside the wave break. No boats allowed within 30 feet of fishing piers.
            - i. Fishing: fish may be taken only by rod and reel or cane pole for recreational purposes. Tournament fishing

allowed by Special Use Permit only. All types of nets, including but not limited to gill nets, trammel nets, hoop nets, wire nets, fyke nets and fish seines are prohibited. Trotlines, yo-yos, limb lines, stump lines, slat traps, jugs, cans, and pipes are prohibited. Shoreline (non-boat) fishing only allowed at designated locations. No fishing or lake access from rocks along interior of reservoir levee.

(a). Black Bass (*Micropterus spp.*)

(i). Daily limit: recreational daily creel limit shall be five fish, in the aggregate;

(ii). Possession limit: possession limit shall be five fish while on water and ten fish while off water, in the aggregate;

(iii). Length: the maximum total length limit shall be 16 inches, with the exception that one fish over 16 inches may be kept.

(b). Crappie (*Pomoxis spp.*)

(i). Daily limit: recreational daily limit shall be 25 fish in the aggregate;

(ii). Possession limit: possession limit shall be 25 fish while on water and 50 fish while off water, in the aggregate;

(iii). Length: the minimum total length shall be 10 inches.

(c). Bream (*Lepomis spp.*)

(i). Daily limit: recreational daily creel limit shall be 50 fish, in the aggregate;

(ii). Possession limit: possession limit shall be 50 fish while on the water and 100 while off the water in the aggregate;

(iii). Length: no minimum length.

n. Clear Creek. Area Closed to all except Youth Deer Hunters when the Youth Deer Season is open. Physically Challenged Wheelchair Confined Deer Hunting Area: Access restricted. Check WMA map for location and call Lake Charles or Baton Rouge Offices for details and applications. Hunting blind reservations for wheelchair confined PCHP permittees only. Same deer seasons listed below.

i. Deer

(a). Archery: third Sat. of Sept. to Jan. 15, either-sex.

(b). Youth Deer Hunt: next to last Sat. of Oct. for 2 days, either-sex.

(c). Firearms Either-sex: last Sat. of Oct. for 2 days, Mandatory Deer Check and Fri. after Thanksgiving for 3 days, Self-Clearing Permit.

(d). Firearms Bucks Only: Mon. after close of Primitive Season to Thanksgiving Day, and second Sat. of Dec. to Jan. 1.

(e). Primitive Firearms: Mon. after first either-sex firearms weekend for 7 days.

ii. Turkey

(a). Mon. after second Sat. of April for 21 days.

(b). General Lottery: opening day of statewide season for 2 days, second Sat. of April for 2 days.

(c). Youth Lottery: Sat. before opening day of statewide season for 2 days.

iii. Small Game and Waterfowl: same as outside except closed during either-sex gun hunts and except spring squirrel season will be open first Sat. of May for 9 days only,

with or without dogs. Beagles allowed for rabbits and dogs allowed for squirrel hunting the day after firearms bucks only season closes to the last day of Feb.

(a). Youth Squirrel Hunt: fourth Sat. of Sept. for 2 days.

iv. Raccoon (Nighttime): day after firearms bucks only season closes to the last day of Feb.

o. Dewey Wills. Area Closed: to all except Youth and Physically Challenged Deer Hunters during the Physically Challenged and Youth Deer Hunt only on that portion of the area north of the Diversion Canal. High Water Benchmark Road Closures: Hunt Road (South of the Catahoula Lake Diversion Canal) and Muddy Bayou Road east of Nolan Bayou Road will be closed when water levels at the Larto Lake gauge reaches 45.0 ft. msl, and will reopen when water levels recede to 43.0 ft. msl, and Muddy Bayou Road west of the intersection of Nolan Bayou Road and Sandy Bayou Road will be closed when water levels at the Larto Lake gauge reaches 42.0 ft. msl and will reopen when water levels recede to 40.0 ft. msl.

i. Deer

(a). Archery: Oct. 1-Jan. 31, either-sex.

(b). Physically Challenged and Youth: last Sat. of Oct. for 2 days, either-sex. Only that portion of the area north of the Diversion Canal shall be open only to Physically Challenged and youth deer hunters. The remainder of the area is open to all.

(c). Youth Lottery: first Sat. of Dec. for 2 days, first Sat. of Jan. for 2 days except when Jan. 1 falls on one of those days, then there will be no hunt that weekend, second Sat. of Jan. for 2 days, and third Sat. of Jan. for 2 days, either-sex. Contact Pineville Office (318-487-5885) for details and applications.

(d). Firearms Either-sex: Fri. after Thanksgiving Day for 3 days, Fri. and Sat. Mandatory Deer Check, Sun. Self-Clearing Permit. No hunting allowed in the greentree impoundment or within 100 feet of the greentree levee if duck season is in progress.

(e). Firearms Bucks Only: fourth Sat. of Dec. for 16 days.

(f). Primitive Firearms: second Sat. of Dec. for 2 days.

ii. Turkey: closed.

iii. Small Game and Waterfowl: same as outside except closed during Physically Challenged and Youth Deer Season north of the Diversion Canal and the entire area during the either-sex firearm hunt except waterfowl hunting will be allowed in the greentree impoundment and Catahoula Basin during the firearm either-sex season and open to squirrel hunting during the spring season first Sat. of May for 9 days, with or without dogs. Beagles allowed for rabbits and dogs allowed for squirrel hunting day after Firearms Bucks-Only season ends to the last day of Feb. On that portion designated as Small Game Emphasis Area, beagles are allowed for rabbit and dogs are allowed for squirrel first Sat. of Oct. to the third Sun. of Nov., and training of beagles for rabbit and dogs for squirrel allowed June 1-August 31. Catahoula Basin: Nov. 1-Jan. 31, all motorized vessels prohibited 2 p.m. to 4 a.m., and all nighttime activities prohibited during open waterfowl season except for the Catahoula Basin buffer zone, which will remain open to motorized vessels year round for recreation and navigation.

- iv. Raccoon
  - (a). Nighttime: day after primitive firearms season ends to the last day of Feb.
  - (b). Nighttime Chase only: May 1-Sept. 25, Tuesdays and Thursdays only. Raccoon hunters may use ATVs on designated trails during take season only.
  - v. Crawfish: limited to 100 pounds per person per day.
  - vi. Larto Tracts: all season dates on Larto Tracts (see WMA map) same as outside, except deer hunting restricted to archery only. All vehicles, including ATVs, are prohibited.
  - p. Elbow Slough.
    - i. Mourning Dove: Saturdays, Sundays and Wednesdays only during first and second split of the outside season, and except by lottery only opening Sat. and second Sat. of first 8 days of first split. Applications available at Pineville office and online. Contact Pineville office for details.
    - ii. Rabbit: Feb. 1 to the last day of Feb. Beagles allowed.
    - iii. Crawfish: March-July. Limit: 100 lbs. per person per day. Recreational crawfishing only. No traps or nets left overnight.
    - iv. Woodcock: same as outside.
    - v. All other seasons closed. Non-toxic (minimum size #6) shot only for all hunting. All motorized vehicles prohibited.
  - q. Elm Hall. ATVs/UTVs prohibited.
    - i. Deer
      - (a). Archery: Oct. 1-15 bucks only, Oct. 16-Feb. 15, either sex.
      - (b). Firearms Either-sex: Fri. after Thanksgiving Day for 2 days.
      - (c). Firearms Bucks Only: Sun. after Thanksgiving Day and the fourth Sat. of Dec. for 9 days.
      - (d). Primitive Firearms: next to last Sat. in Jan. for 2 days.
      - ii. Small Game and Waterfowl: same as outside except closed during either-sex firearm seasons for deer, beagles allowed for rabbits and dogs allowed for squirrel hunting the day after the close of primitive firearms to the end of Feb. and open to squirrel hunting during the spring season, first Sat. of May for 9 days, with or without dogs.
      - r. Esler Field. All or portions of the area may be closed daily due to military activities. All game harvested must be reported on self-clearing checkout permit. No hunting in Restricted Areas. Swimming in Twin Lakes prohibited. Retriever training allowed on selected portions of the WMA. Area closed: to all except youth deer hunters second full weekend in November.
        - i. Deer
          - (a). Archery: Oct. 1-Jan. 31, either-sex.
          - (b). Youth Deer Hunt: second full weekend in Nov., either-sex on designated portion of the WMA.
          - (c). Firearms Bucks Only: Dec. 26-Jan. 1.
          - (d). Primitive Firearms: Fri. after Thanksgiving Day for 3 days, Fri. and Sat. Mandatory Deer Check, Sun. Self-Clearing Permit. All deer harvested must be brought to Rifle Range Road Weigh Station. Second Sat. of Dec. for 2 days, Self-Clearing Permit.
        - ii. Turkey: same as outside.
          - (a). Youth Lottery: Sat. before opening day of statewide season.
          - iii. Small Game and Waterfowl: same as outside except closed during either-sex firearms hunts for deer and except closed to squirrel hunting during the spring season. "Hunter orange" or "blaze pink" must be worn when bucks only gun hunts for deer are in progress. Squirrel hunting
  - ii. Turkey: opening day of statewide season for 9 days, except season will open for 10 days when statewide season opens Good Friday.
    - iii. Small Game and Waterfowl: same as outside, except closed during either-sex gun hunts for deer and except closed to squirrel hunting during the spring season. Beagles allowed for rabbits and dogs allowed for squirrel hunting Sat. after Jan. 1 to the last day of Feb.
    - iv. Raccoon (Nighttime): last consecutive Sat. and Sun. in Jan. to last day of Feb.
    - v. Fishing: special regulations to be posted at Twin Lakes.
      - s. Floy Ward McElroy. Access restricted. Contact Monroe Wildlife Field Office at 318-343-4045 for information.
        - i. Deer: limit 1 deer per participant per weekend for all hunts.
          - (a). Youth Lottery: second weekend and last consecutive Sat. and Sun. of Dec. except when either of those days falls on Dec. 24 or 25, then it will be the third weekend of Dec., and second consecutive Sat. and Sun. in Jan., either-sex. Restricted to those selected as a result of the pre-application lottery.
          - (b). Physically Challenged Wheelchair Confined Lottery: first Sat. of Nov. for 2 days, either-sex. Restricted to wheelchair confined PCHP permittees only selected as a result of the pre-application lottery.
          - (c). Beyond Becoming an Outdoors Woman (BOW) Lottery Deer Hunt: first weekend in Dec. Hunt restricted to those that have successfully completed the Becoming an Outdoors Woman Deer Management Course. Must be Hunter Education certified. Contact LDWF Education Section, 318-343-1241, for more information.
          - t. Fort Johnson North. Self-clearing permit required daily for all activities. All or portions of the area may be closed daily due to military activities. Check LDWF Hunting Pamphlet for information on open areas and special ATV regulations. Hunters are cautioned not to pick up any foreign material or objects while hunting on the WMA. Also, it is mandatory for hunters to check the open area maps, located at check stations, daily for sudden closures.
            - i. Deer
              - (a). Archery: third Sat. of Sept. to Jan. 15, either-sex except restricted to bucks only when bucks only gun season is in progress.
              - (b). Primitive Firearms: second Sat. of Oct. for 7 days, Self-Clearing Permit required.
              - (c). Firearms Either-Sex: last Sat. of Oct. for 2 days, mandatory deer check, and Fri. after Thanksgiving Day for 3 days, Fri. and Sat. mandatory deer check, Sun. self-clearing permit.
              - (d). Firearms Bucks Only: Mon. after last Sat. of Oct. to Thanksgiving Day, second Sat. of Dec. to Jan. 1.
            - ii. Turkey: same as outside.

with dogs allowed Mon. after Thanksgiving Day for 12 days and Jan. 2 to last day of Feb.

iv. Feral Hogs: may be taken by properly licensed hunters from beginning of Archery Season to Jan. 1. Hunters may hunt feral hogs with shotguns loaded with buckshot or slugs from Jan. 2 to the end of Feb. Hunters must also display 400 square inches of "hunter orange" or "blaze pink" and wear a "hunter orange" or "blaze pink" cap during special shotgun season for hogs.

u. Fort Johnson-Vernon. Self-clearing permit required daily for all activities. All or portions of the area may be closed daily due to military activities. Check LDWF Hunting Pamphlet for information on open areas and special ATV regulations. Hunters are cautioned not to pick up any foreign material or objects while hunting on the WMA. Also, it is mandatory for hunters to check the open area maps, located at check stations, daily for sudden closures. Physically Challenged Wheelchair Confined Deer Hunting Area: Access restricted. Check WMA map for location and call Lake Charles Office for details and applications. Hunting blind reservations for wheelchair confined PCHP permittees only. Same deer seasons listed below.

i. Deer:

(a). Archery: third Sat. of Sept. to Jan. 15, either-sex. Special Archery regulations for Archery Only Area, check locally at Building 2396 on 22<sup>nd</sup> St., either-sex deer legal the entire season. Remainder of WMA restricted to bucks only when bucks only gun season is in progress.

(b). Primitive Firearms: second Sat. of Oct. for 7 days, Self-Clearing Permit required.

(c). Firearms Either-sex: last Sat. of Oct. for 2 days mandatory deer check, and Fri. after Thanksgiving Day for 3 days, Fri. and Sat. mandatory deer check, Sun. self-clearing permit.

(d). Firearms Bucks Only: Mon. after last Sat. of Oct. to Thanksgiving Day, second Sat. of Dec. to Jan. 1.

ii. Turkey: same as outside.

(a). Youth Lottery: Sat. before opening day of statewide season.

iii. Small Game and Waterfowl: same as outside except closed during either-sex firearms hunts for deer and except closed to squirrel hunting during the spring season. "Hunter orange" or "blaze pink" must be worn when bucks only gun hunts for deer are in progress. Squirrel hunting with dogs allowed Mon. after Thanksgiving Day for 12 days and Jan. 2 to the last day of Feb.

iv. Feral Hogs: may be taken by properly licensed hunters from beginning of Archery Season to Jan. 1. Hunters may hunt feral hogs with shotguns loaded with buckshot or slugs from Jan. 2 to the end of Feb. Hunters must also display 400 square inches of "hunter orange" or "blaze pink" and wear a "hunter orange" or "blaze pink" cap during special shotgun season for hogs.

v. Fishing: special regulations pertaining to fishing are posted at specific lakes.

v. Grassy Lake. Area Closed: To all except Youth Deer Hunters during Youth Deer Hunt.

i. Deer

(a). Archery: Oct. 1-15 bucks only, Oct. 16-Feb. 15 either-sex.

(b). Youth: last Sat. of Oct. for 2 days.

(c). Firearms Either-sex: Fri. after Thanksgiving Day for 3 days, Fri. and Sat. Mandatory Deer Check, Sun. Self-Clearing Permit.

(d). Firearms Bucks Only: fourth Sat. of Dec. for 9 days.

(e). Primitive Firearms (either-sex): second Sat. of Dec. for 2 days.

ii. Turkey: closed.

iii. Small Game and Waterfowl: same as outside except closed during either-sex firearms hunts for deer and open to squirrel hunting during the spring season first Sat. of May for 9 days, with or without dogs. Beagles allowed for rabbits and dogs allowed for squirrel hunting day after primitive firearms season ends to last day of Feb.

(a). Youth Squirrel Hunt: fourth Sat. of Sept. for 2 days.

iv. Sport Fishing: same as outside except allowed after 2 p.m. during waterfowl season, and except allowed after 10 a.m. during early Teal Season on Smith Bay, Red River Bay and Grassy Lake proper.

v. Commercial Fishing: permitted except on Smith Bay, Red River Bay and Grassy Lake proper on Saturday and Sunday and during waterfowl season. Permits available from area supervisor Spring Bayou Headquarters or Lafayette Field Office.

vi. Raccoon (Nighttime): second Sat. of Sept. for 16 days, day after primitive firearms season ends for 12 days, and day after bucks only firearm season ends to the last day of Feb.

vii. Crawfish: March 15-July 31. Recreational only. 100 pounds per person daily. No nets or traps may be left overnight.

w. Hutchinson Creek

i. Deer:

same as outside, Archery Only, Either-sex.

ii. Turkey: same as outside.

iii. Small Game and Waterfowl: same as outside. Open to squirrel hunting during the spring season first Sat. of May for 9 days. Beagles allowed for rabbits and dogs allowed for squirrel hunting first Sat. of Jan to the last day of Feb.

iv. Raccoon: second Sat. of Sept. for 16 days and first Sat. of Jan to the last day of Feb.

x. J. C. Sonny Gilbert. Area Closed: last Sat. of Oct. for 2 days to all except Youth Deer Hunters.

i. Deer

(a). Archery: Oct. 1-Jan. 31, either-sex.

(b). Youth: last Sat. of Oct. for 2 days, either-sex.

(c). Firearms Either-sex: Fri. after Thanksgiving Day for 3 days, self-clearing permit.

(d). Firearms Bucks Only: first Sat. of Dec. for 14 days.

(e). Primitive Firearms: day after close of Firearms Bucks Only for 14 days.

ii. Turkey

(a). General Lottery: opening day of statewide season for 9 days, with 3 consecutive 3 day hunts.

(b). Youth Lottery: Sat. before opening day of statewide season for 2 days, except when that Sat. falls on Easter weekend, then season will open on Good Friday for 3 days.

- iii. Small Game and Waterfowl: same as outside except closed during either-sex modern firearms seasons for deer and open to squirrel hunting during the spring season, first Sat. of May for 9 days, with or without dogs. Beagles allowed for rabbits and dogs allowed for squirrel hunting the day after the last deer firearms season (bucks only or primitive) to the last day of Feb.
- iv. Raccoon (Nighttime): the day after the last deer firearms season (bucks only or primitive) to last day of Feb.
- v. Sport Fishing: restricted to rod and reel, and pole fishing only. All other gear prohibited.
- y. John Franks
  - i. Deer
    - (a). Archery Only: Oct. 1-Jan. 31, either-sex.
  - ii. Small Game and Waterfowl: same as outside. Beagles allowed for rabbits and dogs allowed for squirrel Sat. before Christmas to end of Feb. Open to squirrel hunting during the spring season, first Sat. of May for 9 days, with or without dogs.
  - z. Joyce. Swamp Walk: closed from 30 minutes after sunset to 30 minutes before sunrise. No loaded firearms or hunting allowed within 100 yards of walkways. Check hunting schedule and use walkway at your own risk.
    - i. Deer
      - (a). Archery: Oct. 1-15 bucks only, Oct. 16-Feb. 15 either-sex.
      - (b). Youth: first Sat. of Nov. for 2 days, either-sex.
      - (c). Firearms Either-sex: Fri. after Thanksgiving Day for 3 days, Self-Clearing Permit.
      - (d). Firearms bucks only: third Sat. of Dec. for 16 days.
      - (e). Primitive Firearms (either-sex): second Sat. of Jan. for 2 days and Mon. after the next to last Sun. of Jan. for 7 days.
    - ii. Small Game and Waterfowl: same as outside and open to squirrel hunting during the spring season, first Sat. of May for 9 days, with or without dogs. Beagles allowed for rabbits and dogs allowed for squirrel hunting day after primitive firearms ends to the last day of Feb.
      - (a). Youth Squirrel Hunt: fourth Sat. of Sept. for 2 days.
    - iii. Raccoon (Nighttime): day after primitive firearms ends to last day of Feb.
    - iv. Crawfish: limited to 100 pounds per person per day.
      - aa. Lake Boeuf. Self-Clearing Permit required for all activities. Self-Clearing Permit available at Theriot Canal boat landing off LA 308. All nighttime activities prohibited except that hunters may enter the WMA no earlier than 4 a.m. and must check out and exit the WMA no later than two hours after sunset, or as otherwise specified. ATVs/UTVs, motorcycles, horses and mules are prohibited.
        - i. Deer
          - (a). Archery (bucks only): Oct. 1-15
          - (b). Archery (either-sex): Oct. 16 - Jan. 31
        - ii. Waterfowl: same as outside.
        - iii. Small Game: first day of Nov. to the last day of Feb. and open to squirrel hunting during the spring season from the first Sat. of May for 9 days, with or without dogs. Beagles prohibited November and December.
- bb. Lake Ramsey. All vehicles restricted to Parish Roads and designated parking areas.
  - i. Deer
    - (a). Archery only, Oct. 1-Jan. 31, either-sex.
    - ii. Turkey: opening day of statewide season for 16 days, except season will open for 17 days when statewide season opens Good Friday.
    - iii. Small Game and Waterfowl: same as outside and open to squirrel hunting during the spring season, first Sat. of May for 9 days, with or without dogs. Beagles allowed for rabbits and dogs allowed for squirrel hunting Sat. after Jan. 1 to last day of Feb.
    - iv. Foot traffic only—all vehicles restricted to Parish Roads, except ATVs allowed for hunters retrieving downed deer or feral hogs.
    - v. Bird Dog Training Area: open all year except closed during WMA Turkey Season. Contact Hammond Office (985-543-4777) for information.
  - cc. Little River
    - i. Deer
      - (a). Archery: Oct. 1-Jan. 31, either-sex.
      - (b). Firearms Bucks Only: last Sat. of Oct. for 16 days.
      - (c). Firearms Either-sex: Fri. after Thanksgiving Day for 3 days, and second Sat. of Dec. for 2 days.
      - ii. Turkey: opening day of statewide season for 16 days, except season will open for 17 days when statewide season opens Good Friday.
      - iii. Raccoon
        - (a). Nighttime: Mon. after second Sat. of Jan. to last day of Feb.
        - (b). Nighttime Chase Only: May 1-Sept. 25, Tuesdays and Thursdays only. Raccoon hunters may use ATVs on designated trails during take seasons only.
      - iv. Small Game and Waterfowl: same as outside except spring squirrel season will be open the first Sat. of May for 9 days only, with or without dogs. Beagles allowed for rabbits and dogs allowed for squirrel hunting Sat. before Christmas to the last day of Feb.
        - (a). Youth Squirrel Hunt: fourth Sat. of Sept. for 2 days.
        - v. Crawfish: March-July. Limit: 100 pounds per person per day. Recreational crawfishing only. No traps or nets left overnight.
    - dd. Loggy Bayou. Limited Use Area: small game and waterfowl same as rest of WMA. Deer hunting archery only. See WMA map for specific location.
      - i. Deer
        - (a). Archery: Oct. 1-Jan. 31, either-sex.
        - (b). Firearms Either-sex: Fri. after Thanksgiving Day for 3 days, Fri. and Sat. Mandatory Deer Check, Sun. Self-Clearing Permit.
        - (c). Primitive Firearms: Mon. after Thanksgiving Day for 7 days.
        - ii. Small Game and Waterfowl: same as outside except closed during either-sex firearms seasons for deer and open to squirrel hunting during the spring season, first Sat. of May for 9 days, with or without dogs. Beagles allowed for rabbits and dogs allowed for squirrel hunting Sat. before Christmas to the last day of Feb.

iii. Raccoon (Nighttime): Sat. before Christmas to the last day of Feb.

ee. Manchac

i. Deer

(a). Archery: Oct. 1-15 bucks only; Oct. 16-Feb. 15 either-sex.

ii. Small Game and Waterfowl: same as outside except steel shot required for rails, snipe and gallinules and open to squirrel hunting during the spring season, first Sat. of May for 9 days, with or without dogs. Beagles allowed for rabbits and dogs allowed for squirrel hunting Feb. 1 to the last day of Feb.

iii. Raccoon (Nighttime): Feb. 1 to the last day of Feb.

iv. Crabs: no crab traps allowed. Attended lift nets are allowed.

ff. Marsh Bayou

i. Deer: same as outside, archery only, either-sex.

ii. Small Game: same as outside. Open to squirrel hunting during the spring season first Sat. of May for 9 days. Beagles allowed for rabbits and dogs allowed for squirrel hunting first Sat. of Jan. to the last day of Feb. On that portion designated as Small Game Emphasis Area, training of beagles for rabbit and dogs for squirrel allowed June 1-August 31.

iii. Raccoon: second Sat. of Sept. for 16 days and first Sat. of Jan. to the last day of Feb.

gg. Maurepas Swamp. Camping limited to tent camping in designated areas. See WMA map for locations. No loaded firearms or hunting allowed within 100 yards of Nature Trail. Benchmark Closure: Area Closed to all deer hunting when USGS water level gauge CRMS 5373, available at <http://waterdata.usgs.gov/la/nwis/rt> is at or above 3.0 ft. gage height and reopens to deer hunting when water levels recede to 2.5 ft. gage height following a closure. Motorized vehicles prohibited on Crusel Tract (see WMA map for Crusel Tract). Limited Use Area: small game same as outside except shotgun only. Deer hunting archery only. See WMA map for specific location. Area Closed to all hunters except Youth Deer Hunters during Youth Deer Season. Physically Challenged Wheelchair Confined Deer Hunting Area: Access restricted. Check WMA map for location and call Hammond Office for details and applications. Hunting by reservation for wheelchair confined PCHP permittees only. Same deer seasons listed below.

i. Deer

(a). Archery: Oct. 1-15 bucks only; Oct. 16-Feb. 15 either sex.

(b). Youth: first Sat. of Nov. for 2 days, either-sex.

(c). Firearms Either-sex: Fri. after Thanksgiving Day for 3 days, Fri. and Sat. Mandatory Deer Check, and Sun. Self-Clearing Permit

(d). Firearms Bucks Only: third Sat. of Dec. for 16 days.

(e). Primitive Firearms (either-sex): second Sat. of Jan. for 2 days and Mon. after the next to last Sun. of Jan. for 7 days.

ii. Small Game and Waterfowl: same as outside except closed Friday after Thanksgiving Day for 3 days during either-sex firearms hunts and closed during youth deer season and except spring squirrel season will be open

the first Sat. of May for 9 days, with or without dogs. Beagles allowed for rabbits and dogs allowed for squirrel hunting day after primitive firearms ends to the last day of Feb.

(a). Youth Squirrel Hunt: fourth Sat. of Sept. for 2 days.

iii. Raccoon (Nighttime): day after primitive firearms ends to last day of Feb.

iv. Crawfish: limited to 100 pounds per person per day.

hh. Pass-A-Loutre. Self-Clearing Permit required for all activities. Permits available at Pass-a-Loutre Headquarters, Camp Canal and all designated camping areas. Oyster harvesting is prohibited. Camping allowed only in designated areas. See self-clearing permit station at headquarters and WMA map for designated camping areas. Vessels/Vehicles: All ATVs/UTVs, motorcycles, horses and mules are prohibited. Mud boats or air-cooled propulsion vessels powered by more than 36 total horsepower prohibited. Operation of mud boats and air-cooled propulsion engines prohibited after 2 p.m. Sept. 1-Jan. 31, except allowed after 2 p.m. in South Pass, Pass-a-Loutre, Southeast Pass, Loomis Pass, Dennis Pass, and Cadro Pass.

i. Deer

(a). Archery (bucks only): Oct. 1- Feb.15.

(b). Youth Shotgun bucks only: second to last Sat. in Oct. for 2 days.

(c). Deer Shotgun: bucks only may be taken with shotguns with either slugs or buckshot for seven days starting the day after the closure of the first split of duck season.

ii. Small Game and Waterfowl: same as outside. Beagles prohibited October through last day of waterfowl season.

iii. Feral Hogs: may be taken by properly licensed hunters from Oct. 1 to the last day of February. In addition, hunters may hunt feral hogs with archery equipment, shotguns loaded with buckshot or slugs, or rimfire rifles no larger than .22 caliber from Feb. 16-March 31. Hogs may be taken with the aid of dogs Feb. 16-March 15. Hunters must also display 400 square inches of "hunter orange" or "blaze pink" and wear a "hunter orange" or "blaze pink" cap during special shotgun season for feral hogs.

iv. Commercial Fishing: same as outside. Commercial mullet fishing open only in: South Pass, Pass-a-Loutre, North Pass, Southeast Pass, Northeast Pass, Dennis Pass, Johnson Pass, Loomis Pass, Cadro Pass, Wright Pass, Viveats Pass, Cognevich Pass, Blind Bay, Redfish Bay, Garden Island Bay, Northshore Bay, East Bay (west of barrier islands) and oil and gas canals as described on the LDWF Pass-a-Loutre WMA map.

ii. Pearl River. Shooting range: Self-clearing permit not required but all range users must obtain a daily check in validation slip at the range upon sign-in at the range. For dates, time or more information call 985-643-3938 or [www.honeyisland.org](http://www.honeyisland.org). No loaded firearms or hunting within 100 yards of boardwalk. All roads closed 8 p.m. to 4 a.m. to all vehicles. Old Hwy. 11 will be closed when river gauge at Pearl River, Louisiana, reaches 16.5 feet. All hunting except waterfowl hunting south of Hwy. 90 will be closed when the river stage at Pearl River reaches 16.5 feet. No hunting in the vicinity of the Nature Trail. Observe "No Hunting" signs.

Area Closed to all hunters except Youth Hunters during Youth deer hunt.

i. Deer

(a). Archery: Oct. 1-Jan. 31, either-sex.

(b). Youth Deer Hunt: first Sat. of Nov. for 2 days, either-sex.

(c). Firearms Either-Sex: Fri. after Thanksgiving Day for 3 days, Self-Clearing Permit.

(d). Firearms Bucks Only: first Sat. of Dec. for 16 days.

(e). Primitive Firearms: two Sats. prior to Thanksgiving for 7 days and day after firearms bucks only season closes for 14 days.

ii. Turkey

(a). General Lottery: opening day of statewide season for 2 days.

(b). Youth: Sat. and Sun. before opening day of statewide season.

iii. Small Game: same as outside except closed the Friday after Thanksgiving Day for 3 days during either-sex firearms hunts for deer, and closed during youth deer hunt, and open to squirrel hunting during the spring season, first Sat. of May for 9 days, with or without dogs. Beagles allowed for rabbits and dogs allowed for squirrel hunting day after primitive firearms season ends to last day of Feb.

(a). Youth Squirrel Hunt: fourth Sat. of Sept. for 2 days.

iv. Waterfowl: same as outside except no hunting in Waterfowl Refuge Area and except closed Fri. after Thanksgiving for 3 days, and during youth deer hunt north of U.S. Hwy. 90.

v. Raccoon (Nighttime): second Sat. of Sept. for 16 days and day after primitive firearms season ends to last day of Feb.

vi. Crawfish: commercial crawfishing prohibited. Limited to 100 pounds per person per day.

jj. Pointe-Aux-Chenes. All nighttime activities prohibited except that hunters may enter the WMA no earlier than 4 a.m. and must check out and exit the WMA no later than two hours after sunset, or as otherwise specified. Possession of more than one daily limit of fish/crab/shrimp while on the WMA is prohibited. Self-clearing permits available at Island Road Boat Launch, Grand Bayou Boat Launch and at Point Farm gate behind Montegut Middle School. Parking of vehicles on levees prohibited. Vessels/Vehicles: All boats powered by internal combustion engines having total horsepower above 25 Hp are not allowed in the Grand Bayou, Montegut and Pointe-aux-Chenes water management units. Public is permitted to travel anytime through the WMA for access purposes only, in the waterways known as Grand Bayou, Humble Canal, Little Bayou Blue, Grand Bayou Blue, St. Louis Canal, and Bayou Pointe-aux-Chenes unless authorized by LDWF. All ATVs/UTVs, motorcycles, horses and mules are prohibited. Fishing, crabbing, cast netting or any other activities or trespassing on water control structures are prohibited.

i. Feral Hogs: may be taken by properly licensed hunters from Oct. 1 to the last day of February. In addition, hunters may hunt feral hogs with archery equipment, shotguns loaded with buckshot or slugs, or rimfire rifles no larger than .22 caliber from Feb. 16-March 31. Hunters must also display 400 square inches of "hunter orange" or "blaze

pink" and wear a "hunter orange" or "blaze pink" cap during special shotgun season for feral hogs. All Point-aux-Chenes Property except Point Farm Unit and Restricted Areas

ii. Deer

(a). Archery (bucks only): Oct. 1-15.

(b). Archery (either-sex): Oct. 16-Feb. 15.

(c). Firearms (bucks only): Fri. after Thanksgiving Day for 3 days and second Sat. of Dec. for 7 days.

iii. Waterfowl: same as outside.

iv. Small Game: same as outside except closed during bucks only firearms season and open to squirrel hunting during the spring season from the first Sat. of May for 9 days, with or without dogs. Beagles prohibited October through December.

v. Recreational Fishing: the harvest of all fish, shrimp, crabs and crawfish is for recreational purposes only and any commercial use is prohibited. All cast net contents shall be contained and bycatch returned to the water immediately.

vi. Shrimp may be taken by the use of cast nets only. During the inside open shrimp season, 25 lbs. per boat or vehicle per day (heads on) maximum shall be permitted. Size count to conform with open season requirements. During the inside closed season, 10 lbs. per boat or vehicle per day (heads on) may be taken for bait.

vii. Oyster Harvesting Prohibited.

viii. Fish may be taken only by rod and reel or hand lines for recreational purposes only.

ix. Crabs may be taken only through the use of hand lines or nets; however, none are to remain set overnight. No drop net is allowed to be left unattended at any time. A maximum of 12 drop nets may be possessed/attended per boat or vehicle. Twelve dozen crabs maximum are allowed per boat or vehicle per day.

x. Crawfish: may be harvested in unrestricted portions of the WMA and shall be limited to 100 lbs. per person per day. Gear used to catch crawfish shall not remain set overnight.

xi. Point Farm Unit (Pointe-aux-Chenes). An approximately 1300-acre area inside the Pointe-aux-Chenes WMA which is generally bounded on the west by the double gates behind the Montegut Middle School, the Point Farm levee and the WMA boundary, and on the north by the WMA boundary, and is bounded on the east and south by the Point Farm ridge levee. The boundary of Point Farm is more accurately marked with signs. Point Farm gate will be open all Saturdays during the month of February, weather permitting. Parking in designated areas required for mourning dove hunting. No motorized vessels allowed in the drainage ditches. Except for mourning dove hunting, (provided for below) all other hunting closed until after the last day of youth deer hunts. Area closed to all except Youth Deer Hunters when the Youth Deer Season is open. Limited Use Area: archery only, firearms prohibited. See WMA map for specific location.

(a). Deer

(i). Youth Lottery (either-sex): first Sat. of Oct. for 2 days, second Sat. of Oct. for 2 days, daily youth hunt permit required. Call the Lafayette Field Office, Coastal WMAs, 337-735-8667 for details.

(ii). Archery (either-sex): Oct. 16-Jan. 14.



(b). Waterfowl: closed.

(c). Small Game: same as outside, except closed until the day after the last youth deer hunt day and open to squirrel hunting during the spring season from the first Sat. of May for 9 days, with or without dogs. Beagles prohibited October and November. Non-toxic shot only south of the dove field gate.

(d). Mourning Dove: hunting will be permitted each day during the September split and each day of the second and third splits (AFTER the last youth deer hunt day). Gates will be opened on Saturdays during the first and second segments, weather permitting, except during waterfowl season and Youth Deer Hunt weekends. Parking will be allowed in designated areas only. Non-toxic shot only south of the dove field gate.

kk. Pomme de Terre. Area Closed: to all except Youth Deer Hunters during Youth Deer Hunt.

i. Deer

(a). Archery: Oct. 1-15 bucks only, Oct. 16-Feb. 15 either sex.

(b). Youth: last Sat. of Oct. for 2 days, either-sex.

(c). Firearms Either-sex: Fri. after Thanksgiving Day for 3 days, Fri. and Sat. Mandatory Deer Check, Sun. Self-Clearing Permit.

(d). Firearms Bucks Only: fourth Sat. of Dec. for 9 days.

(e). Primitive Firearms: second Sat. of Dec. for 2 days.

ii. Turkey: fourth Sat. of April for 9 days.

(a). Youth Lottery: third Sat. of April for 2 days.

iii. Small Game and Waterfowl: same as outside except closed during either-sex firearms hunt for deer and open to squirrel hunting during the spring season, first Sat. of May for 9 days, with or without dogs. Beagles allowed for rabbits and dogs allowed for squirrel hunting day after primitive firearms season ends to last day of Feb. On that portion designated as Small Game Emphasis Area, beagles are allowed for rabbit and dogs are allowed for squirrel first Sat. of Oct.-day before last Sat. of Oct., Mon. after Thanksgiving for 12 days, and Mon. after primitive firearms season for 12 days and training of beagles for rabbit and dogs for squirrel allowed June 1-August 31.

(a). Youth Squirrel Hunt: fourth Sat. of Sept. for 2 days.

iv. Raccoon (Nighttime): second Sat. of Sept. for 16 days and day after firearms bucks only season ends to last day of Feb.

v. Commercial Fishing: permitted Monday through Friday except closed during duck season. Commercial Fishing Permits available from area supervisor, Lafayette Wildlife Field Office or Spring Bayou Headquarters.

vi. Sport Fishing: same as outside except allowed after 2 p.m. during waterfowl season, and except allowed after 10 a.m. during early Teal Season.

vii. Crawfish: March 15-July 31. Recreational only. 100 lbs. per person daily. No nets or traps may be left overnight.

ll. Richard K. Yancey. Area closed on that portion of the area south of Black Hawk Acme Levee Road, west of LA Hwy. 15, southward to Old River Control Structure, thence south to Sugar Mill Chute, last Sat. of Oct. for 2 days to all

except Youth and Physically Challenged Deer Hunters. The remainder of the WMA is open to all users.

i. Deer

(a). Archery: Oct. 1-Jan. 31, either-sex.

(b). Youth Lottery: third and fourth Sat. of Dec. except if the fourth Sat. is Christmas Day, then the hunt will be the second and third Sat. of Dec. and the first and second Sat. in Jan. except when the first Sat. of Jan. is New Year's Day then the hunt will be the second and third Sat. of Jan., either-sex.

(c). Youth and Physically Challenged: last Sat. of Oct. for 2 days, either-sex.

(d). Firearms Either-sex: Fri. after Thanksgiving Day for 3 days, Fri. and Sat. Mandatory Deer Check, Sun. Self-Clearing Permit.

(e). Firearms Bucks Only: last Sat. of Dec. for 9 days.

(f). Primitive Firearms (Either-Sex): second Saturday in December for 2 days.

ii. Turkey: closed.

iii. Small Game and Waterfowl: same as outside except closed during the either-sex firearms season and open to squirrel hunting during the spring season, first Sat. of May for 9 days, with or without dogs. Beagles allowed for rabbits and dogs allowed for squirrel hunting day after firearms bucks only season ends to last day of Feb. On that portion designated as Small Game Emphasis Area, beagles are allowed for rabbit and dogs are allowed for squirrel first Sat. of Oct.-Oct. 31, and Mon. after Thanksgiving for 12 days, and training of beagles for rabbit and dogs for squirrel allowed June 1-August 31.

iv. Quail: closed.

v. Raccoon (Nighttime): second Sat. of Sept. for 16 days and day after firearms bucks only season ends to last day of Feb.

vi. Crawfish: recreational crawfishing allowed west of the Mississippi River Levee only Mar. 15 to July 31, recreational crawfishing only. Crawfish harvested limited to 100 pounds per person per day. No traps left overnight. No motorized watercraft allowed.

vii. Sport Fishing and Commercial Fishing: same as outside except closed from 30 minutes before sunrise until 2 p.m. on: Grand Bay, Silver Lake, Lower Sunk Lake, Lac A' Sostien, and Moreau Lake during open waterfowl seasons, except during early Teal Season, recreational fishing allowed after 10 a.m.

mm. Russell Sage. Area Closed: last Sat. of Oct. for 2 days South of I-20 only to all except Youth and Physically Challenged Deer Hunters. North of I-20 open to all other allowable activities. Wham Brake: closed to all motorized vessels 14 days prior to opening day of duck and teal seasons, excluding youth and Veteran days. Also closed to all motorized vessels during waterfowl season splits, and September 1-Jan. 31, all motorized vessels prohibited 2 p.m. to 4 a.m., and all nighttime activities prohibited during open waterfowl season. Waterfowl Refuge: North of LA Highway 15 closed to all hunting, fishing, trapping and ATV use during duck season including early teal season, except hunting allowed during Falconry Waterfowl Season. Transporting trash or garbage on WMA roads is prohibited. All nighttime activities prohibited except as otherwise provided. Chauvin Tract: All season dates on Chauvin Tract

(US 165 North) same as outside, except still hunt only, except deer hunting restricted to archery only, and except small game shotgun only. All vehicles including ATVs prohibited. Wham Brake Area: Waterfowl hunting open during either-sex deer season.

i. Deer

(a). Archery: Oct. 1-Jan. 31, either-sex.

(b). Youth and Physically Challenged: last Sat. of Oct. for 2 days, either-sex, south of I-20 only.

(c). Firearms Either-sex: Fri. after Thanksgiving Day for 3 days, Fri. and Sat. Mandatory Deer Check, Sun. Self-Clearing Permit.

(d). Firearms Bucks Only: second Sat. of Dec. for 14 days.

(e) Primitive Firearms: Mon. after Firearms either-sex season for 7 days.

ii. Small Game and Waterfowl: same as outside except closed during either-sex firearms deer seasons, except Wham Brake area, South Bosco Tract and Pintail Alley area will remain open during either-sex firearms deer seasons, and except spring squirrel season will be open the first Sat. of May for 9 days only, with or without dogs. Beagles allowed for rabbits and dogs allowed for squirrel hunting the day after the last deer firearms season (bucks only or primitive) to last day of Feb. On that portion designated as Small Game Emphasis Area, beagles are allowed for rabbit and dogs are allowed for squirrel Mon. after third Sat. of Oct.-Sun. prior to Thanksgiving, and training of beagles for rabbit and dogs for squirrel allowed June 1-August 31. Snipe hunting after 2 p.m. prohibited during duck season.

(a). Youth Squirrel Hunt: fourth Sat. of Sept. for 2 days.

iii. Raccoon (Nighttime): first Sat. of Sept. for 16 days and the day after the last deer firearms season (bucks only or primitive) to last day of Feb.

iv. Crawfish: 100 pounds per person per day limit.

nn. Sabine. Area Closed: to all activities third Sat. of Oct. for 2 days to all but Youth Deer Hunters.

i. Deer

(a). Archery: Oct. 1-Jan. 31, either-sex.

(b). Youth and Physically Challenged: third Sat. of Oct. for 2 days, either-sex.

(c). Firearms Either-Sex: fourth Sat. of Oct. for 2 days, Fri. after Thanksgiving Day for 3 days, Self-clearing Permit.

(d). Firearms Bucks Only: day after primitive firearm season to day before Thanksgiving Day. First Sat. of December for 9 days.

(e). Primitive Firearms: Mon. after the fourth Sat. in Oct. for 7 days.

ii. Turkey

(a). General Lottery: second Fri. of April for 3 days, fourth Fri. of April for 3 days.

iii. Small Game and Waterfowl: same as outside except closed during either-sex firearms hunts for deer and open to squirrel hunting during the spring season, first Sat. of May for 9 days, with or without dogs. Beagles allowed for rabbits and dogs allowed for squirrel hunting Sat. before Christmas to last day of Feb.

iv. Raccoon (Nighttime): Sat. before Christmas to last day of Feb.

oo. Sabine Island. Sabine Island boundaries are Sabine River on the west, Cut-Off Bayou on the north, and Old River and Big Bayou on the south and east. Self-Clearing Permits required for hunters only. Area Closed: fourth Sat. of Sept. for 2 days to all except Youth Deer Hunters.

i. Deer

(a). Same as Area 8 Deer Season except still hunt only.

(b). Archery: third Sat. of Sept. to Jan. 15, either-sex.

(c). Youth: fourth Sat. of Sept. for 2 days, either-sex.

ii. Small Game and Waterfowl: same as outside except closed fourth Sat. of Sept. for 2 days and open to squirrel hunting during the spring season, first Sat. of May for 9 days, with or without dogs. Squirrel hunting with dogs allowed day after Area 8 deer season ends to last day of Feb.

iii. Raccoon (Nighttime): day after Area 8 deer season ends to last day of Feb.

iv. Feral Hogs: may be taken by properly licensed hunters from third Sat. of Sept. to last day of Feb. Hogs may be taken with the aid of dogs Feb. 1 to last day of Feb.

pp. Salvador/Timken. Self-Clearing Permit required for all activities. Permits available at Pier 90, Bayou Gauche, Bayou Segnette State Park landings, and at Airboat Adventures in Lafitte. Vessels/Vehicles: All ATVs/UTVs, motorcycles, horses and mules prohibited. Use of mud boats powered by internal combustion engines with more than four cylinders is prohibited. Pulling boats over levees, dams or water control structures or any other activities which cause detriment to the integrity of levees, dams and water control structures is prohibited. AREA Closed: During the month of October to all activities except fishing, Youth Deer Hunters and Youth Waterfowl Hunters, if the latter is provided for.

i. Deer

(a). Archery (either-sex): Nov. 1-Jan. 31.

(b). Youth (either-sex): Last 4 Sats. of Oct. for 2 days each except when the last Sat. is the 31st in which case the season will be the first four Sats. of Oct. for 2 days each, either sex.

(c). Firearms (either-sex): Fri. before Thanksgiving for 3 days.

(d). Firearms (bucks only): Mon. before Thanksgiving Day for 28 days.

(e). Deer Primitive Firearms (either-sex): day after Firearms Bucks Only for 7 days.

ii. Waterfowl: same as outside.

iii. Small Game: same as outside except closed October through December. Beagles allowed for rabbits Jan. through last day of Feb.

iv. Feral Hogs: may be taken by properly licensed hunters from Oct. 1 to the last day of February. In addition, hunters may hunt feral hogs with archery equipment, shotguns loaded with buckshot or slugs, or rimfire rifles no larger than .22 caliber from Feb. 16-March 31. Hunters must also display 400 square inches of "hunter orange" or "blaze pink" and wear a "hunter orange" or "blaze pink" cap during special shotgun season for feral hogs.

v. Recreational Fishing: the harvest of all fish, shrimp, crabs and crawfish are for recreational purposes only and any commercial use is prohibited.

vi. Shrimp: may be taken by the use of cast nets only. During the inside open shrimp season, 25 lbs. per boat per day (heads on) maximum shall be permitted. Size count to conform with open season requirements. During the inside closed season, 10 lbs. per boat per day (heads on) maximum may be taken for bait. All cast net contents shall be contained and bycatch returned to the water immediately.

vii. Fish: may be taken only by rod and reel or hand lines for recreational purposes.

viii. Crabs: may be taken only through the use of hand lines or nets; however, none are to remain set overnight. Twelve dozen crabs maximum are allowed per boat or vehicle per day.

ix. Crawfish: may be harvested in unrestricted portions of the WMA and shall be limited to 100 lbs. per person per day. Fishing gear used to catch crawfish shall not remain set overnight.

x. Experimental Nighttime Activity Season

(a). 12 a.m., June 1 through official sunrise Aug. 15. Nighttime activities limited to the take of frogs and fishing with a rod and reel. All other nighttime activities prohibited. Daily limit of 50 frogs per vessel in aggregate (bull frogs/pig frogs). If engaged in frogging on or while traversing the WMA, all frogs in possession will be deemed to have been taken from the WMA. At no time may anyone possess more than one daily limit of frogs while on the water.

(b). Size Limit: (Measured from the tip of the muzzle to the posterior end of the body between the hind legs). Bull frogs harvested must be 5 inches or larger. Pig frogs harvested must be 3 inches or larger.

(c). Check out portion of self-clearing permit must include boat registration number under the comments section. Possession of firearms while participation in any experimental nighttime activity is prohibited.

qq. Sandy Hollow. No hunting with any firearm south of Jackson Road, except school board tract, on days of scheduled field trials. Dates of field trials are listed on the check stations or can be obtained from the Hammond office (985-543-4777). Area Closed: North tract closed to all hunters first Sat. of Nov. for 2 days, except Youth and Physically Challenged Deer Hunters.

i. Deer

(a). Youth/Physically Challenged: first Sat. of Nov. for 2 days, either-sex.

(b). Archery: Oct. 1-Jan. 31, either-sex.

(c). Firearms Either-sex: Fri. after Thanksgiving Day for 3 days, and third Sat. of Dec. for 2 days.

(d). Primitive Firearms: second Sat. of Dec. for 7 days, fourth Sat. of Dec. for 7 days, and the first Sat. of Jan. for 2 days.

ii. Turkey: opening day of statewide season for 16 days, except season will open for 17 days when statewide season opens Good Friday.

(a). Youth Lottery: Sat. and Sun. before opening day of statewide season.

iii. Small Game and Waterfowl: same as outside except closed Fri. after Thanksgiving for 3 days and Youth/Physically Challenged hunt, and open to squirrel hunting during the spring season, first Sat. of May for 9 days, with or without dogs. Beagles allowed for rabbits and

dogs allowed for squirrel hunting day after primitive firearms season ends to last day of Feb.

(a). Youth Squirrel Hunt: fourth Sat. of Sept. for 2 days. On that portion designated as Small Game Emphasis Area, training of beagles for rabbit and dogs for squirrel allowed June 1-August 31.

iv. Raccoon (Nighttime): day after primitive firearms season ends to last day of Feb.

v. Mourning Dove: first day and second Sat. through end of first split. Closed remainder of first split. Second and third splits are same as outside except Youth Hunt on Northern tract during the opening day of the first segment. Hunt restricted to youths younger than 18 years of age and supervising adult who must be 18 years of age or older. The supervising adult must maintain visual and voice contact with the youth at all times.

vi. Bird Dog Training: Mon. after opening day of Mourning Dove Season to the Sun. before opening of Quail Season and Feb. 1 to last day of Feb., except restricted to that portion south of LA Hwy. 10 only and except blank pistols only. Wild birds only (use of pen-raised birds prohibited).

vii. Bird Dog Training Area: an area has been designated to allow use of released birds for dog training purposes. Open all year except closed during either-sex modern firearm hunts for deer, WMA turkey season and opening weekend of the first segment of dove season. Contact Hammond Office (985-543-4777) for information.

viii. Bird Dog Field Trials: permit required from Hammond Office.

ix. Horseback Riding: Self-clearing Permit required. Organized trail rides prohibited. Riding allowed only on designated roads and trails (see WMA map). Horses and mules are specifically prohibited during turkey and gun season for deer except as allowed for bird dog field trials. No horses and mules on green planted areas. Horse-drawn conveyances prohibited.

rr. Sherburne. The area known as the South Farm is located on the East Side of Sherburne WMA. No hunting will be allowed except specified lottery hunts, within the levee system of the farm from the Fri. before the first lottery youth deer hunt on the South Farm until the day after the last lottery duck hunt on the South Farm. Waterfowl hunting will be allowed by lottery only during the open regular duck hunting season. Hunting will be allowed in the wooded portions east of the waterfowl impoundments. Consult the WMA maps for exact locations. No hunting allowed within the levee system of the farm. Area Closed: Last Sat. of Oct. for 2 days except to Youth and Physically Challenged Deer Hunters and South Farm closed to all hunters except youth lottery deer hunters. Physically Challenged Wheelchair Confined Deer Hunting Area: Access restricted. Check WMA map for location and call Lafayette or Baton Rouge Offices for details and applications. Hunting by reservation for wheelchair confined PCHP permittees only. Same deer seasons as listed below. Physically Challenged Wheelchair Confined Waterfowl Hunting Area: Access restricted. Call Lafayette or Baton Rouge Offices for further details. Hunting by reservation for wheelchair confined PCHP permittees only.

i. Deer

(a). Archery: Oct. 1-15 bucks only, Oct. 16-Feb. 15 either sex.

(b). Youth and Physically Challenged: last Sat. of Oct. for 2 days, either-sex, all other seasons closed, self-clearing permit.

(c). Youth Lottery: last Sat. and Sun. of Oct., fourth Mon. of Dec., and first and second Sun. of Jan. except no hunt on Christmas Day or Christmas Eve, either-sex. Contact Lafayette office, 337-262-2080 for details and applications.

(d). Firearms Either-sex: Fri. after Thanksgiving Day for 2 days, Mandatory Deer Check and Sun. after Thanksgiving, Self-Clearing Permit, and second Sat. after Thanksgiving for 2 days, Self-Clearing Permit.

(e). Firearms Bucks Only: fourth Sat. of Dec. for 9 days.

(f). Primitive Firearms: Fri. after close of Firearms Bucks only for 3 days.

ii. Turkey: closed.

iii. Small Game: same as outside except closed during Firearms Either-Sex Deer and except spring squirrel season will be open the first Sat. of May for 9 days only, with or without dogs. Beagles allowed for rabbits and dogs allowed for squirrel hunting day after primitive firearms season ends to last day of Feb.

(a). Youth Squirrel Hunt: fourth Sat. of Sept. for 2 days.

(b). On that portion designated as Small Game Emphasis Area, beagles are allowed for rabbit and dogs are allowed for squirrel first Sat. of Oct.-Oct. 31, and Mon. after close of second firearms either-sex deer season for 9 days, except closed last Sat. of Oct. for 2 days, and training of beagles for rabbit and dogs for squirrel allowed June 1-August 31.

iv. Waterfowl, Snipe, Rail, and Gallinules: same as outside except closed during Firearms Either-Sex Deer and except hunting after 2 p.m. prohibited except no hunting in Waterfowl Refuge. That portion of Sherburne WMA known as the South Farm restricted to Lottery hunts only. All other hunting closed on South Farm complex from the Friday before Youth Lottery Deer Hunt until the day after the last Waterfowl hunt on the South Farm. Contact the Wildlife Field Office for details and description of "South Farm."

(a). Youth Waterfowl Lottery: hunting by pre-application lottery only.

(b). Disabled Veterans Waterfowl Lottery: hunting by pre-application lottery only.

(c). General Waterfowl Lottery: hunting by pre-application lottery only.

v. Quail: closed.

vi. Raccoon (Nighttime): second Sat. of Sept. for 16 days and day after primitive firearms season ends to last day of Feb.

vii. Crawfish: March 15-July 31, Recreational crawfishing only. Crawfish harvest limited to 100 pounds per person per day. No traps or nets left overnight. No motorized watercraft allowed on farm complexes. Retriever training allowed on selected portions of the WMA. Contact the Wildlife Field office for specific details.

viii. Vehicular traffic prohibited on East Atchafalaya River levee within Sherburne WMA boundaries.

ix. Rifle and Pistol/Handgun Range open Tuesday-Sunday. Skeet ranges: manual thrower range open Tuesday through Sunday. High and low house open by appointment only, contact Lafayette office, 337-262-2080. No trespassing in restricted areas.

NOTE: Atchafalaya National Wildlife Refuge and U.S. Army Corps of Engineers land holdings adjacent to the Sherburne Wildlife Management Area will have the same rules and regulations as Sherburne WMA. No hunting or trapping in restricted area.

x. Bird Dog Training Area: Open to bird dog training all year except closed during either-sex modern firearm hunts for deer, WMA turkey season, and opening weekend of first and second segments of dove season.

ss. Soda Lake

i. Deer

(a). Archery Only, Oct. 1-Jan. 31, either-sex.

ii. Small Game and Waterfowl: portion west of Twelve Mile Bayou same as outside, falconry only and open to squirrel hunting during the spring season, first Sat. of May for 9 days, Falconry only. Portion east of Twelve Mile Bayou open same as outside. Beagles allowed for rabbits and dogs allowed for squirrel Sat. before Christmas to end of Feb. Open to squirrel hunting during the spring season, first Sat. of May for 9 days, with or without dogs.

tt. Spring Bayou. Area Closed: last Sat. of Oct. for 2 days to all except Youth Deer Hunters. No hunting allowed in Headquarters area. Only overnight campers allowed in the improved Boggy Bayou Camping area. Rules and Regulations posted at campsite. Water skiing permitted only in Old River and Grand Lac.

i. Deer

(a). Archery: Oct. 1-15 bucks only, Oct. 16-Feb. 15 either sex.

(b). Youth: last Sat. of Oct. for 2 days, either-sex.

(c). Firearms Either-sex: Fri. after Thanksgiving Day for 3 days, Self-Clearing Permit.

(d). Firearms Bucks Only: fourth Sat. of Dec. for 16 days.

(e). Primitive Firearms: Mon. after close of Firearms Bucks only for 7 days.

ii. Turkey

(a). Youth Lottery: fourth Sat. of April for 2 days.

iii. Small Game and Waterfowl: same as outside except small game closed during either-sex firearms hunts for deer. Waterfowl to remain open during either-sex firearms hunts for deer. Open to squirrel hunting during the spring season, first Sat. of May for 9 days, with or without dogs. Beagles allowed for rabbits and dogs allowed for squirrel hunting day after primitive firearms season ends to last day of Feb.

(a). Youth Squirrel Hunt: fourth Sat. of Sept. for 2 days.

iv. Raccoon (Nighttime): second Sat. of Sept. for 16 days and day after primitive firearms season ends to last day of Feb.

v. Commercial Fishing: gill nets and trammel nets 3.5 inches and greater permitted Monday through Friday except slat traps and hoop nets permitted any day. The take and possession of grass carp is prohibited. Permits available from area supervisor or Lafayette Wildlife Field Office. Closed until after 2 p.m. during waterfowl season.

vi. Sport Fishing: same as outside except only allowed after 2 p.m. during waterfowl season, except during early Teal Season, recreational fishing allowed after 10 a.m.

vii. Crawfish: March 15-July 31. Recreational only, 100 lbs. per person per day.

uu. Tangipahoa Parish School Board. Self-Clearing Permits required for all activities. No horseback riding during gun season for deer or turkey. ATVs are not allowed except as otherwise specified.

i. Deer: same as outside.

ii. Turkey: same as outside.

iii. Small Game and Waterfowl: same as outside and open to squirrel hunting during the spring season, first Sat. of May for 9 days, with or without dogs. Beagles allowed for rabbits and dogs allowed for squirrel hunting day after primitive firearms season ends to the last day of Feb.

iv. Raccoon (Nighttime): day after primitive firearms season ends to last day of Feb.

vv. Thistlethwaite. Restricted Area: small game hunting allowed with shotgun only loaded with shot no larger than BB lead or F steel. Deer hunting allowed by archery only. Area Closed: Last Sat. of Oct. for 2 days, except to Youth Deer Hunters. All motorized vehicles restricted to improved roads only. All users must enter and leave through Main Gate only.

i. Deer

(a). Archery: Oct. 1-15 bucks only, Oct. 16-Feb. 15 either-sex.

(b). Youth Deer Hunt: last. Sat. of Oct. for 2 days, either-sex.

(c). Firearms Either-Sex: Fri. after Thanksgiving Day for 3 days, first Saturday of Dec. for 9 days, and fourth Saturday of Dec. for 2 days.

(d). Firearms Bucks Only: Mon. after the last Either-Sex Firearm hunt in Dec. for 14 days.

(e). Primitive Firearms: second Sat. in Nov. for 2 days and Mon. after close of Firearms Bucks Only for 7 days.

ii. Small Game and Waterfowl: same as outside except closed during either-sex firearms hunts for deer and open to squirrel hunting during the spring season, first Sat. of May for 9 days. Beagles allowed for rabbits and dogs allowed for squirrel hunting February 1-28.

ww. Tunica Hills. Area Closed Fri. through Sun. before opening day of statewide turkey season except youth turkey hunters and remain closed through the first nine days of the statewide turkey season except for turkey hunters. Area Closed: first Sat. of Nov. for 2 days to all except Youth Deer Hunters. Camping limited to tents only in designated areas.

i. Deer

(a). Archery: Oct. 1-15, bucks only, Oct. 16-Jan. 31, either sex, Feb. 1-15, bucks only.

(b). Youth Hunt: first Sat. of Nov. for 2 days, either-sex.

(c). Primitive Firearms: Fri. after Thanksgiving Day for 3 days, Self-Clearing Permit, either-sex, second Sat. of Dec. for 9 days, except when there are 5 Sats. in Dec. then it will open on the third Sat. of Dec., the initial Sat. and Sun. either-sex, the remaining 7 days bucks only, self-clearing permit.

ii. Turkey: opening day of statewide season for 9 days.

(a). Youth Lottery: Sat. and Sun. before opening day of statewide season.

iii. Small Game and Waterfowl: same as outside except closed during Youth Deer Hunt and Primitive Firearms Deer Hunt and open to squirrel hunting during the spring season, first Sat. of May for 9 days, with or without dogs, South Tract only. Beagles allowed for rabbits and dogs allowed for squirrel hunting third Saturday of Oct. for 7 days and Feb. 1 to last day of Feb. on South Tract only. On that portion designated as Small Game Emphasis Area (South Tract Only), training of beagles for rabbit and dogs for squirrel allowed June 1-August 31.

iv. Raccoon (Nighttime): Feb. 1 to last day of Feb. on South Tract only.

xx. Walnut Hill.

i. Deer: same as outside, archery only, either-sex.

ii. Turkey: same as outside.

iii. Small Game: same as outside. Open to squirrel hunting during the spring season first Sat. of May for 9 days. Beagles allowed for rabbits and dogs allowed for squirrel hunting first Sat. of Jan. to the last day of Feb. On that portion designated as Small Game Emphasis Area, beagles are allowed for rabbit and dogs are allowed for squirrel first Sat. of Oct.-Feb. 28, and training of beagles for rabbit and dogs for squirrel allowed June 1-August 31.

iv. Raccoon: second Sat. of Sept. for 16 days and first Sat. of Jan. to the last day of Feb.

yy. West Bay. Area Closed: next to last Sat. of Oct. for 2 days to all except Youth and Physically Challenged Deer Hunters. Limited Use Area: small game same as outside except shotgun only and deer hunting—Archery only. See WMA map for specific location. PCHP Limited Use Area (PCHP Wheelchair Bound Hunting Area): Access restricted. Check WMA map for location and call Lake Charles or Baton Rouge offices for details and applications. Hunting by reservation for wheelchair confined PCHP permittees only. Same deer season listed below.

i. Deer

(a). Archery: third Sat. of Sept. to Jan. 15, either-sex.

(b). Youth and Physically Challenged: next to last Sat. of Oct. for 2 days, either-sex, for physically challenged and youth hunters only.

(c). Firearms Either-sex: last Sat. of Oct. for 2 days Mandatory Deer Check and Fri. after Thanksgiving Day for 3 days, Self-Clearing.

(d). Firearms Bucks Only: Mon. after close of Primitive Season to Thanksgiving Day, and second Sat. of Dec. to Jan. 1.

(e). Primitive Firearms: Mon. after first either-sex firearms weekend for 7 days.

ii. Turkey:

(a). General Lottery: opening day of statewide season for 2 days, second Sat. of April for 2 days, third Sat. of April for 2 days.

(b). Youth Lottery: Sat. before opening day of statewide season for 2 days.

iii. Small Game and Waterfowl: same as outside except closed during either-sex firearms hunts and open to squirrel hunting during the spring season, first Sat. of May

for 9 days, with or without dogs. Beagles allowed for rabbits and dogs allowed for squirrel hunting day after firearms bucks only season closes to last day of Feb.

(a). Youth Squirrel Hunt: fourth Sat. of Sept. for 2 days.

iv. Raccoon (Nighttime): day after firearms bucks only season closes to last day of Feb.

#### 18. Other Areas

##### a. Camp Avondale Scout Reservation

###### i. Deer

(a). Firearms Either-sex: second Sat. in Nov. for 3 days. Restricted to scout program.

##### 19. U.S. Forest Service Areas

##### a. Kisatchie National Forest (KNF)

###### i. Vehicles

(a). Motorized travel off designated roads and trails and outside designated areas is prohibited on the entire KNF. Motor Vehicle Use Maps (MVUM) showing designated roads and trails and associated vehicles and travel seasons are available in all Forest Service offices and on the Kisatchie website ([www.fs.usda.gov/kisatchie](http://www.fs.usda.gov/kisatchie)).

(b). ATV/UTV (50" maximum width); operation is prohibited on public roads and road rights-of-ways. Use is allowed on Forest roads designated as open seasonally to ATV/UTV use. Use is prohibited in some campsites and recreation areas; see bulletin boards for additional information. (Also see MVUM)

(c). Nighttime ATV/UTV travel is prohibited. ATV/UTV travel is allowed between one hour before sunrise and one hour after sunset.

(d). Game retrieval with an ATV/UTV is only allowed within designated 300-foot corridors (see MVUM).

(e). Camping corridors for highway legal vehicles to drive within 100 feet of the road and camp are designated on the Caney District and in the National Red Dirt Wildlife Management Preserve.

###### ii. Firearms

(a). Hunting or discharging a firearm is prohibited as follows:

(i). In or within 150 yards of a residence, building, campsite, developed recreation site or occupied area;

(ii). Across/on/from a National Forest System Road (NFSR) legally open to motorized use;

(iii). Across a body of water where any person/property is exposed to injury/damage as a result of such a discharge;

(iv). Hunting within 50 feet of any NFSR.

(b). It is prohibited to possess a firearm having live ammunition in the chamber, magazine, cylinder or clip (when attached to a firearm), or crossbow cocked and in the ready position in or on any type vehicle while on KNF.

(c). All deer must be tagged as required by LDWF regulations.

(d). Active and retired law enforcement officers in compliance with POST requirements, Federal Law Enforcement Officers, holders of Louisiana concealed handgun permits or permit holders from a reciprocal state, who are in compliance with all other state and federal firearms regulations, may possess firearms while on KNF lands, provided these firearms are not used for any hunting purposes.

(e). The following cannot be carried while hunting on KNF lands except during modern and primitive deer seasons.

(i). centerfire rifles;

(ii). break-action centerfire and bolt-action centerfire handguns;

(iii). scoped centerfire handguns;

(iv). shotgun slugs or shot larger than BB lead or F steel.

iii. Hunter Orange: LDWF WMA regulations for hunter orange and blaze pink apply.

iv. General: Hunting or discharging a firearm in or within 150 yards of a residence, building, campsite, developed recreation site or occupied area, across/on a NFSR legally open to motorized use, across a body of water where any person/property is exposed to injury/damage as a result of such discharge, is prohibited.

###### v. Hunting General:

(a). Deer Bag Limit: 1 per day up to the statewide seasonal limit.

(b). All deer hunting is still-hunting only.

(c). All deer must be tagged as required by LDWF regulations.

(d). Hunting stand, blind, tripod, baiting, spot-lighting, etc. regulations applicable to LDWF WMAs are in effect on KNF (unless otherwise specified, refer to "Methods of Taking Game" section of the LDWF WMA Regulations) excluding the "Bag Limit" section and "Horses and Mules" section.

(e). Hunting from a permanent stand prohibited. Placing or leaving a temporary stand limited to 24 hours.

(f). The training of deer dogs is prohibited year round.

(g). LDWF Youth Deer Hunt regulations apply for all KNF lands except that archery and open season small game hunting is allowed (excluding those portions of the Vernon Unit within Fort Johnson-Vernon WMA).

###### vi. Archery Deer Hunting:

(a). Either-sex deer may be taken at any time by archers during the archery season except when bucks-only firearms seasons are in progress on KNF (archers must hunt only bucks during bucks-only firearm seasons).

(b). Archers must adhere to the full hunter orange requirements during any firearm season for deer.

(c). Vernon Unit of the Calcasieu Ranger District (Vernon Parish, excluding Fort Johnson-Vernon WMA): Same as outside.

(d). Catahoula (Grant and Rapides Parishes), Winn (Winn, Grant and Natchitoches Parishes), Kisatchie Ranger Districts (Natchitoches Parish), Evangeline Unit of the Calcasieu Ranger District (Rapides Parish), and Caney Range District (Webster and Claiborne Parishes): same as outside (including Catahoula and Red Dirt National Wildlife Management Preserves).

vii. Firearms for Deer Hunting (excludes the Catahoula and Red Dirt National Wildlife Management Preserves):

(a). Catahoula (Grant and Rapides Parishes), Winn (Winn, Grant and Natchitoches Parishes), Kisatchie Ranger Districts (Natchitoches Parish), Evangeline Unit of the Calcasieu Ranger District (Rapides Parish), and the

Vernon Unit of the Calcasieu Ranger District (Vernon Parish, excluding Fort Johnson-Vernon WMA).

(b). Youth only, either-sex, same as outside, still hunt only; LDWF regulations for hunter orange apply.

(c). Primitive Firearms, either-sex: next to last Sat. of Oct. through Sun. after the next to last Sat. of Oct., Sat. after close of Dec. firearms bucks only hunt for 2 days, still hunt only.

(d). Firearms, either-sex: last Sat. of Oct. through Sun. after the last Sat. of Oct., Fri. after Thanksgiving, still hunt only.

(e). Firearms, bucks only: Sat. after the last Sat. of Oct. through Thanksgiving, Sat. after Thanksgiving through Sun. after Thanksgiving, second Sat. of Dec. for 16 days, still hunt only.

viii. Caney Ranger District (Webster and Claiborne Parishes): same as outside including Youth Only Hunt and Primitive Firearms (Area 2) except still hunt only. Either-sex entire season.

ix. Turkey: opening day of statewide season for 23 days except season will open for 24 days when statewide season opens Good Friday (on all ranger districts except the Caney Ranger District); Caney Ranger District: opening day of statewide season for 16 days except season will open for 17 days when statewide season opens Good Friday.

x. Turkey Youth: Sat. before opening day of statewide season for 2 days except when that Sat. falls on Easter weekend, then season will open on Good Friday for 3 days (on all Ranger Districts except Vernon Unit lands within Fort Johnson-Vernon WMA).

xi. Other seasons on entire KNF (See Catahoula/Red Dirt National Wildlife Management Preserve section for additional information):

(a). Rabbit, Squirrel, Quail and Migratory Game Birds: same dates and bag limits as outside except closed to squirrel hunting during the spring season. Youth squirrel: fourth Sat. of Sept. for 2 days.

(b). Waterfowl: same as outside except waterfowl hunting ceases at 2 p.m. If hunting on Corney Lake (Caney Ranger District), a permit (free of charge) is required for the use of a duck blind on the lake.

(c). Feral Hogs, Coyotes, Armadillos and Beavers: may be taken during daylight hours only, on any KNF hunt by properly licensed hunters with weapons legal for that hunt.

(d). Raccoons, Opossums, Fox (chase only) (nighttime, chase only): may be hunted during daylight or nighttime from Oct. 1 through Feb. 28 unless otherwise stated. A licensed hunter may take raccoon or opossum, two per person per day, except during the trapping season when there shall be no limit. (Please see Louisiana Trapping Regulations pamphlet for additional information. Also please see "Hunting-dog usage during deer firearm seasons" section below for exceptions).

(e). Bobcat and Nutria: LDWF regulations apply.

(f). Crows: may be taken Sept. 1 through Jan. 1 only.

(g). Fishing: LDWF state creel limits apply (See Louisiana Fishing Regulations pamphlet for additional information).

(h). Trapping: see LDWF Trapping Regulations pamphlet for additional information.

(i). Hunting Dog Usage: Hunting dog usage during deer firearm seasons (only for KNF areas outside the Catahoula and Red Dirt National Wildlife Management Preserves): hunting dogs that are legal for hunting species other than deer, and that stay within voice-command distance of handler are allowed during deer gun hunts. Hunting dogs that range beyond voice-command distance of handler are prohibited during deer gun hunts. The training of deer or hog dogs is prohibited year-round. Hunting with recognized bird-hunting dogs during quail and woodcock seasons, recognized raccoon-hunting dogs during raccoon hunting season and recognized pointer/retriever dogs during migratory bird season is permissible. Only beagles which do not exceed 15 inches at the front shoulder may be used for rabbit hunting. All dogs must be collared with owner's name and phone number attached. Dogs running at large are prohibited. The owner/handler shall be liable.

(j). Hunting-dog training: March 1 through Sept. 30 (except all dogs prohibited during turkey hunting season), allowed only in the following circumstances: dogs are within voice-command distance of handler; dogs are participating in nighttime raccoon chases mentioned above; dogs are participating in licensed events conducted by nationally-recognized kennel clubs (KNF permit required-contact Forest Supervisor's office); dogs are under close control of hikers; and any dog on a leash. No firearms allowed while training dogs. Hunting-dog training prohibited in Catahoula and Red Dirt National Wildlife Management Preserves.

(k). Bird Dog Training Area: only that portion of the Vernon Unit known as the "dove field". Bird dogs may be trained year round except closed during turkey season. Permit required from LDWF to use pen-raised quail.

(l). Hunting-Dog Nighttime Chase Only: (All breeds allowed, no deer dogs or hog dogs). May 1 through Sept. 30, Tuesdays and Fridays only. No firearms allowed. Nighttime ATV/UTV travel is prohibited. Hunting-dog nighttime chase is prohibited in the Catahoula and Red Dirt National Wildlife Management Preserves during this period.

xii. Catahoula and Red Dirt National Wildlife Management Preserves (NWMP). Owner: U.S. Forest Service: Catahoula NWMP – 36,000 acres in Grant and Winn Parishes; Red Dirt NWMP – 38,000 acres in Natchitoches Parish.

(a). Season Permit required for hunting, fishing and/or trapping on the preserve; for a permit or to get additional information contact the Forest Supervisor's Office, Winn, Catahoula or Kisatchie Ranger District offices or [www.fs.fed.us/r8/kisatchie/hunting/index.html](http://www.fs.fed.us/r8/kisatchie/hunting/index.html). In addition to the Season Permit, a Self-Clearing Daily Permit is required for all hunters during all deer gun hunts and turkey hunts. The Self-Clearing Daily Permits will be available at the main check stations, hunter-camps within the NWMPs, Kisatchie, Winn and Catahoula district offices, and at the Forest Supervisor's Office. Permits are free of charge. The Self-Clearing Permit consists of two portions: check-in and check-out. The check-in portion must be completed and put in the permit box before each hunt on the day of the hunt. The check-out portion must be carried by each person while on the NWMP and must be completed and put in the permit box immediately at the end of the day's hunt. Hunters can also check in/check out electronically through the LDWF WMA Self-Clearing Permit app/Internet Web Portal. Users

that check in by electronic means are required to possess proof of check in and must check out within 24 hours.

NOTE: When Mandatory Deer Checks are specified (see below), all hunters must check deer at the NWMPs main check stations.

(b). Hunting with Dogs: hunting with recognized bird-hunting dogs during quail and woodcock seasons, recognized raccoon-hunting dogs during raccoon hunting season, and recognized pointer/retriever dogs during migratory bird season is permissible. Only beagles which do not exceed 15 inches at the front shoulder may be used for rabbit hunting. All dogs must be collared with owner's name and phone number attached. Dogs running at large are prohibited. The owner/handler shall be liable. No training of dogs in the NWMPs outside of pertinent seasons.

(c). Select Prohibitions: additional information and prohibitions are provided on Season Permit for the NWMPs.

(d). Deer:

(i). Archery Season: same as Area 2. Archers are required to check harvested deer at the main check station during the mandatory deer check days, see dates below.

(ii). Youth Only Hunt, Either-Sex: same as outside, still hunt only. Self-Clearing Daily Permit required.

(iii). Physically Challenged Hunt, Either-Sex: second Sat. of Oct. through Sun. after the second Sat. of Oct., still hunt only, Self-Clearing Daily Permit required; hunters must also have in possession a LDWF Physically Challenged Hunters Permit.

(iv). Primitive Firearms, Either-Sex: next to last Sat. of Oct. through Sun. after the next to last Sat. of Oct., still-hunt only, Self-Clearing Daily Permit required. Mandatory deer check at main check stations.

(v). Firearms, Either-Sex: last Sat. of Oct. through Sun. after the last Sat. of Oct., and Fri. after Thanksgiving, still-hunt only, Self-Clearing Daily Permit required. Mandatory deer check at main check stations.

(vi). Firearms, Bucks Only: Sat. after Thanksgiving through Sun. after Thanksgiving, still-hunt only, self-clearing daily permit required.

(e). Turkey:

(i). Opening day of statewide season for 23 days except season will open for 24 days when statewide season opens Good Friday.

(ii). Youth: Sat. before opening day of statewide season for 2 days except when that Sat. falls on Easter weekend, then season will open on Good Friday for 3 days.

(f). Squirrel, Rabbit, Quail, Dove, Woodcock and Waterfowl (without dogs): all seasons same as outside (unless otherwise stated) except closed during deer firearm hunts. Consult LDWF hunting pamphlet for additional information. No spring squirrel season.

(g). Youth Squirrel: fourth Sat. of Sept. for 2 days.

(h). Squirrel/Rabbit (with dogs): first Sat. of Jan. through last day of Feb.

(i). Quail (with dogs): same as outside.

(j). Raccoon/Opossum (non-dog season/daylight hours): may be taken by properly licensed hunter as incidental take with gear legal for the season in progress.

(k). Raccoon (nighttime, with dogs): first Sat. of Jan. through last day of Feb.

(l). Fishing: closed to fishing during deer gun hunts.

20. Bayou Teche National Wildlife Refuge: Owned by U.S. Fish and Wildlife Service, 9,028 acres within St. Mary Parish

a. Deer

i. Archery: same as outside, except closed during youth and firearms deer seasons, limit one deer per day; Franklin Unit closed.

ii. Youth Firearms: last Sat. of Oct. for 2 days, either-sex, limit one deer per day; Franklin and Bayou Sale Units closed.

iii. Firearms: Fri. after Thanksgiving for 3 days, either-sex, limit one deer per day; Franklin and Bayou Sale Units closed.

b. Small Game: same as outside, except closed during youth and firearms deer seasons; Franklin Unit closed.

c. Waterfowl: same as outside except closed after 12 noon, and except closed during firearms deer season; Franklin Unit closed.

21. U.S. Army Corps of Engineers Areas

a. Bonnet Carre' Spillway: The use and/or possession of firearms is prohibited in the ARCHERY-ONLY area. Baiting or hunting over bait for any species is prohibited. The use and/or possession of alcoholic beverages is prohibited while in possession of a firearm.

i. Vehicles. Motorized Vehicles and All-Terrain Vehicles: all motorized vehicles, including automobiles, ATVs and motorcycles are restricted to designated roads and trails. ATVs must be operated under a valid permit from Spillway Office, be brought in to the area by vehicle or trailer, off loaded in parking areas and may only be operated on designated trails. Vehicles must park in designated parking areas. Blocking gates or roads with a vehicle or ATV is prohibited. ATVs are not allowed off designated trails. The use of ATVs outside of the ATV area without a permit is strictly prohibited. No exceptions! Designated trails are open from 5 a.m. until two hours after sunset.

ii. Firearms. The possession of firearms, ammunition, loaded projectile firing devices, bows and arrows, crossbows, or other weapons are prohibited except during designated area hunts. Hunters must have firearms unloaded at all times while traveling within the area by motor vehicle, ATV, horse, bicycle and while in a vessel under mechanical power. Loaded weapons are not allowed within 100 feet of designated ATV trails, foot trails, and roads; or within 100 yards of designated parking areas. Loaded is defined as shells or cartridges in the gun's chamber, magazine, cylinder or clip when attached to firearms or crossbows cocked and in the ready position, or caps on muzzleloader.

iii. Deer: All users except waterfowl hunters must display a total of 400 square inches of "Hunter Orange" and wear a "Hunter Orange" cap during the open gun hunts for deer. Hunter orange must be worn the entire time while in the field.

(a). Archery (bucks only): Oct. 1-15.

(b). Archery (either-sex): Oct. 16-Feb. 15, unless a bucks only season is in progress.



(c). Shotgun (either-sex): Fri. after Thanksgiving Day for 3 days.

(d). Shotgun (bucks only): Sat. before Christmas for 16 days.

(e). Youth (either-sex): last Sat. in Oct. for 2 days. Additional permit required from Spillway office.

iv. Small Game, Migratory Game Birds and Waterfowl: same as outside. Shotgun only. Hunting waterfowl after 12 p.m. (noon) prohibited. During shotgun deer season, use of dogs allowed for waterfowl hunting only. Dove hunting zone is the South Zone. Waterfowl hunting zone is the East Zone. Squirrel and Rabbit: hunting with dogs not allowed north of US 61 during shotgun season for deer.

v. Armadillos, Beaver, Feral Hogs, Nutria, and Coyote: may be taken incidental to any Spillway hunt with weapons legal for that hunt.

b. Indian Bayou Area. Additional Permit required and posted restrictions apply for all persons regardless of age. Permits must be signed prior to hunting any game and must be carried at all times while in the field. To obtain a permit, see bulletin boards on-site, visit the Atchafalaya Basin Floodway System Project Office, 112 Speck Lane, Port Barre, LA 70577, phone (337) 585-0853 or visit the project website <https://www.mvn.usace.army.mil/recreation/> (then click on Atchafalaya Basin). All hunting shall be still hunting only, except as otherwise specified.

i. Deer: daily Limit on deer is one per day. Antler Deer Point Restriction: A legal buck shall be defined as a deer with at least 4 points on one side or a deer with unbranched antlers commonly referred to as spikes (no minimum length). To be counted as a point, a projection must be at least one inch long and its length must exceed the length of its base. The beam tip is counted as a point but not measured as a point.

(a). Archery: Oct. 1-15 bucks only. Oct. 16-Feb. 15, either-sex.

(b). Youth and Physically Challenged Deer Hunt: fourth Sat. of Oct. for 2 days, first Sat. of Nov. for 2 days, either-sex, no antler restrictions, Mandatory Deer Check. All other seasons closed.

(c). Firearms Either-sex: Fri. after Thanksgiving for 3 days, first Sat. of Dec. for 2 days. Mandatory Deer Check.

(d). Primitive Firearms Either-sex: second Fri. of Dec. for 3 days, second Sat. of Jan. for 2 days.

(e). Firearms Bucks Only: last Sat. of Dec. for 9 days, Mandatory Deer Check.

(f). Deer Youth Lottery: third Sat. of Nov., Tues. after third Sat. of Nov., third Sat. of Dec., Tues. after third Sat. of Dec.

ii. Turkey: closed.

iii. Small Game, Migratory Game Birds and Waterfowl: same as outside except closed during Youth and Physically Challenged Deer Hunt, and during Firearms Either-sex deer season (except waterfowl season will remain open during all deer gun hunts). Hunting waterfowl after 2 p.m. prohibited. Squirrel and rabbit hunting with dogs allowed Mon. after second Sat. of Jan. to last day of Feb. Youth squirrel hunt fourth Sat. of Sept. for 2 days. Raccoon (Nighttime): second Sat. of Sept. for 16 days, Mon. after

second Sat. of Jan. to last day of Feb. Special use permit required.

iv. Hogs, Coyote, Beaver, and Nutria: may be taken incidental to any hunt with weapons legal for that hunt. Consult U.S. Army Corps of Engineers' "Hunting Guide to Indian Bayou" brochure for additional posted restrictions.

v. Crawfishing: Commercial and recreational crawfishing is permitted from Oct. 1-Jan. 31 starting at 12 p.m. each day and all day from Feb. 1-July 31 with an additional annual permit required. A maximum limit of 500 traps for Commercial Crawfishing. All equipment left on the area (including traps) must also be tagged with the permit number issued. The permit is available Jan. 1. Call USACE Port Barre Office for more details, 337-585-0853 or visit [www.mvn.usace.army.mil/Missions/Recreation/AtchafalayaBasin.aspx](http://www.mvn.usace.army.mil/Missions/Recreation/AtchafalayaBasin.aspx).

c. Old River Control and Lock Area: Additional permit required and posted restrictions apply for all persons regardless of age. Permits must be signed prior to hunting any game and must be carried at all times while in the field. To obtain a permit: see brown box in front of Old River campground for *Old River Hunting and Trail Guide* or visit the Old River website [www.mvn.usace.army.mil/Missions/Recreation/Old-River-Control](http://www.mvn.usace.army.mil/Missions/Recreation/Old-River-Control) or call phone 225-492-2169. All hunters must have in their possession a picture ID and valid State Hunting License and a signed Corps of Engineers hunting permit. Use of dogs is restricted during the deer season, except for duck hunting. Raccoon, rabbit and squirrel hunting with dogs are permitted after deer season, unless otherwise specified. Baiting or hunting over bait for any species is prohibited. The possession of loaded weapons and the discharging of firearms are prohibited within 100 feet of designated roads, levees, and parking areas and 200 feet of water control structures and navigational locks.

i. Deer: all deer hunting shall be still hunting only. Moving deer or hogs on Corps land with organized drivers and standers, or making use of noises or noise making devices is prohibited.

(a). Archery (either-sex): Oct. 1-Jan. 31.

(b). Muzzleloader (blackpowder only): second Sat. in December for 2 days. During the Muzzleloader season you may only use black powder weapons or archery equipment. Black powder weapons must use black powder or approved substitute only and must be loaded from the muzzle.

(c). Shotgun (either-sex): Fri. after Thanksgiving Day for 3 days.

(d). Shotgun (bucks only): last Sat. of Dec. for 9 days.

(e). Youth (either-sex): 17 years and under: last Sat. of Oct. for 2 days.

ii. Turkey: closed.

iii. Small Game, Migratory Game Birds and Waterfowl: same as outside, except hunting waterfowl after 2 p.m. prohibited, no firearms larger than .22 caliber rimfire and except beagles are allowed for rabbit and dogs are allowed for squirrel Mon. after Thanksgiving for 12 days and end of Shotgun bucks only to last day of Feb.

iv. Woodcock: same as outside except hunting with dogs prohibited.

v. Raccoon: day after Shotgun bucks only season ends to last day of Feb.

vi. Hogs, Coyote, Beaver, and Nutria: may be taken incidental to any hunt with weapons legal for that hunt.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:115 and R.S. 56:116.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 25:1279 (July 1999), amended LR 26:1494 (July 2000), LR 27:1049 (July 2001), LR 28:1603 (July 2002), LR 29:1124 (July 2003), repromulgated LR 29:1522 (August 2003), amended LR 30:1495 (July 2004), LR 31:1611 (July 2005), LR 32:1251 (July 2006), LR 33:1382 (July 2007), LR 34:1429 (July 2008), LR 35:1264 (July 2009), LR 36:1566 (July 2010), LR 37:2190 (July 2011), LR 38:1732 (July 2012), LR 39:2292 (August 2013), LR 40:1540 (August 2014), LR 41:963 (May 2015), LR 42:1112 (July 2016), LR 43:1423 (July 2017), LR 44:1277 (July 2018), LR 45:938 (July 2019), LR 46:961 (July 2020), LR 47:904 (July 2021), LR 48:511 (March 2022), LR 48:1867 (July 2022), LR 49:1235 (July 2023), LR 50:794 (June 2024).

### **§113. General and WMA Turkey Hunting Regulations**

A. General Regulations. Only adult gobblers (male turkeys) may be taken. An adult gobbler is defined by having one of the following: wing feathers that have white barring all the way to the tip, tail feathers that are the same length, beard that is longer than 6 inches, or a spur that is at least 1/2-inch long. Properly licensed youth under 18 years of age may take one juvenile male turkey (jake) with a beard less than six inches per season. Any turkey harvested during the youth season are part of the season bag limit of two. Taking of hen (female) turkeys, including bearded hens, is prohibited; still hunting only. Use of dogs, electronic calling devices, motorized decoys and live decoys is illegal. Turkeys may be hunted with shotguns, including muzzleloading shotguns, using shot not larger than #2 lead, #2 non-toxic, or BB steel shot, and approved archery equipment but by no other means. Shooting turkeys from a moving or stationary vehicle is prohibited. Shotguns capable of holding more than three shells prohibited. The running of coyote with dogs is prohibited in all turkey hunting areas during the open turkey season. No person shall hunt, trap or take turkeys by the aid of baiting or on or over any baited area. Baiting means placing, exposing, depositing or scattering of corn (shelled, shucked or unshucked), wheat or other grain, salt, or other feed so as to constitute a lure, attraction or enticement to, on or over any areas where hunters are attempting to take turkeys. A baited area is any area where corn (shelled, shucked or unshucked), wheat or other grain, salt, or other feed capable of luring, attracting or enticing turkeys is directly or indirectly placed, exposed, deposited, distributed or scattered. Such areas remain baited areas for 15 days following complete removal of all such corn, wheat or other grain, salt, or other feed. Wildlife agents are authorized to close such baited areas and to place signs in the immediate vicinity designating closed zones and dates of closures. No person hunting turkeys more than 200 yards from a baited area will be in violation of the turkey baiting regulation.

#### **B. Tags**

1. Prior to hunting turkeys, all turkey hunters, regardless of age or license status, must obtain turkey tags and have them in their possession while turkey hunting. Turkey tags may only be used by the hunter to whom the tag was issued. Hunters who allow their turkey tags to be used

by another person, or who use tags issued to another person, are in violation of this Rule and are subject to fines and other administrative penalties, including, but not limited to, the automatic forfeiture of any remaining turkey tags for the season for which they are issued. Immediately upon killing a turkey, hunters must attach a carcass tag to or electronically tag the turkey before it is moved from the site of the kill and must document the kill on the turkey harvest report card. If using carcass tags, the date of kill and parish of kill must be recorded on the carcass tag, and the tag must remain attached to the turkey while kept at camp or while it is transported to the domicile of the hunter or to a cold storage facility. Hunters who keep the carcass or meat at a camp must also comply with game possession tag regulations. Within 72 hours of the kill, the hunter must report the kill. Hunters may report turkeys electronically, calling the validation phone number, or using the validation website.

2. Turkey hunters purchasing licenses by phone will be given an authorization number and a LDWF identification number that will serve as their license and tags until the physical license and tags arrive by mail. Turkey hunters who have purchased a license with tags, but have not yet received their physical license and tags, must immediately tag their kill with a possession tag before moving it from the site of the kill. The authorization number and LDWF identification number must be recorded on the possession tag. Hunters must retain documentation of any turkeys killed and upon receiving their physical tags and harvest report card, validate their kill as required in these regulations. The tags for turkeys killed prior to receiving the physical tags must be removed from the turkey harvest report card and discarded.

3. Tags removed from the turkey harvest report card prior to killing a turkey are no longer valid and if lost will not be replaced. Duplicate tags and turkey harvest report cards are available to replace lost report cards and attached tags. Hunters will be charged a fee for duplicate turkey harvest report cards and tags. Hunters that have killed a turkey prior to losing their remaining tag and harvest report card must remove and discard the duplicate tag to account for the original tag that was used and validated. Hunters must record any previously validated turkey on the duplicate turkey harvest report card.

C. Possession of Live Wild Turkeys. No person shall take live wild turkeys or their eggs from the wild. No person shall possess captive live wild turkeys, (*Meleagris gallopavo silvestris*, *M.g. osceola*, *M.g. intermedia*, *M.g. merriami*, *M.g. mexicana*) or their eggs, regardless of origin, without a valid game breeder license. No pen-raised turkeys from within or without the state shall be liberated (released) within the state.

D. Statewide Youth and Physically Challenged Season Regulations. Only youths 17 years of age or younger or hunters possessing a physically challenged hunter permit with wheelchair classification may hunt. Youth must possess a hunter safety certification or proof of successful completion of a hunter safety course. Youths must be accompanied by one adult 18 years of age or older. If the accompanying adult is in possession of hunter safety certification, a valid hunting license or proof of successful completion of a hunter safety course, this requirement is waived for youth younger than 16 years of age. Additionally,

any person younger than 18 years of age shall have in their immediate possession a valid, original youth license. Adults accompanying youth may not possess a firearm or bow. Youths may possess only one firearm or bow while hunting. The supervising adult shall maintain visual and voice contact with the youth at all times, except youths 12 years old or older who have successfully completed a hunter safety course may hunt without a supervising adult. Only one gobbler (male turkey) per day may be taken and any gobbler (male turkey) taken by the hunter during this special season counts towards their season bag limit of two.

E. Shooting Hours—one-half hour before sunrise to one-half hour after sunset.

F. Turkey Hunting Area Descriptions

1. Area A

a. All of the following parishes are open:

- i. Beauregard;
- ii. Bienville;
- iii. Bossier;
- iv. Claiborne;

EXCEPTION: see federal lands hunting schedule for Kisatchie National Forest dates.

- v. East Baton Rouge;
- vi. East Feliciana;
- vii. Grant;

EXCEPTION: see federal lands hunting schedule for Kisatchie National Forest dates;

- viii. Jackson;
- ix. LaSalle;
- x. Lincoln;
- xi. Livingston;
- xii. Natchitoches;

EXCEPTION: see federal lands hunting schedule for Kisatchie National Forest dates.

- xiii. Sabine;
- xiv. St. Helena;
- xv. St. Tammany;
- xvi. Tangipahoa;
- xvii. Union;
- xviii. Vernon;

EXCEPTION: see federal lands hunting schedule for Kisatchie National Forest dates.

- xix. Washington;
- xx. Webster
- xxi. West Feliciana (including Raccourci Island);
- xxii. Winn.

EXCEPTION: see federal lands hunting schedule for Kisatchie National Forest dates.

b. Portions of the following parishes are also open:

- i. Allen—north of US 190 east of Kinder, west of US 165 south of Kinder;
- ii. Calcasieu—north of I-10;
- iii. Caldwell—west of Ouachita River southward to Catahoula Parish line;
- iv. Catahoula—south and west of the Ouachita River from the Caldwell Parish line southward to LA 8 at Harrisonburg, north and west of LA 8 from Harrisonburg to the LaSalle Parish line, also that portion lying east of LA 15;
- v. East Carroll—that portion east of the main channel of the Mississippi River;
- vi. Evangeline—north and west of LA 115, north of LA 106 west of LA 115 to US 167, west of US 167 south to LA 10, north of LA 10 west of US 167 to LA 13, west of

LA 13 south of LA 10 to Mamou and north of LA 104 west of Mamou;

vii. Jefferson Davis—north of US 190 from junction with LA 26 to Kinder, west of US 165 and north of I-10 west from junction of US 165;

viii. Madison—that portion east of the main channel of the Mississippi River;

ix. Morehouse—west of US 165 from the Arkansas line to the junction of LA 140 at Bonita, north and west of LA 140 to junction of LA 830-4 (Cooper Lake Road), west of LA 830-4 to US 165 at Bastrop, south of US 165 to junction of LA 3051 (Grabault Road) south of LA 3051 to junction of LA 138, west of LA 138 to junction of LA 134, north of LA 134 to the Ouachita Parish line;

x. Ouachita—all west of the Ouachita River. That portion east of the Ouachita River lying north of US 80;

xi. Rapides—all west of Red River and north of LA 28 east from Pineville, LA east to LaSalle Parish line;

xii. Tensas—that portion east of the main channel of the Mississippi River.

EXCEPTION: see federal lands hunting schedule for Kisatchie National Forest dates.

2. Area B

a. All of the following parishes are open:

- i. Caddo;
- ii. DeSoto;
- iii. Red River.

3. Area C

a. All of the following parishes are open:

- i. Ascension;
- ii. Concordia;
- iii. Franklin;
- iv. Iberville;
- v. Pointe Coupee;
- vi. West Baton Rouge.

b. Portions of the following parishes are open:

- i. Avoyelles—that portion bounded on the east by the Atchafalaya River, on the north by Red River to the Brouillette Community, on the west by LA 452 from Brouillette to LA 1, on the south by LA 1, eastward to Hamburg, thence by the west Atchafalaya Basin protection levee southward;
- ii. Caldwell—all east of the Ouachita River;
- iii. Catahoula—all of the parish except for that portion located in area A;
- iv. Iberia—east of the west Atchafalaya Basin protection levee;
- v. Madison—that portion lying east of US 65 from East Carroll Parish line to US 80 and south of US 80;
- vi. Richland—west of LA 17 from Franklin Parish line to Ringle Road, south of Ringle Road to Ferguson Road, south of Ferguson Road to Little Road, south of Little Road to Big Creek, east of Big Creek to Franklin Parish line and that portion south of US 80 and east of LA 17;
- vii. St. Landry—that portion bounded on the west by the west Atchafalaya Basin Protection Levee and on the east by the Atchafalaya River;

EXCEPTION: the Indian Bayou area; see federal lands hunting schedule for Indian Bayou area dates.

viii. Tensas—that portion west of the main channel of the Mississippi River;

ix. Upper St. Martin—all within the Atchafalaya Basin; in addition, that area bounded on the North by LA 352; on the West by LA 349, to LA 3039, to LA 347, to the Catahoula Hwy. (LA 96), to LA 679, to LA 345; and on the south by LA 3242;

EXCEPTION: Indian Bayou area, see federal lands hunting schedule for Indian Bayou dates.

4. Turkey season dates on wildlife management areas, national wildlife refuges, Kisatchie National Forest and U.S. Army Corps of Engineers land located within areas A, B, and C may vary from the season set for the parish in which they are located. Seasons for these lands are specified in LAC 76:XIX.115.

**G. WMA Turkey Hunting Regulations**

1. WMAs with youth turkey hunts are closed to all activities except turkey hunting by authorized youth hunt participants, shooting range use, and fishing on the day(s) of the youth hunt.

**2. Rules Specific to Certain WMAs**

a. Sandy Hollow. No turkey hunting within 100 yards of food plots identified by two yellow paint rings around the nearest tree.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:115.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 25:2263 (November 1999), amended LR 26:2634 (November 2000), LR 27:2270 (December 2001), LR 28:2375 (November 2002), LR 29:2512 (November 2003), LR 30:2874 (December 2004), LR 31:3167 (December 2005), LR 32:2272 (December 2006), LR 33:2469 (November 2007), LR 35:91 (January 2009), LR 35:2478 (November 2009), LR 36:2581 (November 2010), LR 37:3535 (December 2011), LR 38:2941 (November 2012), LR 40:96 (January 2014), LR 40:1554 (August 2014), LR 41:977 (May 2015), LR 42:1127 (July 2016), LR 43:1426 (July 2017), LR 44:1303 (July 2018), LR 45:964 (July 2019), LR 46:988 (July 2020), LR 47:934 (July 2021), LR 48:1897 (July 2022), LR 49:1266 (July 2023), LR 50:422 (March 2024), LR 50:826 (June 2024).

**§115. Turkey Hunting Areas, Seasons, and Bag Limits**

A. Daily limit is one adult gobbler (male turkey). An adult gobbler is defined by having one of the following:

wing feathers that have white barring all the way to the tip, tail feathers that are the same length, beard that is longer than 6 inches, or a spur that is at least 1/2 –inch long. Properly licensed youth under 18 years of age may take one juvenile male turkey (jake) with a beard less than 6 inches per season. Season limit is two gobblers (male turkey). Any turkey harvested during the youth season are part of the season bag limit. Turkeys taken on WMAs are part of the season bag limit. Only one turkey may be taken during spring WMA lottery hunts.

B. Turkey season will open on the first Saturday in April. The area A turkey season will be 30 consecutive days in length, the area B turkey season will be 23 consecutive days in length, and the area C turkey season will be 16 consecutive days in length. Wildlife management areas, national forests, national wildlife refuges, and U.S. Army Corps of Engineers land may vary from this framework. On those years when the first Saturday in April falls the day before Easter, then the season will open the Friday before the first Saturday in April.

C. Statewide youth turkey and physically challenged season on private lands shall be the weekend prior to the start of the regular turkey season. On those years when the weekend prior to the start of regular turkey seasons falls on Easter weekend, then the youth and physically challenged season will open on Good Friday.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:115.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 25:2264 (November 1999), amended LR 26:2634 (November 2000), LR 27:2270 (December 2001), LR 28:2376 (November 2002), LR 29:2512 (November 2003), LR 30:2875 (December 2004), LR 31:3167 (December 2005), LR 32:2272 (December 2006), LR 33:2470 (November 2007), LR 35:90 (January 2009), LR 35:2481 (November 2009), LR 36:2583 (November 2010), LR 37:3541 (December 2011), LR 38:2944 (November 2012), LR 40:99 (January 2014), LR 40:1556 (August 2014), LR 41:980 (May 2015), LR 42:1129 (July 2016), LR 43:1426 (July 2017), LR 44:1306 (July 2018), LR 45:966 (July 2019), LR 46:990 (July 2020), LR 47:936 (July 2021), LR 48:1899 (July 2022), LR 49:1268 (July 2023), LR 50:828 (June 2024).

**§117. Migratory Bird Seasons, Regulations, and Bag Limits**

**A. Seasons and Bag Limits**

Species	Season Dates	Daily Bag Limit	Possession Limit
Mourning and White Winged Doves and fully-dressed Eurasian and Collared Doves	South Zone: Sept. 7-Sept. 21 Oct. 19-Nov. 30 Dec. 14-Jan. 14 North Zone: Sept. 7-Sept. 28 Oct. 5-Nov. 9 Dec. 21-Jan. 21	15 (in aggregate)	45 (in aggregate)
Woodcock	Dec. 18-Jan. 31	3	9
Teal (Blue-winged, Green-winged and Cinnamon)	Sept. 14-Sept. 29	6	18
King and Clapper Rails	Sept. 14-Sept. 29 Nov. 9-Jan. 1	15 (in aggregate)	45 (in aggregate)
Sora and Virginia Rails	Sept. 14-Sept. 29 Nov. 9-Jan. 1	25 (in aggregate)	75 (in aggregate)

Species	Season Dates	Daily Bag Limit	Possession Limit
Gallinules	Sept. 14 – Sept. 29 Nov. 9 – Jan. 1	15	45
Snipe	West Zone: Nov. 2 – Dec. 8 Dec. 21 – Feb. 28 East Zone: Nov. 2 – Dec. 8 Dec. 21 – Feb. 28	8	24
Ducks, Coots and Mergansers	West Zone: Nov. 2 – 3 (youth only) Nov. 9 – Dec. 8 Dec. 21 – Jan. 5 Jan. 18 – Jan. 31 Feb. 1 – 2 (Veteran’s only) East Zone: Nov. 9 (youth and Veteran’s only) Nov. 16 – Dec.1 Dec. 14 – Jan. 26 Feb. 1 (youth and Veteran’s only)	Daily bag limit on ducks is 6 and may include no more than 4 mallards (no more than 2 females), 3 wood ducks, 2 canvasbacks, 2 redheads, 1 black duck and 1 pintail. Only 1 scaup may be taken for the first 15 days of the season with 2 per day allowed for the remainder. No mottled ducks may be taken for the first 15 days of the season with 1 per day allowed for the remainder. Daily bag limit on coots is 15. Mergansers-The daily bag limit for mergansers is 5, only 2 of which may be hooded mergansers, in addition to the daily bag limit for ducks.	Three times the daily bag limit.
Light Geese (Snow, Blue, and Ross’) and White-Fronted Geese	East Zone: Nov. 2 – Dec. 1 Dec. 14 – Jan. 26 West Zone: Nov. 2 – Dec. 8 Dec. 21 – Jan. 5 Jan. 18 – Feb. 7	Daily bag limit on Light Geese (snow, blue, and ross’) is 20. Daily bag limit on White-Fronted Geese is 3.	No possession limit on Light Geese (snow, blue, and ross’) Possession limit on White-Fronted Geese is 9.
Canada Geese	East Zone: Nov. 2 – Dec. 1 Dec. 14 – Jan. 26 West Zone: Nov. 2 – Dec. 8 Dec. 21 – Jan. 5 Jan. 18 – Feb. 7	1	3

B. Conservation Order for Light Geese Seasons and Bag Limits

Species	Season Dates	Daily Bag Limit	Possession Limit
Light Geese (Snow, Blue, and Ross’)	East Zone: Dec. 2 – Dec. 13 Jan. 27 – Mar. 2 West Zone: Dec. 9 – Dec. 20 Jan. 6 – Jan. 17 Feb. 1 – Mar. 2	No daily bag limit.	No possession limit.

C. Extended Falconry Seasons and Bag Limits

Species	Season Dates	Daily Bag Limit
Mourning and White Winged Doves and fully-dressed Eurasian and Collared Doves	Sept. 14- Sept. 30	Falconry daily bag and possession limit for all permitted migratory game birds must not exceed 3 and 9 birds, respectively, singly or in aggregate, during the extended falconry seasons and regular hunting seasons.
Woodcock	Nov. 4-Jan. 31	
Rails and Gallinule	Nov. 2-Jan. 26	
Ducks	Nov. 2 – Jan. 29	

D. Dove Hunting Regulations

1. Shooting hours: one-half hour before sunrise to sunset.
2. There is no bag limit on Eurasian collared-doves or Ringed Turtle-doves provided that a fully feathered wing and head remain attached to the carcass of the bird. Fully dressed Eurasian collared-doves and ringed turtle doves (those without a fully feathered wing and head naturally attached to the carcass) shall be included in the aggregate bag.
3. The following boundary divides the dove season zones: beginning at the Texas-Louisiana border on LA Hwy. 12; thence east along LA Hwy 12 to its intersection with U.S. Hwy 190; thence east along U.S. Hwy 190 to its

intersection with I-12; thence east along I-12 to its intersection with I-10; then east along I-10 to the Mississippi state line.

E. Snipe Hunting Regulations. Shooting hours one-half hour before sunrise to sunset, except at the Spanish Lake recreation area in Iberia Parish where shooting hours, including the conservation end at 2 p.m.

F. Conservation Order for light geese. Only snow, blue, and Ross' geese may be taken under the terms of the conservation order. Electronic calls and unplugged shotguns allowed. No daily bag or possession limit. Shooting hours one-half hour before sunrise until one-half hour after sunset.

G. Canada Goose Season Closure. The Canada goose season will be open statewide except for a portion of southwest Louisiana described as follows: beginning at the Texas State Line, proceeding east along LA Hwy. 82 to the Calcasieu Ship Channel, then north along the Calcasieu Ship Channel to its junction with the Intracoastal Canal, then east along the Intracoastal Canal to its juncture with LA Hwy. 82, then south along LA Hwy. 82 to its juncture with Parish Road 3147, then south and east along Parish Road 3147 to Freshwater Bayou Canal, then south to the Gulf of Mexico, then west along the shoreline of the Gulf of Mexico to the Texas State Line, then north to the point of beginning at LA Hwy. 82. Open waters of Lake Arthur and the Mermentau River, from the Hwy 14 bridge southward, will also be closed.

H. Statewide Youth Waterfowl and Veterans Season Regulations.

1. Only youths 17 years of age or younger may hunt. Youth must possess a hunter safety certification or proof of successful completion of a hunter safety course. Youths must be accompanied by one adult 18 years of age or older. If the accompanying adult is in possession of hunter safety certification, a valid hunting license or proof of successful completion of a hunter safety course, this requirement is waived for youth younger than 16 years of age. Youths may possess only one firearm while hunting. The supervising adult shall maintain visual and voice contact with the youth at all times.

2. Veterans refers to those persons who served in the active military, naval or air service who were discharged or released under conditions other than dishonorable, and members of the Armed Forces on active duty including members of the National Guard and Reserves on active duty (other than for training). Veterans and active duty military personnel must possess a valid proof of service such as DD214 form, Active Military ID, Retired Military ID, Veterans Administration ID, or Veterans designation on their Driver's License as well as mandatory waterfowl license(s), HIP certification, and Federal duck stamp to participate on these hunt days.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:115.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 42:1130 (July 2016), amended LR 43:1427 (July 2017), LR 44:1306 (July 2018), LR 45:966 (July 2019), LR 46:991 (July

2020), LR 47:937 (July 2021), LR 48:1899 (July 2022), LR 49:1268 (July 2023), LR 50:828 (June 2024).

Madison D. Sheahan  
Secretary

2406#012

## RULE

### Department of Wildlife and Fisheries Wildlife and Fisheries Commission

#### Menhaden Season (LAC 76:VII.307)

The Wildlife and Fisheries Commission has hereby amended this Rule (LAC 76:VII.307) by extending the coast wide buffer zone for the commercial harvest of menhaden from 1/4 mile to 1/2 mile and adding provisions that establish a buffer zone one mile off the Holly Beach in southwestern Louisiana. Further modifications to the rule clarify when the retrieval of any menhaden or bycatch released into the environment must begin. The Rule modification details specific reporting elements required when an intentional or unintentional release of gear, menhaden, or bycatch occurs. Authority for amendment of this Rule is included in the Administrative Procedure Act, R.S. 49:950 et seq., and through the authority granted in R.S. 56:6(25)(a), R.S. 56:313, R.S. 56:315, R.S. 56:326.3, R.S. 56:409.1 and R.S. 30:2531.3. This Rule is hereby adopted on the day of promulgation.

#### Title 76

#### WILDLIFE AND FISHERIES

#### Part VII. Fish and Other Aquatic Life

#### Chapter 3. Saltwater Sport and Commercial Fishery §307. Menhaden Season

A. - B. ...

C. The menhaden season shall apply to all waters one-half statute mile seaward of the inside-outside line described in R.S. 56:495, except as noted in Subsection D, including waters in the Federal Exclusive Economic Zone (EEZ), and in Chandeleur and Breton Sounds as described in Subsection E below. All other inside waters and passes are permanently closed to menhaden fishing.

D. Coastal Buffer Restrictions

1. - 3. ...

4. Restrictions off Holly Beach, Louisiana. The menhaden season shall apply to waters beginning 1 statute mile seaward of the inside-outside line from the intersection of a private levee road and LA-27 (Latitude 29 degrees 46 minutes 01.54 seconds N, Longitude 93 degrees 24 minutes 23.00 seconds W), thence westward to the easternmost point of the rock breakwaters west of Holly Beach, Louisiana (Latitude 29 degrees 46 minutes 00.90 seconds N, Longitude 93 degrees 29 minutes 26.91 seconds W). All coordinates are in NAD 1983 feet.

E. - E.1. ...

F.1. No menhaden purse seine gear shall be released or abandoned while on the water or during the course of fishing operations. In the event that gear is released, such gear shall

be marked in an appropriate manner to facilitate retrieval and effectively warn of navigational hazards caused by the released gear. Such gear shall be retrieved from the water within 48 hours of release. Failure to retrieve the gear within the prescribed period shall be considered abandonment of the gear.

2. If the contents of menhaden purse seine gear are released during the course of fishing operations, all reasonable attempts to retrieve any dead menhaden and any dead bycatch from the environment shall commence within 12 hours of the event. Retrieval efforts shall continue until the released contents of the menhaden purse seine have been removed from the environment to the extent practicable.

3. Any unintentional or intentional release of purse seine gear or contents of purse seine gear by the commercial reduction menhaden fishery shall be reported to the Enforcement Division within two hours of such release. This reporting shall be by email and by phone call to the Enforcement Division dispatch and communications center. The report shall contain, at a minimum, the following information:

- a. the date and approximate time of the release,
- b. the species of fish released,
- c. an estimated number of fish released,
- d. an estimate of the disposition of the fish released,
- e. the vessel which released the fish,
- f. to the extent available and practicable, photographic or video documentation of sufficient resolution to clearly depict the scope and composition of the release,
- g. the coordinates of the location of the release, and
- h. the causative factors of the release of fish.

4. Any release of the contents of a menhaden purse seine as set forth in this Subsection shall be considered waste of a fishery resource and subject to civil fine and restitution for the value of the wasted fish. Failure to retrieve menhaden purse seine gear from the environment or the released contents of a menhaden purse seine to the extent practicable, as set forth in this Subsection shall constitute a commercial littering violation pursuant to R.S. 30:2531.3.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:6(25)(a), R.S. 56:313, R.S. 56:315, R.S. 56:326.3, and R.S. 56:409.1.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 5:329 (October 1979), amended LR 14:547 (August 1988), LR 19:58 (January 1993), LR 19:1179 (September 1993), LR 48:1588 (June 2022), LR 49:514 (March 2023), LR 50:830 (June 2024).

Madison D. Sheahan  
Secretary

2406#006

## RULE

### Department of Wildlife and Fisheries Wildlife and Fisheries Commission

#### Red Drum—Harvest Regulations (LAC 76:VII.363)

The Wildlife and Fisheries Commission does hereby amend a Rule (LAC 76:VII.363) by modifying the daily size, bag, and possession limit for recreationally harvested red drum to an 18 inch minimum size limit total length and a

27 inch maximum size limit total length with a bag and possession limit of four fish per day. Further modifications to the Rule also prohibit the retention of any red drum above the maximum size limit of 27 inches total length and prohibits the retention of red drum by captain and crew on charter or headboats. Red drum bag, possession, and size limits were previously established by the Louisiana Legislature in R.S. 56:325.1(A)(2)(a), R.S. 56:325.1(B)(1), and R.S. 56:325.1(B)(2). However, based upon biological and technical data, the commission may establish new bag, possession and size limits in accordance with the Administrative Procedure Act, which supersede any such limits established in law. The changes are a result of biological data that indicate the red drum stock is experiencing overfishing resulting in an escapement rate that is below the 30 percent minimum limit, which is leading to a declining biomass. In order to increase the escapement rate and avoid the stock biomass declining to an overfished condition, management changes are necessary. The authority for amendment of this Rule is included in the Administrative Procedure Act, R.S. 49:950 et seq., and through the authority granted in R.S. 56:6(25)(a), R.S. 56:325.1, and 56:326.3 to the Wildlife and Fisheries Commission. This Rule is hereby adopted on the day of promulgation.

## Title 76

### WILDLIFE AND FISHERIES

#### Part VII. Fish and Other Aquatic Life

#### Chapter 3. Saltwater Sport and Commercial Fishery

#### §363. Red Drum—Harvest Regulations

##### A. Recreational Regulations

1. The daily take and possession limit for red drum (*Sciaenops ocellatus*) caught recreationally within or without Louisiana waters shall be four fish per day.

2. The minimum legal size for the recreational taking of red drum shall be 18 inches total length with the mouth closed. The maximum legal size for the taking of red drum shall be 27 inches total length with the mouth closed. Possession of red drum over the prescribed maximum size of 27 inches total length, when measured with the mouth closed, is prohibited.

3. Captain and crew members shall not retain a bag limit of red drum while operating or representing themselves as a charter vessel or headboat. Captain and crew may engage in fishing activity to assist passengers to catch, retrieve, or land red drum, or to demonstrate to passengers how to catch red drum.

B. No person who, pursuant to state or federal law, is subject to the jurisdiction of the state shall violate any federal law, rule or regulation particularly those rules and regulations enacted pursuant to the Magnuson-Stevens Fishery Conservation Act and published in the Code of Federal Regulations as amended Title 50 and 15, for red drum while fishing in the EEZ, or possess, purchase, sell, barter, trade, or exchange red drum within or without the territorial boundaries of Louisiana in violation of any state or federal law, rule or regulation particularly those rules and regulations enacted pursuant to the Magnuson-Stevens Fishery Conservation Act and published in the Code of Federal Regulations as amended Title 50 and 15 law.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:6(25)(a), R.S. 56:320.2(C), R.S. 56:325.1, R.S. 56:325.1(A)(2), and R.S. 56:326.3.



HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 27:2266 (December 2001), amended LR 50:831 (June 2024).

Madison D. Sheahan  
Secretary

2406#030

**RULE**  
**Workforce Commission**  
**Office of Workers' Compensation**  
Forms (LAC 40:I.6665 and 6667)

The Louisiana Workforce Commission does hereby amend certain portions of the Louisiana Administrative Code, Title 40, Labor and Employment, Part I, Workers' Compensation Administration, Subpart 3, Hearing Rules, Chapter 66. The purpose of this amendment is to update the records request forms in accordance with current administrative process. This Rule is promulgated by the authority vested in the assistant secretary of the Office of Workers' Compensation found in R.S. 23:1291 and R.S. 23:1310.7. This Rule is hereby adopted on the day of promulgation.

**Title 40**  
**LABOR AND EMPLOYMENT**  
**Part I. Workers' Compensation Administration**  
**Subpart 3. Hearing Rules**  
**Chapter 66. Miscellaneous**  
**Subchapter E. Forms**  
**§6665. Workers' Compensation Records Request Form;**  
**LWC-WC-1150**

I have read and understand this form and the accompanying instructions. I certify that all information provided by me to the Office of Workers' Compensation Administration is accurate and correct to the best of my knowledge. I understand that providing false or misleading information may subject me to prosecution.

Signature of Requestor \_\_\_\_\_ Date \_\_\_\_\_

**SECTION III: TO BE COMPLETED BY OWCA RECORDS MANAGEMENT SECTION**

1. This records request will NOT be processed due to the following:

- \$25.00 Search fee not received.
- No Social Security Number/incomplete number.
- Employee Authorization form required.
- Incomplete information. Please provide: \_\_\_\_\_  
\*Your request will NOT be processed until the information is provided.

2. Your request has been processed.

\_\_\_\_\_ Pages of responsive records have been found. Please submit a check in the amount of \$\_\_\_\_\_ to the OWCA Administrative Fund. \*No records will be sent until the check is received by the OWCA.

Your request has produced more than one employee claim. \_\_\_\_\_ claims have been found. Please submit a check in the amount of \$\_\_\_\_\_ to the OWCA Administrative Fund. \*No records will be sent until the check is received by the OWCA.

3. Your request is complete. The records search has:  No Records Found  See Attached records.

Records request completed by \_\_\_\_\_ Date: \_\_\_\_\_

LWC-WC-1150 Page 2 of 2  
Revised  
01/2024

AUTHORITY NOTE: Promulgated in accordance with R.S. 23:1310.1 and R.S. 23:1293.

HISTORICAL NOTE: Promulgated by the Workforce Commission, Office of Workers' Compensation Administration, LR 44:103 (January 2018), repromulgated LR 44:798 (April 2018), amended LR 50:832 (June 2024).

**§6667. Employee Authorization for OWCA to Release**

**WORKERS' COMPENSATION RECORDS REQUEST FORM**

Mail completed form to:  
Louisiana Workforce Commission  
OWCA Records Management Section  
1801 N. 23<sup>rd</sup> Street  
P.O. Box 9040  
Baton Rouge, LA 70804-9040  
Telephone No.: 225-342-7565

Status of your records request: (Office use only.)  
 Will be processed.  
 Is being returned. See Section III, Page 2.  
 Has been processed. You owe a copying fee. See Section III, Page 2.  
 Is complete. See Section III, Page 2.

Note: Copies of documents provided through this request shall adhere to the provisions of La. R.S. 28:1020.1, et seq. and La. R.S. 44:1, et seq., which limits the inspection and copying of workers' compensation records. \*A \$25.00 fee is required per employee search. (Exception: requests for LWC-WC-1002 will NOT be assessed a \$25.00 search fee.) Copying fees are \$0.25 per page. Make all checks payable to the OWCA Administrative Fund.

**SECTION I: TO BE COMPLETED BY REQUESTOR**

1. Select all that apply:

- I am the Employee OR Legal Representative of the Employee. (Attach letter of representation.)
- I am the Employer/Insurer OR Legal Representative of the Employer/Insurer. (Attach letter of representation.)
- I am NOT a party to a workers' compensation claim. (Attach employee authorization, LWC-WC-1151.) (Must be notarized)
- I am a Prospective Employer. (Attach employee authorization, LWC-WC-1151.) (Must be notarized)

2. Name of Requestor (Please Print) \_\_\_\_\_ 3. Phone Number \_\_\_\_\_

4. Company Name (if Applicable) \_\_\_\_\_ 5. Fax Number \_\_\_\_\_

6. Address, City, State ZIP \_\_\_\_\_ 7. Email \_\_\_\_\_

**SECTION II: RECORDS REQUESTED**

1. Employee's Name (Please use a separate form for each employee.) \_\_\_\_\_ 2. Employee's Social Security Number \_\_\_\_\_

3. Identify the workers' compensation claim you are requesting:

- Workers' Compensation Claim Docket # \_\_\_\_\_ Date of Injury: \_\_\_\_\_
- ALL cases for this injured worker.  
- If known, list the Docket # and Date of injury for each claim in the Additional Comments Section, see right. You will be assessed a \$25.00 search fee for each workers' compensation docket number.

4. Additional records I am requesting:

- Notice of Payment, Modification, Suspension, Termination or Controversy of Compensation or Medical Benefits (LWC-WC-1002).  
\*Only available to Employee or Employee Representative per La. R.S. 23:1201.1. You will NOT be assessed a \$25.00 search fee for this records request.
- Other documents requested. Please specify in the Additional Comments section.

5. Need records certified? (If certified, you will be assessed \$25.00.)  
 Yes  No

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Revised  
01/2024

**EMPLOYEE AUTHORIZATION FOR OWCA TO RELEASE CONFIDENTIAL WORKERS' COMPENSATION RECORDS**

EMPLOYEE: Please be aware that you DO NOT have to release all of your confidential information and you have a right to refuse to sign this document. You can choose to release only your public records, which includes: any final decision, award, or order of a workers' compensation judge. However, if you choose to release all of your confidential workers' compensation information, you MUST authorize the Office of Workers' Compensation Administration to release your confidential records information to anyone not a party to your workers' compensation claim. \*This release must be attached to the Employee Workers' Compensation Records Request Form.

**SECTION I: TO BE COMPLETED BY EMPLOYEE**

1. Employee's Full Name (Please Print)	2. Social Security Number
3. Street Address	4. Date of Birth
5. City, State, Zip	6. Phone Number

7. What records do you want to release?

Only my workers' compensation claim(s) information that is considered public record under La. R.S. 23:1293(B)(1) which only includes: final decision(s), award(s), or order(s) of a workers' compensation judge.

**OR**

Any and all of my workers' compensation claim(s) information, including confidential information, medical records, wage information, etc. in the possession of the Office of Workers' Compensation Administration, Records Management.

I understand that the Louisiana Workers' Compensation Act, La. R.S. 23:1020.1, et seq., provides that certain information regarding prior work related injuries may be released to a requesting party. By signing this authorization, I hereby voluntarily authorize the State of Louisiana, Office of Workers' Compensation Administration, Records Management Section to release only the information selected above in Section I and contained in my workers' compensation records, if any, to the Recipient named in Section II. This release may contain public and non-public records in my workers' compensation file(s) depending on my selection in Section I. This release is only for the recipient named in Section II and shall not be released to any third parties or any party not specifically named on this authorization.

This authorization will expire thirty (30) days from the date of signature.

Employee's Signature \_\_\_\_\_ Date \_\_\_\_\_

**SECTION II: RECORDS TO BE DISCLOSED TO**

1. Name of Recipient (Please Print)	2. Company Name (if applicable)
3. Street Address	4. Phone Number
5. City, State, Zip	6. Please State Recipient's relationship to the employee. *See Section III, Page 2.

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Revised  
01/2024



**SECTION III: IF THE RECIPIENT IS A PROSPECTIVE EMPLOYER**  
You must certify and sign the following:

I hereby certify the information sought by this authorization is made on an applicant for employment only after a conditional job offer has been made and accepted, or on a current employee for a purpose which is job related and consistent with business necessity. I further certify the information obtained in the authorization will NOT be used to discriminate in any manner against the individual who is the subject of this authorization on any basis, in violation of the Americans with Disabilities Act of 1990, 42 U.S.C. §12101, et seq., or any other state or federal law, as applicable.

I am aware of the confidential and privileged nature of an employee's Workers' Compensation records, pursuant to La. R.S. 23:1293.

Employer's Signature \_\_\_\_\_ Date \_\_\_\_\_

Sworn and subscribed before me this \_\_\_\_ day of \_\_\_\_\_, 20\_\_ at \_\_\_\_\_ Louisiana.

\_\_\_\_\_  
Notary Public's Signature  
Print Name: \_\_\_\_\_  
Notary ID: \_\_\_\_\_  
My commission expires: \_\_\_\_\_

---

**SECTION IV: IF THE REQUESTOR IS NOT A PARTY TO THE CASE**  
You must certify and sign the following:

I hereby certify the information sought by this authorization is made on a claimant who is aware I have requested their records.

I am aware of the confidential and privileged nature of an employee's Workers' Compensation records, pursuant to La. R.S. 23:1293.

Requestor's Signature \_\_\_\_\_ Date \_\_\_\_\_

Sworn and subscribed before me this \_\_\_\_ day of \_\_\_\_\_, 20\_\_ at \_\_\_\_\_ Louisiana.

\_\_\_\_\_  
Notary Public's Signature  
Print Name: \_\_\_\_\_  
Notary ID: \_\_\_\_\_  
My commission expires: \_\_\_\_\_

LWC-WC-1351 Page 2 of 2  
Revised 01/2024

**AUTHORITY NOTE:** Promulgated in accordance with R.S. 23:1310.1 and R.S. 23:1293.

**HISTORICAL NOTE:** Promulgated by the Workforce Commission, Office of Workers' Compensation Administration, LR 44:105 (January 2018), amended LR 50:832 (June 2024).

Susana Schowen  
Secretary

2406#0095

**RULE**

**Office of the Governor  
Division of Administration  
Racing Commission**

**Timing of Entering Next Claiming Race  
(LAC 35:XI.9905)**

Editor's Note: This Rule is being repromulgated to correct an error. The effective date of this rule was erroneously omitted in the Rule filing submission.

In accordance with the provisions of the Administrative Procedure Act, R.S. 49:950 et seq., and through the authority granted in R.S. 4:148, that the Racing Commission has amended LAC 35:XI.9905. The amendment adds exceptions to the provisions of claiming procedures and clarifies language regarding when a claimed horse shall not run. This Rule is hereby adopted upon the day of promulgation, to be effective at each licensed association at the start of the next meet held at their track following the promulgation.

**Title 35  
HORSE RACING**

**Part XI. Claiming Rules and Engagements**

**Chapter 99. Claiming Rule**

**§9905. Timing of Entering Next Claiming Race**

A. Except as otherwise provided herein, a claimed horse shall not run for 20 days after being claimed in a race in

which the determining eligibility price is less than 25 percent more than the price at which the horse was claimed. For a period of 10 days thereafter, a horse is eligible to run back for the same claiming price or higher. The day claimed shall not count, but the following calendar day shall be the first day and the horse shall be entitled to enter whenever necessary so the horse may start on the thirty-first day following the claim for any claiming price. This provision shall not apply to allowance/optional claiming or starter allowance/optional claiming races in which a horse is entered for the allowance condition, starter handicaps in which the weight to be carried is assigned by the handicapper, starter stakes and starter allowance races. This provision shall apply to allowance/optional claiming and starter allowance/optional claiming races, if a horse is entered for a claiming price. A similar rule in other states will be recognized and enforced.

**AUTHORITY NOTE:** Promulgated in accordance with R.S. 4:141, R.S. 4:142 and R.S. 4:148.

**HISTORICAL NOTE:** Promulgated by the Office of the Governor, Division of Administration, Racing Commission, LR 30:1476 (July 2004), amended LR 33:2422 (November 2007), LR 41:1673 (September 2015), LR 44:916 (May 2018), LR 50:684 (May 2024), repromulgated LR 50:833 (June 2024).

Stephen Landry  
Executive Director

2405#041

**RULE**

**Department of Public Safety and Corrections  
Gaming Control Board**

Internal Controls, Procedures (LAC 42:III.2714)

The Department of Public Safety and Corrections, Gaming Control Board, in accordance with R.S. 27:15, R.S. 27:24, and the provisions of the Administrative Procedures Act, R.S. 49:950 et seq., has amended LAC 42:III.2714, Internal Controls, Procedures. This Rule change allows licensees and the casino operator to modernize their processes, either automated or computerized, while still complying with the requirements of gaming regulations for approval in its internal controls. This Rule is hereby adopted on the day of promulgation.

**Title 42**

**LOUISIANA GAMING**

**Part III. Gaming Control Board**

**Chapter 27. Accounting Regulations**

**§2714. Internal Controls, Procedures**

A. - B.23. ...

C. Licensees and casino operators may submit automated or computerized processes that satisfy the requirements contained in this Chapter, or accomplish the intent of the requirements contained in this Chapter, for approval in its internal controls. Approval of automated or computerized processes to replace or satisfy the requirements contained in this Chapter may be approved or rejected at the discretion of the division. The division shall explain any rejection and provide opportunity for the licensee or casino operator to amend the processes and resubmit for approval in accordance with the internal control review process.

D. The licensee or casino operator may not implement its initial internal controls unless the division determines the proposed internal controls satisfy this Section, and approves the internal controls in writing. In addition, the licensee and casino operator shall engage an independent CPA to review the proposed internal controls prior to implementation. The CPA shall forward two signed copies of the report reflecting the results of the evaluation of the proposed internal controls prior to implementation.

E. Once the division approves the internal controls, the licensee and casino operator shall comply with all provisions of the approved internal controls.

F. The licensee and casino operator shall have a continuing duty to review its internal controls to ensure the internal controls remain in compliance with the Act and these rules. The licensee and casino operator shall amend its internal controls to comply with the requirements with the Act and these rules.

G. Any change or amendment in procedure including any change or amendment in the internal controls previously approved by the division shall be submitted to the division for prior written approval in accordance with division policies on internal control changes.

H. If the division determines that internal controls do not comply with the requirements of this Section, the division shall so notify the licensee or casino operator in writing. After receiving the notification, the licensee or casino operator shall amend its internal controls to comply with the requirements of this Section.

I.1. Each licensee and casino operator shall require the independent CPA, engaged for purposes of examining the financial statements, to submit to the licensee and casino operator two signed copies of a written report detailing the continuing effectiveness and adequacy of the internal controls.

2. Using the division's standard Minimum Internal Control questionnaire and guidelines, the independent CPA shall report each event and procedure discovered by him, or otherwise brought to his attention, that does not satisfy the internal controls approved by the division.

3. Not later than 150 days after the end of the its fiscal year, the licensee or casino operator shall submit a signed copy of the CPA's report, the division's standard Minimum Internal Control questionnaire, and any other correspondence directly relating to the internal controls to the division accompanied by the licensee's or casino operator's statement addressing each item of noncompliance as noted by the CPA and describing corrective measures taken.

AUTHORITY NOTE: Promulgated in accordance with R.S. 27:15 and 24.

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Gaming Control Board, LR 38:1632 (July 2012), amended LR 50:833 (June 2024).

Ronnie S. Johns  
Chairman

2406#048

# Notices of Intent

## NOTICE OF INTENT

Department of Agriculture and Forestry  
Office of the Commissioner

Agritourism  
(LAC 7:XLV.107)

In accordance with the Administrative Procedure Act, R.S. 49:950, et seq., and pursuant to the authority set forth in R.S. 3:2, 3:3, and 9:2795.5, notice is hereby given that the Department of Agriculture and Forestry ("Department"), through the Office of the Commissioner, intends to promulgate LAC 7:XLV.107, relative to the issuance of physical certificates to agritourism professionals who have submitted and received approval of their plan of operation, in accordance with the procedure set forth in existing rule. The proposed Rule merely provides for the issuance of a physical certificate, the terms of validity of physical certificate, and the procedure for renewal of the physical certificate. The proposed Rule is being promulgated in order to provide approved agritourism professionals with a physical certificate evidencing the approval of their plan of operation.

### Title 7

## AGRICULTURE AND ANIMALS

### Part XLV. Agritourism

#### Chapter 1. Agritourism Activities, Plan of Operation

##### §107. Issuance of Certificate

A. The Louisiana Cooperative Extension Service of the Louisiana State University Agricultural Center shall submit the approved application and agritourism plan of operation to the agritourism director at the department who will issue a certificate of eligibility for the presumption of limited liability set forth in R.S. 9:2795.5.

B. Each certificate shall remain valid for a period of five years from the date of issuance.

C. To renew a certificate, an agritourism professional shall notify the agritourism director in writing that agritourism activities are continuous at the designated location. Upon verification, a new certificate will be issued.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:32, 3:3, and 9:2795.5.

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Office of the Commissioner, LR 50:

#### Family Impact Statement

The proposed Rule should not have any known or foreseeable impact on family formation, stability, and autonomy. In particular, the proposed Rule has no known or foreseeable impact on:

1. the stability of the family;
2. the authority and rights of persons regarding the education and supervision of their children;
3. the functioning of the family;
4. family earnings and family budget;
5. the behavior and personal responsibility of children;

6. the ability of the family or a local government to perform the function as contained in the proposed Rule.

#### Poverty Impact Statement

The proposed Rule should not have any known or foreseeable impact on any child, individual or family as defined by R.S. 49:973(B). In particular, there should be no known or foreseeable effect on:

1. the effect on household income, assets, and financial security;
2. the effect on early childhood development and preschool through postsecondary education development;
3. the effect on employment and workforce development;
4. the effect on taxes and tax credits;
5. the effect on child and dependent care, housing, health care, nutrition, transportation, and utilities assistance.

#### Small Business Analysis

Pursuant to R.S. 49:965.6, methods for reduction of the impact on small business, as defined in the Regulatory Flexibility Act, have been considered when creating this proposed Rule. This proposed Rule is not anticipated to have an adverse impact on small businesses; therefore, a Small Business Economic Impact Statement has not been prepared.

#### Provider Impact Statement

The proposed Rule should not have any known or foreseeable impact on providers as defined by HCR 170 of the 2014 Regular Legislative Session. In particular, there should be no known or foreseeable effect on:

1. the effect on the staffing level requirements or qualifications required to provide the same level of service;
2. the total direct and indirect effect on the cost to the providers to provide the same level of service; or
3. the overall effect on the ability of the provider to provide the same level of service.

#### Public Comments

Interested persons may submit written comments, data, opinions and arguments regarding the proposed Rules via U.S. Mail or hand delivery. Written submissions must be directed to Catrina Irvin, Agritourism Director, Department of Agriculture and Forestry, 5825 Florida Blvd., Baton Rouge, LA 70806 and must be received no later than 4 p.m. on July 10, 2024. All written comments must be signed and dated.

Mike Strain, DVM  
Commissioner

## FISCAL AND ECONOMIC IMPACT STATEMENT FOR ADMINISTRATIVE RULES

### RULE TITLE: Agritourism

#### I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENT UNITS (Summary)

The proposed rule is not anticipated to have any costs or savings to the Louisiana Department of Agriculture and Forestry ("LDAF"), other than the cost of promulgation, which is normally included in the agency's operating budget. There is

no anticipated impact on local governmental units. The proposed rule provides for the issuance of a physical certificate to agritourism professionals who submit agritourism plans of operation pursuant to existing rule. The existing rule provides the procedure for the submission of a plan of operation (see LAC 7:XLV.105); the proposed rule provides for the issuance of a certificate to those applicants who submit a complete plan of operation.

II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS (Summary)

The proposed rule is not anticipated to increase or decrease revenue collections of state or local governmental units. The proposed rule is intended to update and clarify existing rules and regulations.

The issuance of a physical certificate to agritourism professionals is offered at no cost to applicants, and therefore would result in no impact on revenue to LDAF or any other state of local governmental units.

III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS, SMALL BUSINESSES, OR NONGOVERNMENTAL GROUPS (Summary)

The proposed rule is not anticipated to increase or decrease costs to the market.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

The proposed rule is not anticipated to influence competition or employment. The proposed certificate does not result in a competitive advantage to agritourism professionals as it merely certifies that the agritourism professional's plan of operation has been approved by the LSU Agricultural Center and is therefore entitled to avail himself of the limitation on liability set forth in R.S. 9:2795.5.

Rebecca Dupree  
Deputy Undersecretary  
2406#022

Patrice Thomas  
Deputy Fiscal Officer  
Legislative Fiscal Office

**NOTICE OF INTENT**

**Department of Civil Service  
Board of Ethics**

**Use of Contributions Received by a Political Committee  
(LAC 52:I.1613)**

In accordance with the provisions of the Administrative Procedure Act, R.S. 49:950 et seq., notice is hereby given that the Department of Civil Service, Board of Ethics, has initiated rulemaking procedures and is proposing to adopt a rule regarding the use of contributions received by a political committee.

**Title 52  
ETHICS**

**Part I. Board of Ethics**

**Chapter 16. The Board as Supervisory Committee of  
the Louisiana Campaign Finance  
Disclosure Act**

**§1613. Contributions**

A. In an effort to provide clarity, the following shall be a permissive use of campaign funds by a political committee, other than a principal or subsidiary political committee of a candidate.

1. Contributions may be used for:

a. administrative and operating costs of running the political committee;

b. contributions/in-kind contributions to a candidate;

c. expenditures to support or oppose the election of a candidate to office;

d. contributions/in-kind contributions to other political committees;

e. taxes assessed against the political committee;

f. expenditures to support or oppose a proposition on the ballot;

g. expenditures to support or oppose the recall of an elected official.

2. Contribution may not be used for:

a. any personal use of an officer, member or any other person that is unrelated to the administrative and operating costs of the political committee;

b. expenditures to a company that is owned by the chairperson or treasurer of the political committee that would otherwise not be permitted by Paragraph A.1;

c. expenditures for the purpose of supporting an elected official's holding of public office or party position;

d. expenditures for the benefit of a candidate that would be a personal use if made from a candidate's campaign funds.

3. The provisions of this section are not exclusive.

AUTHORITY NOTE: Promulgated in accordance with R.S. 18:1511.2A.

HISTORICAL NOTE: Promulgated by the Department of Civil Service, Board of Ethics, LR 50:

**Family Impact Statement**

The proposed Rule changes have no known impact on family formation, stability or autonomy, as described in R.S. 49:972.

**Poverty Impact Statement**

The proposed Rule changes have no known impact on poverty, as described in R.S. 49:973.

**Small Business Analysis**

The proposed Rule should not have any known or adverse impact on small business as described in R.S. 49:978.5.

**Provider Impact Statement**

The proposed Rule should not have any known or foreseeable impact on providers as defined by HCR 170 of 2014 Regular Legislative Session.

**Public Comments**

Interested persons may direct their comments to Kathleen M. Allen, Louisiana Board of Ethics, P.O. Box 4368, Baton Rouge, LA 70821, telephone 225-219-5600, until 4:45 p.m. on July 10, 2024.

Kathleen M. Allen  
Ethics Administrator

**FISCAL AND ECONOMIC IMPACT STATEMENT  
FOR ADMINISTRATIVE RULES**

**RULE TITLE: Use of Contributions Received  
by a Political Committee**

I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENT UNITS (Summary)

The proposed rule is not anticipated to result in any cost or savings to the state or local government units, other than the cost to publish the Notice of Intent and final rule in the State Register.

The proposed rule provides clarity for the Board of Ethics with respect to political committees that are not the principal or subsidiary committee of a candidate. The proposed rule outlines how contributions made by these entities may be used.

II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS (Summary)

The proposed rule has no anticipated effect on revenue collections of state or local governmental units.

III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS, SMALL BUSINESSES, OR NONGOVERNMENTAL GROUPS (Summary)

The proposed rule will have an impact on political committees other than a principal or subsidiary political committee of a candidate only insofar that it provides clarifications for permissive use of campaign funds.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

The proposed rule has no anticipated effect on competition and employment.

Kristy Gary  
Deputy Ethics Administrator  
2406#032

Patrice Thomas  
Deputy Fiscal Officer  
Legislative Fiscal Office

**NOTICE OF INTENT**

**Department of Energy and Natural Resources  
Office of Conservation**

Pipeline Safety  
(LAC 43:XI.Chapter 35, XIII:Chapters 1-35  
and LAC 33:V:Chapters 30105-30452)

The Department Energy and Natural Resources, Office of Conservation proposes to amend LAC 43:XI, XIII, and LAC 33:V in accordance with the provisions of the Administrative Procedure Act, R.S. 49:950 et seq., and pursuant to the power delegated under the laws of the state of Louisiana.

The proposed rule changes modify existing Carbon Dioxide rules and codify exiting federal regulations that are required as a part of the Department Energy and Natural Resources certification agreement with the US Department of Transportation and are intended to adopt existing federal regulations as state regulations.

**Title 43  
NATURAL RESOURCES**

**Part XI. Office of Conservation—Pipeline Division**

**Subpart 4. Carbon Dioxide**

**Chapter 35. Requirements**

**§3501. Operation, Construction, Extension, Acquisition, Interconnection or Abandonment of Carbon Dioxide Transmission Facilities (Formerly §703)**

A. - F. ...

1. that the applicant is able and willing to perform the services proposed and to conform to all of the applicable provisions of Title 30 of the Louisiana Revised Statutes and the applicable rules and regulations in Title 43 and Title 33 of the Louisiana Administrative Code;

2. that the applicant proposes to construct and/or operate facilities for the transmission of carbon dioxide for injection in connection with a secondary or tertiary recovery project for the enhanced recovery of liquid or gaseous hydrocarbons or a geologic sequestration project; and

3. that the proposed facilities are reasonably necessary to serve a secondary or tertiary recovery project or geologic sequestration project.

G. ...

1. that the applicant is able and willing to perform the services proposed and to conform to all of the applicable provisions of Title 30 of the Louisiana Revised Statutes and the applicable rules and regulations in Title 43 and Title 33 of the Louisiana Administrative Code;

2. ...

3. that the applicant proposes to construct and/or operate facilities for the transmission of carbon dioxide for injection in connection with a secondary or tertiary recovery project for the enhanced recovery of liquid or gaseous hydrocarbons or geologic sequestration project which has been approved by the commissioner pursuant to the provisions of Title 30 of the Louisiana Revised Statutes and the applicable rules and regulations in Title 43 and Title 33 Title 43 and Title 33 of the Louisiana Administrative Code; and

G.4. - H. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:4(C)(17), R.S. 30:1104(A), and R.S. 30:1107.

HISTORICAL NOTE: Promulgated by the Department of Natural Resources, Office of Conservation, LR 12:115 (February 1986), repromulgated LR 49:303 (February 2023), amended LR 49:904 (May 2023), amended LR 49:1096 (June 2023), LR 50:35 (January 2024), LR 50:

**Part XIII. Office of Conservation—Pipeline Safety**

**Subpart 1. General Provisions**

**§101. Applicability**

A. ...

B. Notwithstanding the criteria in §101.A above, this regulation shall apply only to those persons identified in the certification or agreement in effect, pursuant to Section 5 of the Natural Gas Pipeline Safety Act of 1968, as amended (Federal Act), duly executed by the Secretary of the Department of Energy and Natural Resources and the United States Secretary of Transportation.

C. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:501 et seq.

HISTORICAL NOTE: Promulgated by the Department of Natural Resources, Office of Conservation, LR 9:217 (April 1983), amended LR 10:508 (July 1984), LR 18:852 (August 1992), LR 20:442 (April 1994), LR 27:1535 (September 2001), LR 30:1219 (June 2004), LR 50:

**Subpart 3. Transportation of Natural Gas or Other Gas by Pipeline: Minimum Safety Standards**

**[49 CFR Part 192]**

**Chapter 5. General**

**[49 CFR Part 192 Subpart A]**

**§503. Definitions**

**[49 CFR 192.3]**

A. ...

\* \* \*

*Close Interval Survey*—a series of closely and properly spaced pipe-to-electrolyte potential measurements taken over the pipe to assess the adequacy of cathodic protection or to identify locations where a current may be leaving the pipeline that may cause corrosion and for the purpose of quantifying voltage (IR) drops other than those across the

structure electrolyte boundary, such as when performed as a current interrupted, depolarized, or native survey.

\*\*\*

*Distribution Center*—the initial point where gas enters piping used primarily to deliver gas to customers who purchase it for consumption, as opposed to customers who purchase it for resale, for example:

- a. at a metering location;
- b. a pressure reduction location; or
- c. where there is a reduction in the volume of gas, such as a lateral off a transmission line.

d. where downstream pipeline has a maximum allowable operating pressure established under §2719 by the operator below 20 percent SMYS and cannot be classified as a transmission line.

\*\*\*

*Entirely Replaced Onshore Transmission Pipeline Segments L*—for the purposes of §§1139 and 2734, where 2 or more miles, in the aggregate, of onshore transmission pipeline have been replaced within any 5 contiguous miles of pipeline within any 24-month period. This definition does not apply to any gathering line.

\*\*\*

*Dry Gas or Dry Natural Gas*—gas above its dew point and without condensed liquids.

\*\*\*

*Hard Spot*—an area on steel pipe material with a minimum dimension greater than two inches (50.8 mm) in any direction and hardness greater than or equal to Rockwell 35 HRC (Brinell 327 HB or Vickers 345 HV<sub>10</sub>).

\*\*\*

*Notification of Potential Rupture*—the notification to, or observation by, an operator of indicia identified in §2735 of a potential unintentional or uncontrolled release of a large volume of gas from a pipeline. This definition does not apply to any gathering line.

\*\*\*

*Rupture-Mitigation Valve (RMV)*—an automatic shut-off valve (ASV) or a remote-control valve (RCV) that a pipeline operator uses to minimize the volume of gas released from the pipeline and to mitigate the consequences of a rupture. This definition does not apply to any gathering line.

\*\*\*

*Transmission Line*—a pipeline or connected series of pipelines, other than a gathering line, that:

- a. transports gas from a gathering pipeline or storage facility to a distribution center, storage facility, or large volume customer that is not down-stream from a distribution center;
- b. has an MAOP of 20 percent or more of SMYS
- c. transports gas within a storage field; or
- d. is voluntarily designated by the operator as a transmission pipeline.

Note 1 to transmission line. A large volume customer may receive similar volumes of gas as a distribution center, and includes factories, power plants, and institutional users of gas.

\*\*\*

*Wrinkle Bend*—a bend in the pipe that:

- a. was formed in the field during construction such that the inside radius of the bend has one or more ripples with:

- i. an amplitude greater than or equal to 1.5 times the wall thickness of the pipe, measured from peak to valley of the ripple; or

- ii. with ripples less than 1.5 times the wall thickness of the pipe and with a wrinkle length (peak to peak) to wrinkle height (peak to valley) ratio under 12.

- b. if the length of the wrinkle bend cannot be reliably determined, then wrinkle bend means a bend in the pipe where (h/D)\*100 exceeds 2 when S is less than 37,000 psi (255 MPa), where (h/D)\*100 exceeds (47000-S)/10000 +1 for psi [324-S/69+1 for MPa] when S is greater than 37,000 psi (255 MPa) but less than 47,000 psi (324 MPa), and where (h/D)\*100 exceeds 1 when S is 47,000 psi (324 MPa) or more. Where D = Outside diameter of the pipe, in. (mm); h = Crest-to-trough height of the ripple, in. (mm); and S = Maximum operating hoop stress, psi (S/145, MPa).

\*\*\*

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:501 et seq.

HISTORICAL NOTE: Promulgated by the Department of Natural Resources, Office of Conservation, LR 30:1224 (June 2004), amended LR 31:679 (March 2005), LR 33:474 (March 2007), LR 35:2800 (December 2009), LR 38:112 (January 2012), LR 44:1033 (June 2018), LR 45:68 (January 2019), LR 46:1577 (November 2020), LR 50:

**§507. What Documents are Incorporated by Reference Partly or Wholly in this Part? [49 CFR 192.7]**

A. Certain material is incorporated by reference into this Subpart with the approval of the Director of the Federal Register under 5 U.S.C. 552(a) and 1 CFR part 51. The materials listed in this Section have the full force of law. All approved material is available for inspection at Office of Pipeline Safety, Pipeline and Hazardous Materials Safety Administration, 1200 New Jersey Avenue S.E., Washington, D.C. 20590, 202-366-4046 <https://www.phmsa.dot.gov/pipeline/regs>, and at the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, email [fr.inspection@nara.gov](mailto:fr.inspection@nara.gov) or go to [www.archives.gov/federal-register/cfr/ibr-locations.html](http://www.archives.gov/federal-register/cfr/ibr-locations.html). It is also available from the sources in the following paragraphs of this section. [49 CFR 192.7(a)]

1. - 2. Repealed.

Source and Name of Referenced Material	Approved for Title 43 Reference
B. - C.3. ...	
4. ASME/ANSI B31G - 1991 (Reaffirmed 2004), "Manual for Determining the Remaining Strength of Corroded Pipelines," 2004, (ASME/ANSI B31G).	§§2137.C; 2732.A; 2912.B; 3333.A
5. ASME/ANSI B31.8-2007, "Gas Transmission and Distribution Piping Systems," November 30, 2007, (ASME/ANSI B31.8)	§§912, 2719.A
6. ASME/ANSI B31.8S-2004, "Supplement to B31.8 on Managing System Integrity of Gas Pipelines," approved January 14, 2005, (ASME/ANSI B31.8S)	§§513.D; 2914.C and D; 3303 note to potential impact radius; 3307; 3311.A, A.9 and A.11 thru A.13; 3313.A thru C; 3317.A thru E; 3321.A; 3323.B; 3325.B; 3327.B and C; 3329.B; 3333.C and D; 3335.A and B; 3337.C; 3339.A; 3345.A

Source and Name of Referenced Material	Approved for Title 43 Reference
7. Reserved.	
8. ASME Boiler and Pressure Vessel Code, Section VIII, Division 1 "Rules for Construction of Pressure Vessels," 2007 edition, July 1, 2007, (ASME BPVC, Section VIII, Division 1).	§§1113.A., B and D; 1125.B
9. ASME Boiler and Pressure Vessel Code, Section VIII, Division 2 "Alternate Rules, Rules for Construction of Pressure Vessels," 2007 edition, July 1, 2007, (ASME BPVC, Section VIII, Division 2)	§§1113.B and D; 1125.B
10. ASME Boiler and Pressure Vessel Code, Section IX: "Qualification Standard for Welding and Brazing Procedures, Welders, Brazers, and Welding and Brazing Operators," 2007 edition, July 1, 2007, ASME BPVC, Section IX.	§§1305.A; 1307.A; and 5103 Item II
D. – H. ...	
1. NACE Standard Practice 0102 - 2010, "In-Line Inspection of Pipelines," Revised 2010 - 03 - 13, (NACE SP0102)	§§1110.A;2145
2. NACE SP0204-2008, Standard Practice, "Stress Corrosion Cracking (SCC) Direct Assessment Methodology," reaffirmed September 18, 2008, (NACE SP0204)	§§3323.B;3329.B introductory text, B.1 thru B.3, B.5 introductory text, and B.5.a
3. NACE SP0206-2006, Standard Practice, "Internal Corrosion Direct Assessment Methodology for Pipelines Carrying Normally Dry Natural Gas (DG-ICDA)," approved December 1, 2006	§§3323.B; 3327.B, C introductory text, and C.1 thru C.4
4. ANSI/NACE SP0502-2010, Standard Practice, "Pipeline External Corrosion Direct Assessment Methodology," revised June 24, 2010, (NACE SP0502)	§§1719.F;2113.H;3323.B; 3325.B;3331.D;3335.B;3339.A
I. – K.2. ...	

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:501 et seq.

HISTORICAL NOTE: Promulgated by the Department of Natural Resources, Office of Conservation, LR 30:1226 (June 2004), amended LR 31:680 (March 2005), LR 33:474 (March 2007), LR 35:2801 (December 2009), LR 38:113 (January 2012), LR 44:1033 (June 2018), LR 45:68 (January 2019), LR 46:1578 (November 2020), LR 47:1141 (August 2021), LR 50:

**§509. What Requirements Apply to Gathering Lines?**  
**[49 CFR 192.9]**

A. ...

B. Offshore Lines. An operator of an offshore gathering line must comply with requirements of this part applicable to transmission lines, except the requirements in §§513.D, 1110, 1515.E, 1719.D - G, 2113.F - I, 2117.D and F, 2125.C, 2130, 2137.C, 2145, 2306, 2707, 2713.C, 2719.E, 2724, 2910, 2912, 2914 and Chapter 33 of this Part. Further, operators of offshore gathering lines are exempt from the requirements of §§2717.B - D and 2735. Lastly, operators of offshore gathering lines are exempt from the requirements of §2715 (but an operator of an offshore gathering line must comply with the requirements LAC 43.XIII.2715, effective as of October 4, 2022). [49 CFR 192.9(b)].

C. Type A Lines. An operator of a Type A regulated onshore gathering line must comply with the requirements of this part applicable to transmission lines, except the requirements in §§513.D, 1110, 1515.E, 1719.D - G, 2113.F

- I, 2117.D and F, 2125.C, 2130, 2137.C, 2145, 2306, 2707, 2713.C, 2719.E, 2724, 2910, 2912, 2914 and in Chapter 33 of this Part. However, operators of Type A regulated onshore gathering lines in a Class 2 location may demonstrate compliance with Chapter 31 by describing the processes it uses to determine the qualification of persons performing operations and maintenance tasks. Further, operators of Type A regulated onshore gathering lines are exempt from the requirements of §§1139.E - G, 2710, 2717.B - D, 2734, 2735, 2736, and 2745.C - F. Lastly, operators of Type A regulated onshore gathering lines are exempt from the requirements of §2717.B (but an operator of a Type A regulated onshore gathering line must comply with the requirements of LAC 43.XIII.2717.B effective as of October 4, 2022). [49 CFR 192.9(c)].

D. ...

1. if a line is new, replaced, relocated, or otherwise changed, the design, installation, construction, initial inspection, and initial testing must be in accordance with requirements of this Part applicable to transmission lines except the requirements in §§717, 927, 1139.E and F, 1165, 1307.C, 1515.E, 1719.D - G, 2306, 2734, and 2736. [49 CFR 192.9(d)(1)]

2. if the pipeline is metallic, control corrosion according to requirements of Chapter 21 of this Part applicable to transmission lines except the requirements in §§213.F - I, 2117.D and F, 2125.C, 2132, 2137.C and 2145; [49 CFR 192.9(d)(2)];

D.3. - E.1. ...

a. except as provided in Subsection H of this Section for pipe and components made with composite materials, the design, installation, construction, initial inspection, and initial testing of a new, replaced, relocated, or otherwise changed Type C gathering line, must be done in accordance with the requirements in Chapter 7 - 17 and Chapter 23 of this Part applicable to transmission lines. Compliance with §§717, 927, 1139.E, 1139.F, 1165, 1307.C, 1515.E, 1719.D - G, 2306, 2734, and 2736 is not required; [49 CFR 192.9(e)(1)(i)]

b. if the pipeline is metallic, control corrosion according to requirements of Chapter 21 of this Subpart applicable to transmission lines except for §§2113.F - I, 2117.D and F, 2125.C, 2132, 2137.C, and 2145; [192.9(e)(1)(ii)]

c. ...

d. develop and implement procedures for emergency plans in accordance with §2715; effective as of October 4, 2022;

E.1.e. - H.3. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:501 et seq.

HISTORICAL NOTE: Promulgated by the Department of Natural Resources, Office of Conservation, LR 9:220 (April 1983), amended LR 10:511 (July 1984), LR 20:443 (April 1994), LR 21:821 (August 1995), LR 24:1307 (July 1998), LR 30:1227 (June 2004), LR 31:681 (March 2005), LR 33:477 (March 2007), LR 44:1035 (June 2018), LR 46:1579 (November 2020), LR 49:1101 (June 2023), LR 50:

**§513. What General Requirements Apply to Pipelines Regulated Under this Subpart [49 CFR 192.13]**

A. - C. ...

D. Each operator of an onshore gas transmission pipeline must evaluate and mitigate, as necessary, significant changes

that pose a risk to safety or the environment through a management of change process. Each operator of an onshore gas transmission pipeline must develop and follow a management of change process, as outlined in ASME/ANSI B31.8S, section 11 (incorporated by reference, see §507), that addresses technical, design, physical, environmental, procedural, operational, maintenance, and organizational changes to the pipeline or processes, whether permanent or temporary. A management of change process must include the following: reason for change, authority for approving changes, analysis of implications, acquisition of required work permits, documentation, communication of change to affected parties, time limitations, and qualification of staff. For pipeline segments other than those covered in Chapter 33 of this Part, this management of change process must be implemented by February 26, 2024. The requirements of this Paragraph D do not apply to gas gathering pipelines. Operators may request an extension of up to 1 year by submitting a notification to PHMSA at least 90 days before February 26, 2024, in accordance with §518. The notification must include a reasonable and technically justified basis, an up-to-date plan for completing all actions required by this section, the reason for the requested extension, current safety or mitigation status of the pipeline segment, the proposed completion date, and any needed temporary safety measures to mitigate the impact on safety. [49 CFR 192.13(d)]

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:501 et seq.

HISTORICAL NOTE: Promulgated by the Department of Natural Resources, Office of Conservation, LR 9:220 (April 1983), amended LR 10:511 (July 1984), LR 30:1227 (June 2004), LR 33:477 (March 2007), LR 50:

#### **§518. How to Notify PHMSA [49 CFR 192.18]**

A. - B. ...

C. Unless otherwise specified, if an operator submits, pursuant to §§508, 509, 513, 1139, 1719, 2113, 2306, 2707, 2719, 2724, 2732, 2734, 2736, 2910, 2912, 2914, 2945, 3317, 3321, 3327, 3333, or 3337, a notification for use of a different integrity assessment method, analytical method, sampling approach, or technique (e.g., “other technology” or “alternative equivalent technology”) than otherwise prescribed in those sections, that notification must be submitted to PHMSA for review at least 90 days in advance of using the other method, approach, compliance timeline, or technique. An operator may proceed to use the other method, approach, compliance timeline, or technique 91 days after submitting the notification unless it receives a letter from the Associate Administrator for Pipeline Safety informing the operator that PHMSA objects to the proposal, or that PHMSA requires additional time and/or more information to conduct its review. [49 CFR 192.18(c)]

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:501 et seq.

HISTORICAL NOTE: Promulgated by the Department of Natural Resources, Office of Conservation, LR 46:1581 (November 2020), LR 50:

## **Chapter 11. Design of Pipeline Components [49 CFR Part 192 Subpart D]**

### **§1139. Transmission Line Valves [49 CFR 192.179]**

A. - D. ...

E. For onshore transmission pipeline segments with diameters greater than or equal to 6 inches that are constructed after April 10, 2023, the operator must install rupture-mitigation valves (RMV) or an alternative equivalent technology whenever a valve must be installed to meet the appropriate valve spacing requirements of this section. An operator seeking to use alternative equivalent technology must notify PHMSA in accordance with the procedures set forth in Subsection G of this Section. All RMVs and alternative equivalent technologies installed pursuant to this Subsection E must meet the requirements of §2736. The installation requirements in this Subsection E do not apply to pipe segments with a potential impact radius (PIR), as defined in §3303, that is less than or equal to 150 feet in either Class 1 or Class 2 locations. An operator may request an extension of the installation compliance deadline requirements of this Subsection E if it can demonstrate to PHMSA, in accordance with the notification procedures in §518, that those installation compliance deadlines would be economically, technically, or operationally infeasible for a particular new pipeline. [49 CFR 192.179(e)]

F. For entirely replaced onshore transmission pipeline segments, as defined in §503, with diameters greater than or equal to 6 inches and that are installed after April 10, 2023, the operator must install RMVs or an alternative equivalent technology whenever a valve must be installed to meet the appropriate valve spacing requirements of this section. An operator seeking to use alternative equivalent technology must notify PHMSA in accordance with the procedures set forth in Subsection G of this Section. All RMVs and alternative equivalent technologies installed pursuant to this Subsection must meet the requirements of §2736. The requirements of this Subsection apply when the applicable pipeline replacement project involves a valve, either through addition, replacement, or removal. The installation requirements of this Subsection do not apply to pipe segments with a PIR, as defined in §3303 that is less than or equal to 150 feet in either Class 1 or Class 2 locations. An operator may request an extension of the installation compliance deadline requirements of this Subsection if it can demonstrate to PHMSA, in accordance with the notification procedures in §518, that those installation compliance deadlines would be economically, technically, or operationally infeasible for a particular pipeline replacement project. [49 CFR 192.179(f)]

G. - H.3. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:501 et seq.

HISTORICAL NOTE: Promulgated by the Department of Natural Resources, Office of Conservation, LR 9:225 (April 1983), amended LR 10:518 (July 1984), LR 24:1308 (July 1998), LR 27:1540 (September 2001), LR 30:1237 (June 2004), LR 49:1104 (June 2023), LR 50:



**Chapter 17. General Construction Requirements for Transmission Lines and Mains [49 CFR Part 192 Subpart G]**

**§1705. Inspection: General [49 CFR 192.305]**

A. ...

B. Each operator shall notify the Pipeline Safety Section of the Office of Conservation, Louisiana Department of Energy and Natural Resources by submitting the Notice of Construction form by electronic mail at PipelineInspectors@la.gov of any new proposed pipeline construction or replacement for a total length of 1 mile or more on transmission lines or mains at least 7 days prior to commencement of said construction.

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:501 et seq.

HISTORICAL NOTE: Promulgated by the Department of Natural Resources, Office of Conservation, LR 9:232 (April 1983), amended LR 10:524 (July 1984), LR 20:446 (April 1994), LR 21:821 (August 1995), LR 30:1245 (June 2004), LR 44:1039 (June 2018), LR 50:

**§1719. Installation of Pipe in a Ditch [49 CFR 192.319]**

A. - C. ...

D. Promptly after a ditch for an onshore steel transmission line is backfilled (if the construction project involves 1,000 feet or more of continuous backfill length along the pipeline), but not later than 6 months after placing the pipeline in service, the operator must perform an assessment to assess any coating damage and ensure integrity of the coating using direct current voltage gradient (DCVG), alternating current voltage gradient (ACVG), or other technology that provides comparable information about the integrity of the coating. Coating surveys must be conducted, except in locations where effective coating surveys are precluded by geographical, technical, or safety reasons. [49 CFR 192.319(d)]

E. An operator must notify PHMSA in accordance with §518 at least 90 days in advance of using other technology to assess integrity of the coating under Subsection D of this Section. [49 CFR 192.319(e)]

F. An operator of an onshore steel transmission pipeline must develop a remedial action plan and apply for any necessary permits within 6 months of completing the assessment that identified the deficiency. An operator must repair any coating damage classified as severe (voltage drop greater than 60 percent for DCVG or 70 dB $\mu$ V for ACVG) in accordance with section 4 of NACE SP0502 (incorporated by reference, see §507) within 6 months of the assessment, or as soon as practicable after obtaining necessary permits, not to exceed 6 months after the receipt of permits. [49 CFR 192.319(f)]

G. An operator of an onshore steel transmission pipeline must make and retain for the life of the pipeline records documenting the coating assessment findings and remedial actions performed under Subsections D - F of this Section. [49 CFR 192.319(f)]

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:501 et seq.

HISTORICAL NOTE: Promulgated by the Department of Natural Resources, Office of Conservation, LR 9:233 (April 1983), amended LR 10:525 (July 1984), LR 20:446 (April 1994), LR 24:1310 (July 1998), LR 27:1542 (September 2001), LR 30:1246 (June 2004), LR 50:

**Chapter 21. Requirements for Corrosion Control [49 CFR Part 192 Subpart I]**

**§2113. External Corrosion Control: Protective Coating [49 CFR 192.461]**

A. - A.3. ...

4. have sufficient strength to resist damage due to handling (including, but not limited to, transportation, installation, boring, and backfilling) and soil stress; and [49 CFR 192.461(a)(4)]

A.5. - E. ...

F. Promptly after the backfill of an onshore steel transmission pipeline ditch following repair or replacement (if the repair or replacement results in 1,000 feet or more of backfill length along the pipeline), but no later than 6 months after the backfill, the operator must perform an assessment to assess any coating damage and ensure integrity of the coating using direct current voltage gradient (DCVG), alternating current voltage gradient (ACVG), or other technology that provides comparable information about the integrity of the coating. Coating surveys must be conducted, except in locations where effective coating surveys are precluded by geographical, technical, or safety reasons. [49 CFR 192.461(f)]

G. An operator must notify PHMSA in accordance with §518 at least 90 days in advance of using other technology to assess integrity of the coating under Subsection F of this Section. [49 CFR 192.461(g)]

H. An operator of an onshore steel transmission pipeline must develop a remedial action plan and apply for any necessary permits within 6 months of completing the assessment that identified the deficiency. The operator must repair any coating damage classified as severe (voltage drop greater than 60 percent for DCVG or 70 dB $\mu$ V for ACVG) in accordance with section 4 of NACE SP0502 (incorporated by reference, see §507) within 6 months of the assessment, or as soon as practicable after obtaining necessary permits, not to exceed 6 months after the receipt of permits. [49 CFR 192.461(h)]

I. An operator of an onshore steel transmission pipeline must make and retain for the life of the pipeline records documenting the coating assessment findings and remedial actions performed under Subsections F - H of this Section. [49 CFR 192.461(i)]

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:501 et seq.

HISTORICAL NOTE: Promulgated by the Department of Natural Resources, Office of Conservation, LR 9:236 (April 1983), amended LR 10:528 (July 1984), LR 30:1253 (June 2004), LR 50:

**§2117. External Corrosion Control: Monitoring [49 CFR 192.465]**

A. - C. ...

D. Each operator must promptly correct any deficiencies indicated by the inspection and testing required by Subsections A - C of this Section. Remedial action must be completed promptly, but no later than the earliest of the following: prior to the next inspection or test internal or within 90 days from the date the deficiency was discovered. The Commissioner may approve an alternative time period depending on the nature of the deficiency. [49 CFR 192.465(d)]

E. ...

F. An operator must determine the extent of the area with inadequate cathodic protection for onshore gas transmission pipelines where any annual test station reading (pipe-to-soil potential measurement) indicates cathodic protection levels below the required levels in appendix D to this Part. [49 CFR 192.465(f)]

1. Gas transmission pipeline operators must investigate and mitigate any non-systemic or location-specific causes. Remedial action must be in accordance with Subsection D of this Section. [49 CFR 192.465(f)(1)]

2. To address systemic causes, an operator must conduct close interval surveys in both directions from the test station with a low cathodic protection reading at a maximum interval of approximately 5 feet or less. An operator must conduct close interval surveys unless it is impractical based upon geographical, technical, or safety reasons. An operator must complete close interval surveys required by this section with the protective current interrupted unless it is impractical to do so for technical or safety reasons. An operator must remediate areas with insufficient cathodic protection levels, or areas where protective current is found to be leaving the pipeline. For onshore gas transmission pipelines, each operator must develop a remedial action plan and apply for any necessary permits within six months of completing the inspection or testing that identified the deficiency. Remedial action must be completed promptly, but no later than the earliest of the following: prior to the next inspection or test interval required by this section; within 1 year, not to exceed 15 months, of the inspection or test that identified the deficiency; or as soon as practicable, not to exceed 6 months, after obtaining any necessary permits. An operator must confirm the restoration of adequate cathodic protection following the implementation of remedial actions undertaken to mitigate systemic causes of external corrosion. [49 CFR 192.465(f)(2)]

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:501 et seq.

HISTORICAL NOTE: Promulgated by the Department of Natural Resources, Office of Conservation, LR 9:236 (April 1983), amended LR 10:528 (July 1984), LR 27:1545 (September 2001), LR 30:1253 (June 2004), LR 38:116 (January 2012), LR 47:1144 (August 2021), LR 50:

### **§2125. External Corrosion Control: Interference Currents [49 CFR 192.473]**

A. -B. ...

C. For onshore gas transmission pipelines, the program required by Subsection A of this Section must include: [49 CFR 192.473(c)]

1. interference surveys for a pipeline system to detect the presence and level of any electrical stray current. Interference surveys must be conducted when potential monitoring indicates a significant increase in stray current, or when new potential stray current sources are introduced, such as through co-located pipelines, structures, or high voltage alternating current (HVAC) power lines, including from additional generation, a voltage up-rating, additional lines, new or enlarged power substations, or new pipelines or other structures; [49 CFR 192.473(c)(1)]

2. analysis of the results of the survey to determine the cause of the interference and whether the level could cause significant corrosion, impede safe operation, or adversely affect the environment or public; [49 CFR 192.473(c)(2)]

3. development of a remedial action plan to correct any instances where interference current is greater than or equal to 100 amps per meter squared alternating current (AC), or if it impedes the safe operation of a pipeline, or if it may cause a condition that would adversely impact the environment or the public; and [49 CFR 192.473(c)(3)]

4. application for any necessary permits within 6 months of completing the interference survey that identified the deficiency. An operator must complete remedial actions promptly, but no later than the earliest of the following: within 15 months after completing the interference survey that identified the deficiency; or as soon as practicable, but not to exceed 6 months, after obtaining any necessary permits. [49 CFR 192.473(c)(4)]

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:501 et seq.

HISTORICAL NOTE: Promulgated by the Department of Natural Resources, Office of Conservation, LR 9:236 (April 1983), amended LR 10:529 (July 1984), LR 30:1254 (June 2004), LR 50:

### **§2130. Internal Corrosion Control: Onshore Transmission Monitoring and Mitigation. [49 CFR 192.478]**

A. Each operator of an onshore gas transmission pipeline with corrosive constituents in the gas being transported must develop and implement a monitoring and mitigation program to mitigate the corrosive effects, as necessary. Potentially corrosive constituents include, but are not limited to: carbon dioxide, hydrogen sulfide, sulfur, microbes, and liquid water, either by itself or in combination. An operator must evaluate the partial pressure of each corrosive constituent, where applicable, by itself or in combination, to evaluate the effect of the corrosive constituents on the internal corrosion of the pipe and implement mitigation measures as necessary. [49 CFR 192.478(a)]

B. The monitoring and mitigation program described in Subsection A of this Section must include: [49 CFR 192.478(b)]

1. the use of gas-quality monitoring methods at points where gas with potentially corrosive contaminants enters the pipeline to determine the gas stream constituents. [49 CFR 192.478(b)(1)]

2. technology to mitigate the potentially corrosive gas stream constituents. Such technologies may include product sampling, inhibitor injections, in-line cleaning pigging, separators, or other technology that mitigates potentially corrosive effects. [49 CFR 192.478(b)(2)]

3. an evaluation at least once each calendar year, at intervals not to exceed 15 months, to ensure that potentially corrosive gas stream constituents are effectively monitored and mitigated. [49 CFR 192.478(b)(3)]

C. An operator must review its monitoring and mitigation program at least once each calendar year, at intervals not to exceed 15 months, and based on the results of its monitoring and mitigation program, implement adjustments, as necessary. [49 CFR 192.478(c)]

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:501 et seq.

HISTORICAL NOTE: Promulgated by the Department of Natural Resources, Office of Conservation, LR 50:

**§2137. Remedial Measures: Transmission Lines**  
[49 CFR 192.485]

A. - B. ...

C. Under Subsections A and B of this Section, the strength of pipe based on actual remaining wall thickness must be determined and documented in accordance with §2912. [49 CFR 192.485(c)]

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:501 et seq.

HISTORICAL NOTE: Promulgated by the Department of Natural Resources, Office of Conservation, LR 9:237 (April 1983), amended LR 10:529 (July 1984), LR 24:1311 (July 1998), LR 27:1545 (September 2001), LR 30:1255 (June 2004), LR 44:1041 (June 2018), LR 50:

**Chapter 27. Operations**

[49 CFR Part 192 Subpart L]

**§2710. Change in Class Location: Change in Valve Spacing** [49 CFR 192.610]

A. ...

B. If a class location change occurs on a gas transmission pipeline after October 5, 2022 and results in pipe replacement of less than 2 miles within 5 contiguous miles during a 24-month period, to meet the MAOP requirements in §§2711, 2719, or 2720, then within 24 months of the class location change, in accordance with §2711.D, the operator must either: [49 CFR 192.610(b)]

B.1. - C. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:501 et seq.

HISTORICAL NOTE: Promulgated by the Department of Natural Resources, Office of Conservation, LR 49:1105 (June 2023), LR 50:

**§2713. Continuing Surveillance**  
[49 CFR 192.613]

A. - B. ...

C. Following an extreme weather event or natural disaster that has the likelihood of damage to pipeline facilities by the scouring or movement of the soil surrounding the pipeline or movement of the pipeline, such as a named tropical storm or hurricane; a flood that exceeds the river, shoreline, or creek high-water banks in the area of the pipeline; a landslide in the area of the pipeline; or an earthquake in the area of the pipeline, an operator must inspect all potentially affected onshore transmission pipeline facilities to detect conditions that could adversely affect the safe operation of that pipeline. [49 CFR 192.613(c)]

1. An operator must assess the nature of the event and the physical characteristics, operating conditions, location, and prior history of the affected pipeline in determining the appropriate method for performing the initial inspection to determine the extent of any damage and the need for the additional assessments required under this Paragraph C.1. [49 CFR 192.613(c)(1)]

2. An operator must commence the inspection required by Subsection C of this Section within 72 hours after the point in time when the operator reasonably determines that the affected area can be safely accessed by personnel and equipment, and the personnel and equipment

required to perform the inspection as determined by Paragraph C.1 of this Section are available. If an operator is unable to commence the inspection due to the unavailability of personnel or equipment, the operator must notify the pipeline division director at pipelineinspectors@la.gov as soon as practicable. [49 CFR 192.613(c)(2)]

3. An operator must take prompt and appropriate remedial action to ensure the safe operation of a pipeline based on the information obtained as a result of performing the inspection required by Subsection C of this Section. Such actions might include, but are not limited to: [49 CFR 192.613(c)(3)]

a. reducing the operating pressure or shutting down the pipeline; [49 CFR 192.613(c)(3)(i)]

b. modifying, repairing, or replacing any damaged pipeline facilities; [49 CFR 192.613(c)(3)(ii)]

c. preventing, mitigating, or eliminating any unsafe conditions in the pipeline right-of-way; [49 CFR 192.613(c)(3)(iii)]

d. performing additional patrols, surveys, tests, or inspections; [49 CFR 192.613(c)(3)(iv)]

e. implementing emergency response activities with Federal, State, or local personnel; or [49 CFR 192.613(c)(3)(v)]

f. notifying affected communities of the steps that can be taken to ensure public safety. [49 CFR 192.613(c)(3)(vi)]

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:501 et seq.

HISTORICAL NOTE: Promulgated by the Department of Natural Resources, Office of Conservation, LR 9:241 (April 1983), amended LR 10:533 (July 1984), LR 30:1262 (June 2004), LR 50:

**§2734. Transmission Lines: Onshore Valve Shut-Off For Rupture Mitigation** [49 CFR 192.634]

A. - B.2.c. ...

3. Laterals. Laterals extending from shut-off segments that contribute less than 5 percent of the total shut-off segment volume may have RMVs or alternative equivalent technologies that meet the actuation requirements of this section at locations other than mainline receipt/delivery points, as long as all of the laterals contributing gas volumes to the shut-off segment do not contribute more than 5 percent of the total shut-off segment gas volume based upon maximum flow volume at the operating pressure. For laterals that are 12 inches in diameter or less, a check valve that allows gas to flow freely in one direction and contains a mechanism to automatically prevent flow in the other direction may be used as an alternative equivalent technology where it is positioned to stop flow into the shut-off segment. Such check valves that are used as an alternative equivalent technology in accordance with this Subsection are not subject to §2736, but they must be inspected, operated, and remediated in accordance with §2945, including for closure and leakage to ensure operational reliability. An operator using such a check valve as an alternative equivalent technology must notify PHMSA in accordance with §§518 and 1139 develop and implement maintenance procedures for such equipment that meet §2945. [49 CFR 192.634(b)(3)]

4. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:501 et seq.

HISTORICAL NOTE: Promulgated by the Department of Natural Resources, Office of Conservation, LR 49:1107 (June 2023), LR 50:

**§2736. Transmission Lines: Response to a Rupture; Capabilities of Rupture-Mitigation Valves (RMVS) or Alternative Equivalent Technologies [49 CFR 192.636]**

A. - G. ...

H. Manual operation upon identification of a rupture. Operators using a manual valve as an alternative equivalent technology as authorized pursuant to §§518, 1139, and 2734 and this Section must develop and implement operating procedures that appropriately designate and locate nearby personnel to ensure valve shutoff in accordance with this section and §2734. Manual operation of valves must include time for the assembly of necessary operating personnel, the acquisition of necessary tools and equipment, driving time under heavy traffic conditions and at the posted speed limit, walking time to access the valve, and time to shut off all valves manually, not to exceed the maximum response time allowed under Subsections B or C of this Section. [49 CFR 192.636(h)]

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:501 et seq.

HISTORICAL NOTE: Promulgated by the Department of Natural Resources, Office of Conservation, LR 49:1108 (June 2023), LR 50:

**Chapter 29. Maintenance**

**[49 CFR Part 192 Subpart M]**

**§2910. Transmission Lines: Assessments Outside of High Consequence Areas [49 CFR 192.710]**

A. - E. ...

F. Remediation. An operator must comply with the requirements in §§2137, 2911, 2912, 2913 and 2914, where applicable, if a condition that could adversely affect the safe operation of a pipeline is discovered. [49 CFR 192.710(f)]

G. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:501 et seq.

HISTORICAL NOTE: Promulgated by the Department of Natural Resources, Office of Conservation, LR 46:1594 (November 2020), amended LR 50:

**§2911. Transmission Lines: General Requirements for Repair Procedures [49 CFR 192.711]**

A. - B. ...

1. Non Integrity Management Repairs: [49 CFR 192.711(b)(1)]

a. gathering lines and offshore transmission lines: For gathering lines subject to this section in accordance with §509 and for offshore transmission lines, an operator must make permanent repairs as soon as feasible. [49 CFR 192.711(b)(1)(i)]

b. onshore transmission lines: Except for gathering lines exempted from this Section in accordance with §509 and offshore transmission lines, after May 24, 2023, whenever an operator discovers any condition that could adversely affect the safe operation of a pipeline segment not covered by an integrity management program under subpart O of this part, it must correct the condition as prescribed in §2914. [49 CFR 192.711(b)(1)(ii)]

B.2. - C. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:501 et seq.

HISTORICAL NOTE: Promulgated by the Department of Natural Resources, Office of Conservation, LR 9:245 (April 1983), amended LR 10:537 (July 1984), LR 27:1548 (September 2001), LR 30:1268 (June 2004), LR 38:120 (January 2012), LR 50:

**§2912. Analysis of Predicted Failure Pressure and Critical Strain Level. [49 CFR 192.712]**

A. - B. ...

1. If an operator would choose to use a remaining strength calculation method that could provide a less conservative result than the methods listed in paragraph (b) introductory text, the operator must notify PHMSA in advance in accordance with §518.C. [49 CFR 192.712(b)(1)]

2. The notification provided for by paragraph (b)(1) of this section must include a comparison of its predicted failure pressures to R-STRENG or ASME/ANSI B31G, all burst pressure tests used, and any other technical reviews used to qualify the calculation method(s) for varying corrosion profiles. [49 CFR 192.712(b)(2)]

C. Dents and other mechanical damage. To evaluate dents and other mechanical damage that could result in a stress riser or other integrity impact, an operator must develop a procedure and perform an engineering critical assessment as follows: [49 CFR 192.712(c)]

1. identify and evaluate potential threats to the pipe segment in the vicinity of the anomaly or defect, including ground movement, external loading, fatigue, cracking, and corrosion; [49 CFR 192.712(c)(1)]

2. review high-resolution magnetic flux leakage (HR-MFL) high-resolution deformation, inertial mapping, and crack detection inline inspection data for damage in the dent area and any associated weld region, including available data from previous inline inspections. [49 CFR 192.712(c)(2)]

3. perform pipeline curvature-based strain analysis using recent HR-Deformation inspection data; [49 CFR 192.712(c)(3)]

4. compare the dent profile between the most recent and previous in-line inspections to identify significant changes in dent depth and shape; [49 CFR 192.712(c)(4)]

5. identify and quantify all previous and present significant loads acting on the dent; [49 CFR 192.712(c)(5)]

6. evaluate the strain level associated with the anomaly or defect and any nearby welds using Finite Element Analysis, or other technology in accordance with this section. Using Finite Element Analysis to quantify the dent strain, and then estimating and evaluating the damage using the Strain Limit Damage (SLD) and Ductile Failure Damage Indicator (DFDI) at the dent, are appropriate evaluation methods; [49 CFR 192.712(c)(6)]

7. the analyses performed in accordance with this section must account for material property uncertainties, model inaccuracies, and inline inspection tool sizing tolerances; [49 CFR 192.712(c)(7)]

8. dents with a depth greater than 10 percent of the pipe outside diameter or with geometric strain levels that exceed the lesser of 10 percent or exceed the critical strain for the pipe material properties must be remediated in accordance with §2913, §2914, or §3333, as applicable; [49 CFR 192.712(c)(8)]

9. using operational pressure data, a valid fatigue life prediction model that is appropriate for the pipeline segment, and assuming a reassessment safety factor of 5 or greater for the assessment interval, estimate the fatigue life of the dent by Finite Element Analysis or other analytical technique that is technically appropriate for dent assessment and reassessment intervals in accordance with this section. Multiple dent or other fatigue models must be used for the evaluation as a part of the engineering critical assessment; [49 CFR 192.712(c)(9)]

10. review high-resolution magnetic flux leakage (HR-MFL) high-resolution deformation, inertial mapping, and crack detection inline inspection data for damage in the dent area and any associated weld region, including available data from previous inline inspections; [49 CFR 192.712(c)(10)]

11. an operator using an engineering critical assessment procedure, other technologies, or techniques to comply with Subsection C of this Section must submit advance notification to PHMSA, with the relevant procedures, in accordance with §518. [49 CFR 192.712(c)(11)]

D. - G.19. ...

H. Reassessments. If an operator uses an engineering critical assessment method in accordance with Subsections C and D of this Section to determine the maximum reevaluation intervals, the operator must reassess the anomalies as follows: [49 CFR 192.712(h)]

1. if the anomaly is in an HCA, the operator must reassess the anomaly within a maximum of seven years in accordance with §3339.A, unless the safety factor is expected to go below what is specified in Subsection C or D) of this Section. [49 CFR 192.712(h)(1)]

2. if the anomaly is outside of an HCA, the operator must perform a reassessment of the anomaly within a maximum of 10 years in accordance with §2910.B, unless the anomaly safety factor is expected to go below what is specified in Subsection C or D of this Section. [49 CFR 192.712(h)(2)]

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:501 et seq.

HISTORICAL NOTE: Promulgated by the Department of Natural Resources, Office of Conservation, LR 46:1595 (November 2020), LR 47:1146 (August 2021), amended LR 50:

#### **§2914. Transmission Lines: Repair Criteria for Onshore Transmission Pipelines [49 CFR 192.714]**

A. Applicability. This section applies to onshore transmission pipelines not subject to the repair criteria in subpart O of this part, and which do not operate under an alternative MAOP in accordance with §§912, 1728, and 2720. Pipeline segments that are located in high consequence areas, as defined in §3303, must comply with the applicable actions specified by the integrity management requirements in Chapter 33. Pipeline segments operating under an alternative MAOP in accordance with §§912, 1728, and 2720 must comply with §2720.D.k. [49 CFR 192.714(a)]

B. General. Each operator must, in repairing its pipeline systems, ensure that the repairs are made in a safe manner and are made to prevent damage to persons, property, and the environment. A pipeline segment's operating pressure must be less than the predicted failure pressure determined in accordance with §2912 during repair operations. Repairs performed in accordance with this section must use pipe and

material properties that are documented in traceable, verifiable, and complete records. If documented data required for any analysis, including predicted failure pressure for determining MAOP, is not available, an operator must obtain the undocumented data through §2707. Until documented material properties are available, the operator must use the conservative assumptions in either §2912.E.2 or, if appropriate following a pressure test, in §2912.D.3. [49 CFR 192.714(b)]

C. Schedule for evaluation and remediation. An operator must remediate conditions according to a schedule that prioritizes the conditions for evaluation and remediation. Unless Subsection D of this Section provides a special requirement for remediating certain conditions, an operator must calculate the predicted failure pressure of anomalies or defects and follow the schedule in ASME/ANSI B31.8S (incorporated by reference, see §507), section 7, Figure 4. If an operator cannot meet the schedule for any condition, the operator must document the reasons why it cannot meet the schedule and how the changed schedule will not jeopardize public safety. Each condition that meets any of the repair criteria in Subsection D of this Section in an onshore steel transmission pipeline must be: [49 CFR 192.714(c)]

1. removed by cutting out and replacing a cylindrical piece of pipe that will permanently restore the pipeline's MAOP based on the use of §905 and the design factors for the class location in which it is located; or [49 CFR 192.714(c)(1)]

2. repaired by a method, shown by technically proven engineering tests and analyses, that will permanently restore the pipeline's MAOP based upon the determined predicted failure pressure times the design factor for the class location in which it is located. [49 CFR 192.714(c)(2)]

D. Remediation of certain conditions. For onshore transmission pipelines not located in high consequence areas, an operator must remediate a listed condition according to the following criteria: [49 CFR 192.714(d)]

1. immediate repair conditions. An operator's evaluation and remediation schedule for immediate repair conditions must follow section 7 of ASME/ANSI B31.8S (incorporated by reference, see §507). An operator must repair the following conditions immediately upon discovery: [49 CFR 192.714(d)(1)]

a. metal loss anomalies where a calculation of the remaining strength of the pipe at the location of the anomaly shows a predicted failure pressure, determined in accordance with §2912.B, of less than or equal to 1.1 times the MAOP. [49 CFR 192.714(d)(1)(i)]

b. a dent located between the 8 o'clock and 4 o'clock positions (upper 2/3 of the pipe) that has metal loss, cracking, or a stress riser, unless an engineering analysis performed in accordance with §2912.C demonstrates critical strain levels are not exceeded. [49 CFR 192.714(d)(1)(ii)]

c. metal loss greater than 80 percent of nominal wall regardless of dimensions. [49 CFR 192.714(d)(1)(iii)]

d. metal loss preferentially affecting a detected longitudinal seam, if that seam was formed by direct current, low-frequency or high-frequency electric resistance welding, electric flash welding, or has a longitudinal joint factor less than 1.0, and the predicted failure pressure determined in accordance with §2912.D is less than 1.25 times the MAOP. [49 CFR 192.714(d)(1)(iv)]

e. a crack or crack-like anomaly meeting any of the following criteria: [49 CFR 192.714(d)(1)(v)]

i. crack depth plus any metal loss is greater than 50 percent of pipe wall thickness; [49 CFR 192.714(d)(1)(v)(A)]

ii. crack depth plus any metal loss is greater than the inspection tool's maximum measurable depth; or [49 CFR 192.712(d)(1)(v)(B)]

iii. the crack or crack-like anomaly has a predicted failure pressure, determined in accordance with §2912.D, that is less than 1.25 times the MAOP. [49 CFR 192.712(d)(1)(v)(C)]

f. an indication or anomaly that, in the judgment of the person designated by the operator to evaluate the assessment results, requires immediate action. [49 CFR 192.714(d)(1)(vi)]

2. two-year conditions. An operator must repair the following conditions within 2 years of discovery: [49 CFR 192.714(d)(2)]

a. a smooth dent located between the 8 o'clock and 4 o'clock positions (upper 2/3 of the pipe) with a depth greater than 6 percent of the pipeline diameter (greater than 0.50 inches in depth for a pipeline diameter less than Nominal Pipe Size (NPS) 12), unless an engineering analysis performed in accordance with §2912.C demonstrates critical strain levels are not exceeded. [49 CFR 192.714(d)(2)(i)]

b. a dent with a depth greater than 2 percent of the pipeline diameter (0.250 inches in depth for a pipeline diameter less than NPS 12) that affects pipe curvature at a girth weld or at a longitudinal or helical (spiral) seam weld, unless an engineering analysis performed in accordance with §2912.C demonstrates critical strain levels are not exceeded. [49 CFR 192.714(d)(2)(ii)]

c. a dent located between the 4 o'clock and 8 o'clock positions (lower 1/3 of the pipe) that has metal loss, cracking, or a stress riser, unless an engineering analysis performed in accordance with §2912.C demonstrates critical strain levels are not exceeded. [49 CFR 192.714(d)(2)(iii)]

d. for metal loss anomalies, a calculation of the remaining strength of the pipe shows a predicted failure pressure, determined in accordance with §2912.B at the location of the anomaly, of less than 1.39 times the MAOP for Class 2 locations, or less than 1.50 times the MAOP for Class 3 and 4 locations. For metal loss anomalies in Class 1 locations with a predicted failure pressure greater than 1.1 times MAOP, an operator must follow the remediation schedule specified in ASME/ANSI B31.8S (incorporated by reference, see §507), section 7, Figure 4, as specified in Subsection C of this Section. [49 CFR 192.714(d)(2)(iv)]

e. metal loss that is located at a crossing of another pipeline, is in an area with widespread circumferential corrosion, or could affect a girth weld, and that has a predicted failure pressure, determined in accordance with §2912.B, less than 1.39 times the MAOP for Class 1 locations or where Class 2 locations contain Class 1 pipe that has been uprated in accordance with §2711 or less than 1.50 times the MAOP for all other Class 2 locations and all Class 3 and 4 locations. [49 CFR 192.714(d)(2)(v)]

f. metal loss preferentially affecting a detected longitudinal seam, if that seam was formed by direct current, low-frequency or high-frequency electric resistance welding,

electric flash welding, or has a longitudinal joint factor less than 1.0, and the predicted failure pressure determined in accordance with §2912.D is less than 1.25 times the MAOP. [49 CFR 192.714(d)(2)(vi)]

g. a crack or crack-like anomaly that has a predicted failure pressure, determined in accordance with §2912.D, that is less than 1.39 times the MAOP for Class 1 locations or where Class 2 locations contain Class 1 pipe that has been uprated in accordance with §2711, or less than 1.50 times the MAOP for all other Class 2 locations and all Class 3 and 4 locations. [49 CFR 192.714(d)(2)(vii)]

3. monitored conditions. An operator must record and monitor the following conditions during subsequent risk assessments and integrity assessments for any change that may require remediation: [49 CFR 192.714(d)(3)]

a. a dent that is located between the 4 o'clock and 8 o'clock positions (bottom 1/3 of the pipe) with a depth greater than 6 percent of the pipeline diameter (greater than 0.50 inches in depth for a pipeline diameter less than NPS 12), and where an engineering analysis, performed in accordance with §2912.C, demonstrates critical strain levels are not exceeded. [49 CFR 192.714(d)(3)(i)]

b. a dent located between the 8 o'clock and 4 o'clock positions (upper 2/3 of the pipe) with a depth greater than 6 percent of the pipeline diameter (greater than 0.50 inches in depth for a pipeline diameter less than NPS 12), and where an engineering analysis performed in accordance with §2912.C determines that critical strain levels are not exceeded. [49 CFR 192.714(d)(3)(ii)]

c. a dent with a depth greater than 2 percent of the pipeline diameter (0.250 inches in depth for a pipeline diameter less than NPS 12) that affects pipe curvature at a girth weld or longitudinal or helical (spiral) seam weld, and where an engineering analysis of the dent and girth or seam weld, performed in accordance with §2912.C, demonstrates critical strain levels are not exceeded. These analyses must consider weld mechanical properties. [49 CFR 192.714(d)(3)(iii)]

d. a dent that has metal loss, cracking, or a stress riser, and where an engineering analysis performed in accordance with §2912.C demonstrates critical strain levels are not exceeded. [49 CFR 192.714(d)(3)(iv)]

e. metal loss preferentially affecting a detected longitudinal seam, if that seam was formed by direct current, low-frequency or high-frequency electric resistance welding, electric flash welding, or that has a longitudinal joint factor less than 1.0, and where the predicted failure pressure, determined in accordance with §2912.D, is greater than or equal to 1.39 times the MAOP for Class 1 locations or where Class 2 locations contain Class 1 pipe that has been uprated in accordance with §2711, or is greater than or equal to 1.50 times the MAOP for all other Class 2 locations and all Class 3 and 4 locations. [49 CFR 192.714(d)(3)(v)]

f. a crack or crack-like anomaly for which the predicted failure pressure, determined in accordance with §2912.D, is greater than or equal to 1.39 times the MAOP for Class 1 locations or where Class 2 locations contain Class 1 pipe that has been uprated in accordance with §2711, or is greater than or equal to 1.50 times the MAOP for all other Class 2 locations and all Class 3 and 4 locations. [49 CFR 192.714(d)(3)(vi)]

E. Temporary Pressure Reduction [49 CFR 192.714(e)]

1. Immediately upon discovery and until an operator remediates the condition specified in Paragraph D.1 of this Section, or upon a determination by an operator that it is unable to respond within the time limits for the conditions specified in Paragraph D.2 of this Section, the operator must reduce the operating pressure of the affected pipeline to any one of the following based on safety considerations for the public and operating personnel: [49 CFR 192.714(e)(1)]

a. a level not exceeding 80 percent of the operating pressure at the time the condition was discovered; [49 CFR 192.714(e)(1)(i)]

b. a level not exceeding the predicted failure pressure times the design factor for the class location in which the affected pipeline is located; or [49 CFR 192.714(e)(1)(ii)]

c. a level not exceeding the predicted failure pressure divided by 1.1. [49 CFR 192.714(e)(1)(iii)]

2. An operator must notify PHMSA in accordance with §518 if it cannot meet the schedule for evaluation and remediation required under Subsection C or D of this Section and cannot provide safety through a temporary reduction in operating pressure or other action. Notification to PHMSA does not alleviate an operator from the evaluation, remediation, or pressure reduction requirements in this section. [49 CFR 192.714(e)(1)]

3. When a pressure reduction, in accordance with Subsection E of this Section, exceeds 365 days, an operator must notify PHMSA in accordance with §518 and explain the reasons for the remediation delay. This notice must include a technical justification that the continued pressure reduction will not jeopardize the integrity of the pipeline. [49 CFR 192.714(e)(3)]

4. An operator must document and keep records of the calculations and decisions used to determine the reduced operating pressure and the implementation of the actual reduced operating pressure for a period of 5 years after the pipeline has been repaired. [49 CFR 192.714(e)(4)]

F. Other conditions. Unless another timeframe is specified in Subsection D of this Section, an operator must take appropriate remedial action to correct any condition that could adversely affect the safe operation of a pipeline system in accordance with the criteria, schedules, and methods defined in the operator's operating and maintenance procedures. [49 CFR 192.714(f)]

G. In situ direct examination of crack defects. Whenever an operator finds conditions that require the pipeline to be repaired, in accordance with this section, an operator must perform a direct examination of known locations of cracks or crack-like defects using technology that has been validated to detect tight cracks (equal to or less than 0.008 inches crack opening), such as inverse wave field extrapolation (IWEX), phased array ultrasonic testing (PAUT), ultrasonic testing (UT), or equivalent technology. "In situ" examination tools and procedures for crack assessments (length, depth, and volumetric) must have performance and evaluation standards, including pipe or weld surface cleanliness standards for the inspection, confirmed by subject matter experts qualified by knowledge, training, and experience in direct examination inspection for accuracy of the type of defects and pipe material being evaluated. The procedures must account for inaccuracies in

evaluations and fracture mechanics models for failure pressure determinations. [49 CFR 192.714(g)]

H. Determining predicted failure pressures and critical strain levels. An operator must perform all determinations of predicted failure pressures and critical strain levels required by this Section in accordance with §2912. [49 CFR 192.714(h)]

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:501 et seq.

HISTORICAL NOTE: Promulgated by the Department of Natural Resources, Office of Conservation, Pipeline Division, LR 50:

**Chapter 33. Gas Transmission Pipeline Integrity Management**

**[49 CFR Part 192 Subpart O]**

**§3311. What are the Elements of an Integrity Management Program?**

**[49 CFR 192.911]**

A. - A.10. ...

11. a management of change process as required by §513.D; [49 CFR 192.911(k)]

12. - 16. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:501 et seq.

HISTORICAL NOTE: Promulgated by the Department of Natural Resources, Office of Conservation, Pipeline Division, LR 30:1275 (June 2004), amended LR 31:686 (March 2005), LR 46:1598 (November 2020), LR 50:

**§3317. How Does an Operator Identify Potential Threats to Pipeline Integrity and Use the Threat Identification in Its Integrity Program?**

**[49 CFR 192.917]**

A. Threat Identification. An operator must identify and evaluate all potential threats to each covered pipeline segment. Potential threats that an operator must consider include, but are not limited to, the threats listed in ASME/ANSI B31.8S (incorporated by reference, see §507), Section 2, which are grouped under the following four threat categories [49 CFR 192.917(a)]:

1. ...

2. stable threats, such as manufacturing, welding, fabrication, or construction defects; [49 CFR 192.917(a)(2)]

3. ...

4. human error, such as operational or maintenance mishaps, or design and construction mistakes. [49 CFR 192.917(a)(4)]

B. Data Gathering and Integration. To identify and evaluate the potential threats to a covered pipeline segment, an operator must gather and integrate existing data and information on the entire pipeline that could be relevant to the covered segment. In performing this data gathering and integration, an operator must follow the requirements in ASME/ANSI B31.8S, Section 4. Operators must begin to integrate all pertinent data elements specified in this section starting on May 24, 2023, with all available attributes integrated by February 26, 2024. An operator may request an extension of up to 1 year by submitting a notification to PHMSA at least 90 days before February 26, 2024, in accordance with §518. The notification must include a reasonable and technically justified basis, an up-to-date plan for completing all actions required by this Subsection B, the reason for the requested extension, current safety or mitigation status of the pipeline segment, the proposed

completion date, and any needed temporary safety measures to mitigate the impact on safety. An operator must gather and evaluate the set of data listed in Paragraph B.1 of this Section. The evaluation must analyze both the covered segment and similar non-covered segments, and it must: [49 CFR 192.917(b)].

1. Integrate pertinent information about pipeline attributes to ensure safe operation and pipeline integrity, including information derived from operations and maintenance activities required under this part, and other relevant information, including, but not limited to: [49 CFR 192.917(b)(1)]

a. pipe diameter, wall thickness, seam type, and joint factor; [49 CFR 192.917(b)(1)(i)]

b. manufacturer and manufacturing date, including manufacturing data and records; [49 CFR 192.917(b)(1)(ii)]

c. material properties including, but not limited to, grade, specified minimum yield strength (SMYS), and ultimate tensile strength; [49 CFR 192.917(b)(1)(iii)]

d. equipment properties; [49 CFR 192.917(b)(1)(iv)]

e. year of installation; [49 CFR 192.917(b)(1)(v)]

f. bending method; [49 CFR 192.917(b)(1)(vi)]

g. joining method, including process and inspection results; [49 CFR 192.917(b)(1)(vii)]

h. depth of cover; [49 CFR 192.917(b)(1)(viii)]

i. crossings, casings (including if shorted), and locations of foreign line crossings and nearby high voltage power lines; [49 CFR 192.917(b)(1)(ix)]

j. hydrostatic or other pressure test history, including test pressures and test leaks or failures, failure causes, and repairs; [49 CFR 192.917(b)(1)(x)]

k. pipe coating methods (both manufactured and field applied), including the method or process used to apply girth weld coating, inspection reports, and coating repairs; [49 CFR 192.917(b)(1)(xi)]

l. soil, backfill; [49 CFR 192.917(b)(1)(xii)]

m. construction inspection reports, including but not limited to: [49 CFR 192.917(b)(1)(xiii)]

i. post backfill coating surveys; and [49 CFR 192.917(b)(1)(xiii)(A)]

ii. coating inspection (“jeeping” or “holiday inspection”) reports; [49 CFR 192.917(b)(1)(xiii)(B)]

n. cathodic protection installed, including, but not limited to, type and location; [49 CFR 192.917(b)(1)(xiv)]

o. coating type; [49 CFR 192.917(b)(1)(xv)]

p. gas quality; [49 CFR 192.917(b)(1)(xvi)]

q. flow rate; [49 CFR 192.917(b)(1)(xvii)]

r. normal maximum and minimum operating pressures, including maximum allowable operating pressure (MAOP); [49 CFR 192.917(b)(1)(xviii)]

s. class location; [49 CFR 192.917(b)(1)(xix)]

t. leak and failure history, including any in-service ruptures or leaks from incident reports, abnormal operations, safety-related conditions (both reported and unreported) and failure investigations required by §2717, and their identified causes and consequences; [49 CFR 192.917(b)(1)(xx)]

u. coating condition; [49 CFR 192.917(b)(1)(xxi)]

v. cathodic protection (CP) system performance; [49 CFR 192.917(b)(1)(xxii)]

v. pipe wall temperature; [49 CFR 192.917(b)(1)(xxiii)]

w. pipe operational and maintenance inspection reports, including, but not limited to: [49 CFR 192.917(b)(1)(xxiv)]

i. data gathered through integrity assessments required under this part, including, but not limited to, in-line inspections, pressure tests, direct assessments, guided wave ultrasonic testing, or other methods; [49 CFR 192.917(b)(1)(xxiv)(A)]

ii. close interval survey (CIS) and electrical survey results; [49 CFR 192.917(b)(1)(xxiv)(B)]

iii. CP rectifier readings; [49 CFR 192.917(b)(1)(xxiv)(C)]

iv. CP test point survey readings and locations; [49 CFR 192.917(b)(1)(xxiv)(D)]

v. alternating current, direct current, and foreign structure interference surveys; [49 CFR 192.917(b)(1)(xxiv)(E)]

vi. pipe coating surveys, including surveys to detect coating damage, disbonded coatings, or other conditions that compromise the effectiveness of corrosion protection, including, but not limited to, direct current voltage gradient or alternating current voltage gradient inspections; [49 CFR 192.917(b)(1)(xxiv)(F)]

vii. results of examinations of exposed portions of buried pipelines (e.g., pipe and pipe coating condition, see §2111), including the results of any non-destructive examinations of the pipe, seam, or girth weld (i.e. bell hole inspections); [49 CFR 192.917(b)(1)(xxiv)(G)]

viii. stress corrosion cracking excavations and findings; [49 CFR 192.917(b)(1)(xxiv)(H)]

ix. selective seam weld corrosion excavations and findings; [49 CFR 192.917(b)(1)(xxiv)(I)]

x. any indication of seam cracking; and [49 CFR 192.917(b)(1)(xxiv)(J)]

xi. gas stream sampling and internal corrosion monitoring results, including cleaning pig sampling results; [49 CFR 192.917(b)(1)(xxiv)(K)]

x. external and internal corrosion monitoring; [49 CFR 192.917(b)(1)(xxv)]

y. operating pressure history and pressure fluctuations, including an analysis of effects of pressure cycling and instances of exceeding MAOP by any amount; [49 CFR 192.917(b)(1)(xxvi)]

z. performance of regulators, relief valves, pressure control devices, or any other device to control or limit operating pressure to less than MAOP; [49 CFR 192.917(b)(1)(xxvii)]

aa. encroachments; [49 CFR 192.917(b)(1)(xxviii)]

bb. repairs; [49 CFR 192.917(b)(1)(xxix)]

cc. vandalism; [49 CFR 192.917(b)(1)(xxx)]

dd. external forces; [49 CFR 192.917(b)(1)(xxxi)]

ee. audits and reviews; [49 CFR 192.917(b)(1)(xxxii)]

ff. industry experience for incident, leak, and failure history; [49 CFR 192.917(b)(1)(xxxiii)]

gg. aerial photography; and [49 CFR 192.917(b)(1)(xxxiv)]

hh. exposure to natural forces in the area of the pipeline, including seismicity, geology, and soil stability of the area. [49 CFR 192.917(b)(1)(xxxv)]



2. Use validated information and data as inputs, to the maximum extent practicable. If input is obtained from subject matter experts (SME), an operator must employ adequate control measures to ensure consistency and accuracy of information. Control measures may include training of SMEs or the use of outside technical experts (independent expert reviews) to assess the quality of processes and the judgment of SMEs. An operator must document the names and qualifications of the individuals who approve SME inputs used in the current risk assessment. [49 CFR 192.917(b)(2)]

3. Identify and analyze spatial relationships among anomalous information (e.g., corrosion coincident with foreign line crossings or evidence of pipeline damage where overhead imaging shows evidence of encroachment). [49 CFR 192.917(b)(3)]

4. Analyze the data for interrelationships among pipeline integrity threats, including combinations of applicable risk factors that increase the likelihood of incidents or increase the potential consequences of incidents. [49 CFR 192.917(b)(4)]

C. Risk Assessment. An operator must conduct a risk assessment that follows ASME/ANSI B31.8S, Section 5, and that analyzes the identified threats and potential consequences of an incident for each covered segment. An operator must ensure the validity of the methods used to conduct the risk assessment considering the incident, leak, and failure history of the pipeline segments and other historical information. Such a validation must ensure the risk assessment methods produce a risk characterization that is consistent with the operator's and industry experience, including evaluations of the cause of past incidents, as determined by root cause analysis or other equivalent means, and include sensitivity analysis of the factors used to characterize both the likelihood of loss of pipeline integrity and consequences of the postulated loss of pipeline integrity. An operator must use the risk assessment to determine additional preventive and mitigative measures needed for each covered segment in accordance with §3335 and periodically evaluate the integrity of each covered pipeline segment in accordance with §3337. Beginning February 26, 2024, the risk assessment must: [49 CFR 192.917(c)]

1. analyze how a potential failure could affect high consequence areas; [49 CFR 192.917(c)(1)]

2. analyze the likelihood of failure due to each individual threat and each unique combination of threats that interact or simultaneously contribute to risk at a common location; [49 CFR 192.917(c)(2)]

3. account for, and compensate for, uncertainties in the model and the data used in the risk assessment; and [49 CFR 192.917(c)(3)]

4. evaluate the potential risk reduction associated with candidate risk reduction activities, such as preventive and mitigative measures, and reduced anomaly remediation and assessment intervals. [49 CFR 192.917(c)(4)]

5. in conjunction with §3317.B, an operator may request an extension of up to 1 year for the requirements of this paragraph by submitting a notification to PHMSA at least 90 days before February 26, 2024, in accordance with §518. The notification must include a reasonable and technically justified basis, an up-to-date plan for completing all actions required by this Paragraph C.5, the reason for the

requested extension, current safety or mitigation status of the pipeline segment, the proposed completion date, and any needed temporary safety measures to mitigate the impact on safety. [49 CFR 192.917(c)(5)]

D. Plastic Transmission Pipeline. An operator of a plastic transmission pipeline must assess the threats to each covered segment using the information in Sections 4 and 5 of ASME B31.8S, and consider any threats unique to the integrity of plastic pipe, such as poor joint fusion practices, pipe with poor slow crack growth (SCG) resistance, brittle pipe, circumferential cracking, hydrocarbon softening of the pipe, internal and external loads, longitudinal or lateral loads, proximity to elevated heat sources, and point loading. [49 CFR 192.917(d)]

E. - E.6. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:501 et seq.

HISTORICAL NOTE: Promulgated by the Department of Natural Resources, Office of Conservation, Pipeline Division, LR 30:1276 (June 2004), amended LR 31:686 (March 2005), LR 33:483 (March 2007), LR 46:1598 (November 2020), LR 50:

### **§3323. How Is Direct Assessment Used and for What Threats? [49 CFR 192.923]**

A. - B.1. ...

2. §3327 and NACE SP0206 (incorporated by reference, see §507), if addressing internal corrosion (IC); [49 CFR 192.923(b)(2)]

3. §3329 and NACE SP0204 (incorporated by reference, see §507), if addressing stress corrosion cracking (SCC). [49 CFR 192.923(b)(3)]

C. ...

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### **§3327. What Are the Requirements for Using Internal Corrosion Direct Assessment (ICDA) [49 CFR 192.927]**

A. ...

B. General Requirements. An operator using direct assessment as an assessment method to address internal corrosion in a covered pipeline segment must follow the requirements in this Section and in NACE SP0206 (incorporated by reference, see §507). The Dry Gas Internal Corrosion Direct Assessment (DG-ICDA) process described in this Section applies only for a segment of pipe transporting nominally dry natural gas (see § 507), and not for a segment with electrolyte nominally present in the gas stream. If an operator uses ICDA to assess a covered segment operating with electrolyte present in the gas stream, the operator must develop a plan that demonstrates how it will conduct ICDA in the segment to address effectively internal corrosion, and must notify PHMSA in accordance with §518. In the event of a conflict between this section and NACE SP0206, the requirements in this section control. [49 CFR 192.927(b).]

C. The ICDA Plan. An operator must develop and follow an ICDA plan that meets NACE SP0206 (incorporated by reference, see §507) and that implements all four steps of the DG-ICDA process, including pre-assessment, indirect inspection, detailed examination at excavation locations, and

post-assessment evaluation and monitoring. The plan must identify the locations of all ICDA regions within covered segments in the transmission system. An ICDA region is a continuous length of pipe (including weld joints), uninterrupted by any significant change in water or flow characteristics, that includes similar physical characteristics or operating history. An ICDA region extends from the location where liquid may first enter the pipeline and encompasses the entire area along the pipeline where internal corrosion may occur until a new input introduces the possibility of water entering the pipeline. In cases where a single covered segment is partially located in two or more ICDA regions, the four-step ICDA process must be completed for each ICDA region in which the covered segment is partially located to complete the assessment of the covered segment. [49 CFR 192.927(c)]

1. Preassessment. An operator must comply with NACE SP0206 (incorporated by reference, see §507) in conducting the preassessment step of the ICDA process. [49 CFR 192.927(c)(1)]

2. Indirect Inspection. An operator must comply with NACE SP0206 (incorporated by reference, see §507), and the following additional requirements, in conducting the Indirect Inspection step of the ICDA process. An operator must explicitly document the results of its feasibility assessment as required by NACE SP0206, section 3.3 (incorporated by reference, see §507); if any condition that precludes the successful application of ICDA applies, then ICDA may not be used, and another assessment method must be selected. When performing the indirect inspection, the operator must use actual pipeline-specific data, exclusively. The use of assumed pipeline or operational data is prohibited. When calculating the critical inclination angle of liquid holdup and the inclination profile of the pipeline, the operator must consider the accuracy, reliability, and uncertainty of the data used to make those calculations, including, but not limited to, gas flow velocity (including during upset conditions), pipeline elevation profile survey data (including specific profile at features with inclinations such as road crossings, river crossings, drains, valves, drips, etc.), topographical data, and depth of cover. An operator must select locations for direct examination and establish the extent of pipe exposure needed (i.e., the size of the bell hole), to account for these uncertainties and their cumulative effect on the precise location of predicted liquid dropout. [49 CFR 192.927(c)(2)].

3. Detailed Examination. An operator must comply with NACE SP0206 (incorporated by reference, see §507) in conducting the detailed examination step of the ICDA process. When an operator first uses ICDA for a covered segment, an operator must identify a minimum of two locations for excavation within each covered segment associated with the ICDA region and must perform a detailed examination for internal corrosion at each location using ultrasonic thickness measurements, radiography, or other generally accepted measurement techniques that can examine for internal corrosion or other threats that are being assessed. One location must be the low point (e.g., sag, drip, valve, manifold, dead-leg) within the covered segment nearest to the beginning of the ICDA region. The second location must be further downstream, within the covered segment, near the end of the ICDA region. Whenever

corrosion is found during ICDA at any location, the operator must: [49 CFR 192.927(c)(3)]

a. evaluate the severity of the defect (remaining strength) and remediate the defect in accordance with §3333; if the condition is in a covered segment, or in accordance with §§2137 and 2914 if the condition is not in a covered segment; [49 CFR 192.927(c)(3)(i)]

b. expand the detailed examination program to determine all locations that have internal corrosion within the ICDA region, and accurately characterize the nature, extent, and root cause of the internal corrosion. In cases where the internal corrosion was identified within the ICDA region but outside the covered segment, the expanded detailed examination program must also include at least two detailed examinations within each covered segment associated with the ICDA region, at the location within the covered segment(s) most likely to have internal corrosion. One location must be the low point (e.g., sags, drips, valves, manifolds, dead-legs, traps) within the covered segment nearest to the beginning of the ICDA region. The second location must be further downstream, within the covered segment. In instances of first use of ICDA for a covered segment, where these locations have already been examined in accordance with Paragraph C.3 of this section, two additional detailed examinations must be conducted within the covered segment; and [49 CFR 192.927(c)(3)(ii)]

c. expand the detailed examination program to evaluate the potential for internal corrosion in all pipeline segments (both covered and non-covered) in the operator's pipeline system with similar characteristics to the ICDA region in which the corrosion was found and remediate identified instances of internal corrosion in accordance with either §3333 or §§2137 and 2914, as appropriate. [49 CFR 192.927(c)(3)(iii)]

4. Post-Assessment Evaluation and Monitoring. An operator must comply with NACE SP0206 (incorporated by reference, see §507) in performing the post assessment step of the ICDA process. In addition to NACE SP0206, the evaluation and monitoring process must also include: [49 CFR 192.927(c)(4)]

a. an evaluation of the effectiveness of ICDA as an assessment method for addressing internal corrosion and determining whether a covered segment should be reassessed at more frequent intervals than those specified in §3339. An operator must carry out this evaluation within 1 year of conducting an ICDA; [49 CFR 192.927(c)(4)(i)]

b. validation of the flow modeling calculations by comparison of actual locations of discovered internal corrosion with locations predicted by the model (if the flow model cannot be validated, then ICDA is not feasible for the segment); and [49 CFR 192.927(c)(4)(ii)]

c. continuous monitoring of each ICDA region that contains a covered segment where internal corrosion has been identified by using techniques such as coupons or ultrasonic (UT) sensors or electronic probes, and by periodically drawing off liquids at low points and chemically analyzing the liquids for the presence of corrosion products. An operator must base the frequency of the monitoring and liquid analysis on results from all integrity assessments that have been conducted in accordance with the requirements of this subpart and risk factors specific to the ICDA region. At a minimum, the monitoring frequency must be two times

each calendar year, but at intervals not exceeding 7 1/2 months. If an operator finds any evidence of corrosion products in the ICDA region, the operator must take prompt action in accordance with one of the two following required actions, and remediate the conditions the operator finds in accordance with §3333 or §§2137 and 2914, as applicable: [49 CFR 192.927(c)(4)(iii)]

i. conduct excavations of, and detailed examinations at, locations downstream from where the electrolytes might have entered the pipe to investigate and accurately characterize the nature, extent, and root cause of the corrosion, including the monitoring and mitigation requirements of §2130; or [49 CFR 192.927(c)(4)(iii)(A)]

ii. assess the covered segment using another integrity assessment method allowed by this subpart. [49 CFR 192.927(c)(4)(iii)(B)]

5. Other Requirements. The ICDA plan must also include the following: [49 CFR 192.927(c)(5)]

a. criteria an operator will apply in making key decisions (including, but not limited to, ICDA feasibility, definition of ICDA Regions and sub-regions, conditions requiring excavation) in implementing each stage of the ICDA process; [49 CFR 192.927(c)(5)(i)]

b. provisions that the analysis be carried out on the entire pipeline in which covered segments are present, except that application of the remediation criteria of §3333 may be limited to covered segments. [49 CFR 192.927(c)(5)(ii)]

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:501 et seq.

HISTORICAL NOTE: Promulgated by the Department of Natural Resources, Office of Conservation, Pipeline Division, LR 30:1279 (June 2004), amended LR 31:687 (March 2005), LR 33:484 (March 2007), LR 35:2812 (December 2009), LR 50:

### **§3329. What Are the Requirements for Using Direct Assessment for Stress Corrosion Cracking (SCCDA) [49 CFR 192.929]**

A. Definition. Stress Corrosion Cracking Direct Assessment (SCCDA) is a process to assess a covered pipe segment for the presence of stress corrosion cracking (SCC) by systematically gathering and analyzing excavation data from pipe having similar operational characteristics and residing in a similar physical environment. [49 CFR 192.929(a)]

B. General Requirements. An operator using direct assessment as an integrity assessment method for addressing SCC in a covered pipeline segment must develop and follow an SCCDA plan that meets NACE SP0204 (incorporated by reference, see §507) and that implements all four steps of the SCCDA process, including pre-assessment, indirect inspection, detailed examination at excavation locations, and post-assessment evaluation and monitoring. As specified in NACE SP0204, SCCDA is complementary with other inspection methods for SCC, such as in-line inspection or hydrostatic testing with a spike test, and it is not necessarily an alternative or replacement for these methods in all instances. Additionally, the plan must provide for: [49 CFR 192.929(b)]

1. data gathering and integration. An operator's plan must provide for a systematic process to collect and evaluate data for all covered segments to identify whether the conditions for SCC are present and to prioritize the covered segments for assessment in accordance with NACE SP0204,

sections 3 and 4, and Table 1 (incorporated by reference, see §507). This process must include gathering and evaluating data related to SCC at all sites an operator excavates while conducting its pipeline operations (both within and outside covered segments) where the criteria in NACE SP0204 (incorporated by reference, see §507) indicate the potential for SCC. This data gathering process must be conducted in accordance with NACE SP0204, section 5.3 (incorporated by reference, see §507), and must include, at a minimum, all data listed in NACE SP0204, Table 2 (incorporated by reference, see §507). Further, the following factors must be analyzed as part of this evaluation: [49 CFR 192.929(b)(1)];

a. the effects of a carbonate-bicarbonate environment, including the implications of any factors that promote the production of a carbonate-bicarbonate environment, such as soil temperature, moisture, the presence or generation of carbon dioxide, or cathodic protection (CP); [49 CFR 192.929(b)(1)(i)]

b. the effects of cyclic loading conditions on the susceptibility and propagation of SCC in both high-pH and near-neutral-pH environments; [49 CFR 192.929(b)(1)(ii)]

c. the effects of variations in applied CP, such as overprotection, CP loss for extended periods, and high negative potentials; [49 CFR 192.929(b)(1)(iii)]

d. the effects of coatings that shield CP when disbonded from the pipe; and [49 CFR 192.929(b)(1)(iv)]

e. other factors that affect the mechanistic properties associated with SCC, including, but not limited to, historical and present-day operating pressures, high tensile residual stresses, flowing product temperatures, and the presence of sulfides; [49 CFR 192.929(b)(1)(v)]

2. indirect inspection. In addition to NACE SP0204, the plan's procedures for indirect inspection must include provisions for conducting at least two above ground surveys using the complementary measurement tools most appropriate for the pipeline segment based on an evaluation of integrated data; [49 CFR 192.929(b)(2)]

3. direct examination. In addition to NACE SP0204, the plan's procedures for direct examination must provide for an operator conducting a minimum of three direct examinations for SCC within the covered pipeline segment spaced at the locations determined to be the most likely for SCC to occur. [49 CFR 192.929(b)(3)]

4. remediation and mitigation. If SCC is discovered in a covered pipeline segment, an operator must mitigate the threat in accordance with one of the following applicable methods: [49 CFR 192.929(b)(4)]

a. removing the pipe with SCC; remediating the pipe with a Type B sleeve; performing hydrostatic testing in accordance with Subparagraph B.4.b of this Section; or by grinding out the SCC defect and repairing the pipe. If an operator uses grinding for repair, the operator must also perform the following as a part of the repair procedure: nondestructive testing for any remaining cracks or other defects; a measurement of the remaining wall thickness; and a determination of the remaining strength of the pipe at the repair location that is performed in accordance with §2912 and that meets the design requirements of §§911 and 912 as applicable. The pipe and material properties an operator uses in remaining strength calculations must be documented in traceable, verifiable, and complete records. If such records

are not available, an operator must base the pipe and material properties used in the remaining strength calculations on properties determined and documented in accordance with §2707, if applicable; [49 CFR 192.929(b)(4)(i)]

b. performing a spike pressure test in accordance with §2306 based upon the class location of the pipeline segment. The MAOP must be no greater than the test pressure specified in §2306.A divided by: 1.39 for Class 1 locations and Class 2 locations that contain Class 1 pipe that has been uprated in accordance with §2711; and 1.50 for all other Class 2 locations and all Class 3 and Class 4 locations. An operator must repair any test failures due to SCC by replacing the pipe segment and re-testing the segment until the pipe passes the test without failures (such as pipe seam or gasket leaks, or a pipe rupture). At a minimum, an operator must repair pipe segments that pass the pressure test but have SCC present by grinding the segment in accordance with Subparagraph B.4.a of this Section; [49 CFR 192.929(b)(4)(ii)]

5. post assessment. An operator's procedures for post-assessment, in addition to the procedures listed in NACE SP0204, sections 6.3, "periodic reassessment," and 6.4, "effectiveness of SCCDA," must include the development of a reassessment plan based on the susceptibility of the operator's pipe to SCC as well as the mechanistic behavior of identified cracking. An operator's reassessment intervals must comply with §3339. The plan must include the following factors, in addition to any factors the operator determines appropriate: [49 CFR 192.929(b)(5)]

a. the evaluation of discovered crack clusters during the direct examination step in accordance with NACE SP0204, sections 5.3.5.7, 5.4, and 5.5 (incorporated by reference, see §507); [49 CFR 192.929(b)(5)(i)]

b. conditions conducive to the creation of a carbonate-bicarbonate environment; [49 CFR 192.929(b)(5)(ii)]

c. conditions in the application (or loss) of CP that can create or exacerbate SCC; [49 CFR 192.929(b)(5)(iii)]

d. operating temperature and pressure conditions, including operating stress levels on the pipe; [49 CFR 192.929(b)(5)(iv)]

e. cyclic loading conditions; [49 CFR 192.929(b)(5)(v)]

f. mechanistic conditions that influence crack initiation and growth rates; [49 CFR 192.929(b)(5)(vi)]

g. the effects of interacting crack clusters; [49 CFR 192.929(b)(5)(vii)]

h. the presence of sulfides; and [49 CFR 192.929(b)(5)(viii)]

i. disbonded coatings that shield CP from the pipe. [49 CFR 192.929(b)(5)(iv)]

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### §3333. What Actions Must Be Taken to Address Integrity Issues? [49 CFR 192.933]

A. General Requirements. An operator must take prompt action to address all anomalous conditions the operator discovers through the integrity assessment. In addressing all

conditions, an operator must evaluate all anomalous conditions and remediate those that could reduce a pipeline's integrity. An operator must be able to demonstrate that the remediation of the condition will ensure the condition is unlikely to pose a threat to the integrity of the pipeline until the next reassessment of the covered segment. Repairs performed in accordance with this section must use pipe and material properties that are documented in traceable, verifiable, and complete records. If documented data required for any analysis is not available, an operator must obtain the undocumented data through §2707. Until documented material properties are available, the operator must use the conservative assumptions in either §2912.E.2 or, if appropriate following a pressure test, in §2912.D.3. [49 CFR 192.933(a)]

1. Temporary Pressure Reduction [49 CFR 192.933(a)(1)]

a. If an operator is unable to respond within the time limits for certain conditions specified in this section, the operator must temporarily reduce the operating pressure of the pipeline or take other action that ensures the safety of the covered segment. An operator must reduce the operating pressure to one of the following: [49 CFR 192.933(a)(1)(i)]

i. a level not exceeding 80 percent of the operating pressure at the time the condition was discovered; [49 CFR 192.933(a)(1)(i)(A)]

ii. a level not exceeding the predicted failure pressure times the design factor for the class location in which the affected pipeline is located; or [49 CFR 192.933(a)(1)(i)(B)]

iii. a level not exceeding the predicted failure pressure divided by 1.1. [49 CFR 192.933(a)(1)(i)(C)]

b. An operator must determine the predicted failure pressure in accordance with §2912. An operator must notify PHMSA in accordance with §518 if it cannot meet the schedule for evaluation and remediation required under Subsection C or D of this Section and cannot provide safety through a temporary reduction in operating pressure or other action. The operator must document and keep records of the calculations and decisions used to determine the reduced operating pressure, and the implementation of the actual reduced operating pressure, for a period of 5 years after the pipeline has been remediated. [49 CFR 192.933(a)(1)(ii)]

2. ...

B. Discovery of Condition. Discovery of a condition occurs when an operator has adequate information about a condition to determine that the condition presents a potential threat to the integrity of the pipeline. For the purposes of this Section, condition that presents a potential threat includes, but is not limited to, those conditions that require remediation or monitoring listed under Paragraphs D.1 - D.3 of this Section. An operator must promptly, but no later than 180 days after conducting an integrity assessment, obtain sufficient information about a condition to make that determination, unless the operator demonstrates that the 180-day period is impracticable. In cases where a determination is not made within the 180-day period, the operator must notify PHMSA, in accordance with §518, and provide an expected date when adequate information will become available. Notification to PHMSA does not alleviate an operator from the discovery requirements of this Subsection B. [49 CFR 192.933(b)].

C. - D.1. ...

a. a metal loss anomaly where a calculation of the remaining strength of the pipe shows a predicted failure pressure determined in accordance with §2912.B less than or equal to 1.1 times the MAOP at the location of the anomaly. [49 CFR 192.933(d)(1)(i)];

b. a dent located between the 8 o'clock and 4 o'clock positions (upper 2/3 of the pipe) that has metal loss, cracking, or a stress riser, unless engineering analyses performed in accordance with §2912.C demonstrate critical strain levels are not exceeded. [49 CFR 192.933(d)(1)(ii)]

c. metal loss greater than 80 percent of nominal wall regardless of dimensions. [49 CFR 192.933(d)(1)(iii)]

d. metal loss preferentially affecting a detected longitudinal seam, if that seam was formed by direct current, low-frequency or high-frequency electric resistance welding, electric flash welding, or with a longitudinal joint factor less than 1.0, and where the predicted failure pressure determined in accordance with §2912.D is less than 1.25 times the MAOP. [49 CFR 192.933(d)(1)(iv)]

e. a crack or crack-like anomaly meeting any of the following criteria:[49 CFR 192.933(d)(1)(v)]

i. crack depth plus any metal loss is greater than 50 percent of pipe wall thickness; [49 CFR 192.933(d)(1)(v)(A)]

ii. crack depth plus any metal loss is greater than the inspection tool's maximum measurable depth; or [49 CFR 192.933(d)(1)(v)(B)]

iii. the crack or crack-like anomaly has a predicted failure pressure, determined in accordance with §2912.D, that is less than 1.25 times the MAOP. [49 CFR 192.933(d)(1)(v)(C)]

f. An indication or anomaly that, in the judgment of the person designated by the operator to evaluate the assessment results, requires immediate action. [49 CFR 192.933(d)(1)(vi)]

2. ...

a. a smooth dent located between the 8 o'clock and 4 o'clock positions (upper 2/3 of the pipe) with a depth greater than 6 percent of the pipeline diameter (greater than 0.50 inches in depth for a pipeline diameter less than Nominal Pipe Size (NPS) 12), unless engineering analyses performed in accordance with §2912.C demonstrate critical strain levels are not exceeded; [49 CFR 192.933(d)(2)(i)]

b. a dent with a depth greater than 2 percent of the pipeline's diameter (0.250 inches in depth for a pipeline diameter less than NPS 12) that affects pipe curvature at a girth weld or at a longitudinal or helical (spiral) seam weld, unless engineering analyses performed in accordance with §2912.C demonstrate critical strain levels are not exceeded; [49 CFR 192.933(d)(2)(ii)]

c. a dent located between the 4 o'clock and 8 o'clock positions (lower 1/3 of the pipe) that has metal loss, cracking, or a stress riser, unless engineering analyses performed in accordance with §2912.C demonstrate critical strain levels are not exceeded; [49 CFR 192.933(d)(2)(iii)]

d. metal loss anomalies where a calculation of the remaining strength of the pipe at the location of the anomaly shows a predicted failure pressure, determined in accordance with §2912.B, less than 1.39 times the MAOP for Class 2 locations, and less than 1.50 times the MAOP for Class 3 and 4 locations. For metal loss anomalies in Class 1

locations with a predicted failure pressure greater than 1.1 times MAOP, an operator must follow the remediation schedule specified in ASME/ANSI B31.8S (incorporated by reference, see §507), section 7, Figure 4, in accordance with Subsection C of this Section; [49 CFR 192.933(d)(2)(iv)]

e. metal loss that is located at a crossing of another pipeline, or is in an area with widespread circumferential corrosion, or could affect a girth weld, that has a predicted failure pressure, determined in accordance with §2912.B, of less than 1.39 times the MAOP for Class 1 locations or where Class 2 locations contain Class 1 pipe that has been uprated in accordance with §2711, or less than 1.50 times the MAOP for all other Class 2 locations and all Class 3 and 4 locations; [49 CFR 192.933(d)(2)(v)]

f. metal loss preferentially affecting a detected longitudinal seam, if that seam was formed by direct current, low-frequency or high-frequency electric resistance welding, electric flash welding, or with a longitudinal joint factor less than 1.0, and where the predicted failure pressure, determined in accordance with §2912.D, is less than 1.39 times the MAOP for Class 1 locations or where Class 2 locations contain Class 1 pipe that has been uprated in accordance with §2711, or less than 1.50 times the MAOP for all other Class 2 locations and all Class 3 and 4 locations; [49 CFR 192.933(d)(2)(vi)]

g. a crack or crack-like anomaly that has a predicted failure pressure, determined in accordance with §2912.D, that is less than 1.39 times the MAOP for Class 1 locations or where Class 2 locations contain Class 1 pipe that has been uprated in accordance with §2711, or less than 1.50 times the MAOP for all other Class 2 locations and all Class 3 and 4 locations. [49 CFR 192.933(d)(2)(vii)]

3. Monitored Conditions. An operator is not required by this section to schedule remediation of the following less severe conditions but must record and monitor the conditions during subsequent risk assessments and integrity assessments for any change that may require remediation. Monitored indications are the least severe and do not require an operator to examine and evaluate them until the next scheduled integrity assessment interval, but if an anomaly is expected to grow to dimensions or have a predicted failure pressure (with a safety factor) meeting a 1-year condition prior to the next scheduled assessment, then the operator must repair the condition: [49 CFR 192.933(d)(3)]

a. a dent with a depth greater than 6 percent of the pipeline diameter (greater than 0.50 inches in depth for a pipeline diameter less than NPS 12) located between the 4 o'clock position and the 8 o'clock position (bottom 1/3 of the pipe), and for which engineering analyses of the dent, performed in accordance with §2912.C, demonstrate critical strain levels are not exceeded; [49 CFR 192.933(d)(3)(i)]

b. a dent located between the 8 o'clock and 4 o'clock positions (upper 2/3 of the pipe) with a depth greater than 6 percent of the pipeline diameter (greater than 0.50 inches in depth for a pipeline diameter less than Nominal Pipe Size (NPS) 12), and for which engineering analyses of the dent, performed in accordance with §2912.C, demonstrate critical strain levels are not exceeded; [49 CFR 192.933(d)(3)(ii)]

c. a dent with a depth greater than 2 percent of the pipeline's diameter (0.250 inches in depth for a pipeline diameter less than NPS 12) that affects pipe curvature at a

girth weld or a longitudinal or helical (spiral) seam weld, and for which engineering analyses, performed in accordance with §2912.C, of the dent and girth or seam weld demonstrate critical strain levels are not exceeded. These analyses must consider weld properties; [49 CFR 192.933(d)(3)(iii)]

d. a dent that has metal loss, cracking, or a stress riser, and where engineering analyses performed in accordance with §2912.C demonstrate critical strain levels are not exceeded; [49 CFR 192.933(d)(3)(iv)]

e. metal loss preferentially affecting a detected longitudinal seam, if that seam was formed by direct current, low-frequency or high-frequency electric resistance welding, electric flash welding, or with a longitudinal joint factor less than 1.0, and where the predicted failure pressure, determined in accordance with §2912.D, is greater than or equal to 1.39 times the MAOP for Class 1 locations or where Class 2 locations contain Class 1 pipe that has been uprated in accordance with §2711, or greater than or equal to 1.50 times the MAOP for all other Class 2 locations and all Class 3 and 4 locations; [49 CFR 192.933(d)(3)(v)]

f. a crack or crack-like anomaly for which the predicted failure pressure, determined in accordance with §2912.D, is greater than or equal to 1.39 times the MAOP for Class 1 locations or where Class 2 locations contain Class 1 pipe that has been uprated in accordance with §2711, or greater than or equal to 1.50 times the MAOP for all other Class 2 locations and all Class 3 and 4 locations. [49 CFR 192.933(d)(3)(vi)]

E. ...

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### **§3335. What Additional Preventive and Mitigative Measures Must an Operator Take?** **[49 CFR 192.935]**

A. General Requirements. [49 CFR 192.935(a)].

1. An operator must take additional measures beyond those already required by this part to prevent a pipeline failure and to mitigate the consequences of a pipeline failure in a high consequence area. Such additional measures must be based on the risk analyses required by § 3317. Measures that operators must consider in the analysis, if necessary, to prevent or mitigate the consequences of a pipeline failure include, but are not limited to: [49 CFR 192.933(a)(1)]

a. correcting the root causes of past incidents to prevent recurrence; [49 CFR 192.935(a)(1)(i)]

b. establishing and implementing adequate operations and maintenance processes that could increase safety; [49 CFR 192.935(a)(1)(ii)]

c. establishing and deploying adequate resources for the successful execution of preventive and mitigative measures; [49 CFR 192.935(a)(1)(iii)]

d. installing automatic shut-off valves or remote-control valves; [49 CFR 192.935(a)(1)(iv)]

e. installing pressure transmitters on both sides of automatic shut-off valves and remote-control valves that communicate with the pipeline control center; [49 CFR 192.935(a)(1)(v)]

f. installing computerized monitoring and leak detection systems; [49 CFR 192.935(a)(1)(vi)]

g. replacing pipe segments with pipe of heavier wall thickness or higher strength; [49 CFR 192.935(a)(1)(vii)]

h. conducting additional right-of-way patrols; [49 CFR 192.935(a)(1)(viii)]

i. conducting hydrostatic tests in areas where pipe material has quality issues or lost records; [49 CFR 192.935(a)(1)(ix)]

j. testing to determine material mechanical and chemical properties for unknown properties that are needed to assure integrity or substantiate MAOP evaluations, including material property tests from removed pipe that is representative of the in-service pipeline; [49 CFR 192.935(a)(1)(x)]

k. re-coating damaged, poorly performing, or disbanded coatings; [49 CFR 192.935(a)(1)(xi)]

l. performing additional depth-of-cover surveys at roads, streams, and rivers; [49 CFR 192.935(a)(1)(xii)]

m. remediating inadequate depth-of-cover; [49 CFR 192.935(a)(1)(xiii)]

n. providing additional training to personnel on response procedures and conducting drills with local emergency responders; and [49 CFR 192.935(a)(1)(xiv)]

o. implementing additional inspection and maintenance programs. [49 CFR 192.935(a)(1)(xv)]

2. Operators must document the risk analysis, the preventive and mitigative measures considered, and the basis for implementing or not implementing any preventive and mitigative measures considered, in accordance with §3347.D. [49 CFR 192.935(a)(2)]

B. - D.2. ...

3. Perform instrumented leak surveys using leak detector equipment at least twice each calendar year, at intervals not exceeding 7 1/2 months. For unprotected pipelines or cathodically protected pipe where electrical surveys are impractical, instrumented leak surveys must be performed at least four times each calendar year, at intervals not exceeding 4 1/2 months. Electrical surveys are indirect assessments that include close interval surveys, alternating current voltage gradient surveys, direct current voltage gradient surveys, or their equivalent. [49 CFR 192.935(d)(3)]

E. - F. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:501 et seq.

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### **§3341. What Is a Low Stress Reassessment** **[49 CFR 192.941]**

A. - B. ...

1. Cathodically Protected Pipe. To address the threat of external corrosion on cathodically protected pipe in a covered segment, an operator must perform an indirect assessment on the covered segment at least once every 7 calendar years. The indirect assessment must be conducted using one of the following means: indirect examination method, such as a close interval survey; alternating current voltage gradient survey; direct current voltage gradient

survey; or the equivalent of any of these methods. An operator must evaluate the cathodic protection and corrosion threat for the covered segment and include the results of each indirect assessment as part of the overall evaluation. This evaluation must also include, at a minimum, the leak repair and inspection records, corrosion monitoring records, exposed pipe inspection records, and the pipeline environment. [49 CFR 192.941(b)(1)]

2. Unprotected Pipe or Cathodically Protected Pipe Where Electrical Surveys Are Impractical. If an external corrosion assessment is impractical on the covered segment an operator must: [49 CFR 192.941(b)(2)]

B.2.a. - C.3. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:501 et seq.

HISTORICAL NOTE: Promulgated by the Department of Natural Resources, Office of Conservation, Pipeline Division, LR 30:1284 (June 2004), amended LR 31:689 (March 2005), LR 50:

### **§3351. Where Does an Operator File a Report?**

[49 CFR 192.951]

A. ...

B. Any report required by §3351.A, for intrastate facilities subject to the jurisdiction of the Office of Conservation, must be sent concurrently to the Commissioner of Conservation, Office of Conservation, Pipeline Safety Section, P.O. Box 94279 Baton Rouge, LA 70804-9275 or may be transmitted by electronic mail to PipelineInspectors@la.gov.

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:501 et seq.

HISTORICAL NOTE: Promulgated by the Department of Natural Resources, Office of Conservation, Pipeline Division, LR 30:1286 (June 2004), amended LR 33:487 (March 2007), LR 35:2812 (December 2009), amended by the Department of Natural Resources, Office of Conservation, LR 38:122 (January 2012), LR 50:

## **Title 33**

### **ENVIRONMENTAL QUALITY**

#### **Part V. Hazardous Wastes and Hazardous Materials**

##### **Subpart 3. Natural Resources**

#### **Chapter 301. Transportation of Hazardous Liquids by Pipeline**

[49 CFR Part 195]

##### **Subchapter A. General**

[49 CFR Part 195 Subpart A]

### **§30103. Which Pipelines are Covered by this Subpart?**

[49 CFR 195.1]

A. - B.3.a. ...

b. a pipeline that serves refining, manufacturing, or truck, rail, or vessel terminal facilities, if the pipeline is less than one mile long (measured outside fenced facility grounds) and does not cross an offshore area or a waterway currently used for commercial navigation; [49 CFR 195.1(b)(3)(ii)]

B.4. - C. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:703.

HISTORICAL NOTE: Promulgated by the Department of Natural Resources, Office of Conservation, Pipeline Division, LR 15:629 (August 1989), amended LR 18:861 (August 1992), LR 20:439 (1994), LR 21:814 (August 1995), LR 27:1523 (September

2001), LR 29:2804 (December 2003), LR 33:466 (March 2007), LR 35:2791 (December 2009), LR 38:99 (January 2012), LR 46:1604 (November 2020), LR 50:

### **§30105. Definitions [49 CFR 195.2]**

A. As used in this Subpart:

\* \* \*

*Entirely Replaced Onshore Hazardous Liquid or Carbon Dioxide Pipeline Segments*—for the purposes of §§30258, 30260, and 30418, where t-o or more miles of pipe, in the aggregate, have been replaced within any 5 contiguous miles within any 24-month period. This definition does not apply to any gathering line.

\* \* \*

*Notification of Potential Rupture*—the notification to, or observation by, an operator of indicia identified in §30417 of a potential unintentional or uncontrolled release of a large volume of commodity from a pipeline. This definition does not apply to any gathering line.

\* \* \*

*Rupture-Mitigation Valve (RMV)*—an automatic shut-off valve (ASV) or a remote-control valve (RCV) that a pipeline operator uses to minimize the volume of hazardous liquid or carbon dioxide released from the pipeline and to mitigate the consequences of a rupture. This definition does not apply to any gathering line.

\* \* \*

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:703.

HISTORICAL NOTE: Promulgated by the Department of Natural Resources, Office of Conservation, Pipeline Division, LR 15:629 (August 1989), amended LR 18:861 (August 1992), LR 21:815 (August 1995), LR 27:1523 (September 2001), LR 28:83 (January 2002), LR 29:2805 (December 2003), LR 31:675 (March 2005), LR 33:467 (March 2007), LR 38:99 (January 2012), LR 44:1021 (June 2018), LR 46:1604 (November 2020), LR 49:1090 (June 2023), LR 50:

### **§30117. What is a regulated rural gathering line and what requirements apply? [49 CFR 195.11]**

A. - A.2.b.i. ...

ii. Reserved [49 CFR 195.11(b)(2)(ii)]

2.c. - 4.b. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:753.

HISTORICAL NOTE: Promulgated by the Department of Natural Resources, Office of Conservation, Pipeline Division, LR 35:2793 (December 2009), amended LR 49:1090 (June 2023), LR 50:

#### **Subchapter B. Reporting Accidents and Safety-Related Conditions [Subpart B]**

### **§30142. Operator Assistance in Investigation [49 CFR 195.60]**

A. If the Department of Energy and Natural Resources investigates an accident, the operator involved shall make available to the representative of the department all records and information that in any way pertain to the accident, and shall afford all reasonable assistance in the investigation of the accident. [49 CFR 195.60]

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:753.

HISTORICAL NOTE: Promulgated by the Department of Natural Resources, Office of Conservation, Pipeline Division, LR 29:2813 (December 2003), amended LR 50:

**Chapter 302. Transportation of Hazardous Liquids by Pipeline—Construction**

**[49 CFR Part 195 Subpart D]**

**§30204. Inspection—General [49 CFR 195.204]**

A. ...

B. Each operator shall notify the Pipeline Safety Section of the Louisiana Department of Energy and Natural Resources, by submitting the Notice of Construction form by electronic mail at PipelineInspectors@la.gov of proposed pipeline construction at least seven days prior to commencement of said construction.

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:753.

HISTORICAL NOTE: Promulgated by the Department of Natural Resources, Office of Conservation, Pipeline Division, LR 29:2817 (December 2003), repromulgated LR 30:260 (February 2004), amended LR 44:1025 (June 2018), LR 50:

**§30258. Valves: General [49 CFR 195.258]**

A. - D. ...

E. If an operator elects to use alternative equivalent technology in accordance with Subsection C or D of this Section, the operator must notify PHMSA in accordance with §30122. The operator must include a technical and safety evaluation in its notice to PHMSA. Valves that are installed as alternative equivalent technology must comply with §§30418, 30419, and 30420. An operator requesting use of manual valves as an alternative equivalent technology must also include within the notification submitted to PHMSA a demonstration that installation of an RMV as otherwise required would be economically, technically, or operationally infeasible. An operator may use a manual pump station valve at a continuously manned station as an alternative equivalent technology. Such a valve used as an alternative equivalent technology would not require a notification to PHMSA in accordance with §30122, but it must comply with §§30419 and 30420. [49 CFR 195.258(e)]

F. The requirements of Subsections C-E of this Section do not apply to gathering lines.

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:753.

HISTORICAL NOTE: Promulgated by the Department of Natural Resources, Office of Conservation, Pipeline Division, LR 29:2820 (December 2003), LR 49:1090 (June 2023), LR 50:

**§30260. Valves: Location [49 CFR 195.260]**

A. - A.7.b. ...

8. an operator may submit for PHMSA review, in accordance with §30123, a notification requesting site-specific exemption from the valve installation requirements or valve spacing requirements of Subsections C, E, or F of this Section and demonstrating such exemption would not adversely affect safety. An operator may also submit for PHMSA review, in accordance with §30123, a notification requesting an extension of the compliance deadline requirements for valve installation and spacing of this section because those compliance deadline requirements would be economically, technically, or operationally infeasible for a particular new construction or pipeline replacement project. [49 CFR 195.260(h)]

9. an operator of a gathering line must only comply with the requirements of §30260 effective as of October 4, 2022, and need not comply with the other requirements of this Section. [49 CFR 195.260(i)]

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:753.

HISTORICAL NOTE: Promulgated by the Department of Natural Resources, Office of Conservation, Pipeline Division, LR 29:2821 (December 2003), amended LR 49:1091 (June 2023), repromulgated LR 49:1224 (July 2023), amended LR 50:

**Chapter 304. Transportation of Hazardous Liquids by Pipeline—Operation and Maintenance**  
**[49 CFR Part 195 Subpart F]**

**§30402. Procedural Manual for Operations, Maintenance, and Emergencies**  
**[49 CFR 195.402]**

A. - C.5.a. ...

b. Analysis of rupture and valve shut-offs; preventive and mitigative measures. If a failure or accident on an onshore hazardous liquid or carbon dioxide pipeline involves the closure of a rupture-mitigation valve (RMV), as defined in §30105, or the closure of an alternative equivalent technology, the operator of the pipeline must also conduct a post-failure or post-accident analysis of all the factors that may have impacted the release volume and the consequences of the release and identify and implement operations and maintenance measures to minimize the consequences of a future failure or accident. The analysis must include all relevant factors impacting the release volume and the consequences, including, but not limited to, the following: [49 CFR 195.402(c)(5)(ii)]

C.5.b.i. - F. ...

G. Exception. An operator of a gathering line must only comply with the requirements of §30402 effective as of October 4, 2022, and need not comply with the other requirements of this section. [49 CFR 195.402(g)]

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:753.

HISTORICAL NOTE: Promulgated by the Department of Natural Resources, Office of Conservation, Pipeline Division, LR 29:2824 (December 2003), amended LR 38:106 (January 2012), LR 49:1092 (June 2023), LR 50:

**§30417. Notification of Potential Rupture**  
**[49 CFR 195.417]**

A. As used in this part, a notification of potential rupture means the notification to, or observation by, an operator (e.g., by or to its controller(s) in a control room, field personnel, nearby pipeline or utility personnel, the public, local responders, or public authorities) of one or more of the below indicia of a potential unintentional or uncontrolled release of a large volume of hazardous liquids or carbon dioxide from a pipeline: [49 CFR 195.417(a)]

1. - 2. ...

3. any unanticipated or unexplained rapid release of a large volume of hazardous liquid or carbon dioxide, a fire, or an explosion, in the immediate vicinity of the pipeline. [49 CFR 195.417(a)(3)]

B. A notification of potential rupture occurs when an operator first receives notice of or observes an event specified in Subsection A of this Section. [49 CFR 195.417(b)]

C. The requirements of this Section do not apply to gathering lines. [49 CFR 195.417(c)]

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:501 et seq.



HISTORICAL NOTE: Promulgated by the Department of Natural Resources, Office of Conservation, LR 49:1093 (June 2023), LR 50:

**§30418. Valves: Onshore Valve Shut-Off For Rupture Mitigation [49 CFR 195.418]**

A. - B.2.b. ...

3. Laterals. Laterals extending from shut-off segments that contribute less than 5 percent of the total shut-off segment volume may have RMVs or alternative equivalent technologies that meet the actuation requirements of this section at locations other than mainline receipt/delivery points, as long as all of these laterals contributing hazardous liquid or carbon dioxide volumes to the shut-off segment do not contribute more than 5 percent of the total shut-off segment volume, based upon maximum flow volume at the operating pressure. A check valve may be used as an alternative equivalent technology where it is positioned to stop flow into the lateral. Check valves used as an alternative equivalent technology in accordance with this Paragraph are not subject to §30419 but must be inspected, operated, and remediated in accordance with §30420, including for closure and leakage, to ensure operational reliability. An operator using such a valve as an alternative equivalent technology must submit a request to PHMSA in accordance with §30122. [49 CFR 195.418(b)(3)]

B.4. - C. ...

D. Exception. The requirements of this Section do not apply to gathering lines. [49 CFR 195.418(d)]

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:501 et seq.

HISTORICAL NOTE: Promulgated by the Department of Natural Resources, Office of Conservation, LR 49:1093 (June 2023), repromulgated LR 49:1225 (July 2023), LR 50:

**§30419. Valve Capabilities [49 CFR 195.419]**

A. - G. ...

H. Exception. The requirements of this Section do not apply to gathering lines. [49 CFR 195.419(h)]

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:501 et seq.

HISTORICAL NOTE: Promulgated by the Department of Natural Resources, Office of Conservation, LR 49:1094 (June 2023), amended LR 50:

**§30420. Valve Maintenance [49 CFR 195.420]**

A. ...

B. Each operator must, at least twice each calendar year, but at intervals not exceeding 7 1/2 months, inspect each mainline valve to determine that it is functioning properly. Each rupture-mitigation valve (RMV), as defined in §30105, and not contained in a gathering line or alternative equivalent technology that is installed under §§30258.C or 30418, must also be partially operated. Operators are not required to close the valve fully during the inspection; a minimum 25 percent valve closure is sufficient to demonstrate compliance, unless the operator has operational information that requires an additional closure percentage for maintaining reliability. [49 CFR 195.420(b)]

C. - G. ...

H. The requirements of Subsections D - G of this Section do not apply to gathering lines. [49 CFR 195.420(h)]

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:753.

HISTORICAL NOTE: Promulgated by the Department of Natural Resources, Office of Conservation, Pipeline Division, LR 29:2828 (December 2003), amended LR 49:1095 (June 2023), repromulgated LR 49:1226 (July 2023), amended LR 50:

**§30452. Pipeline Integrity Management in High Consequence Areas [49 CFR 195.452]**

A. - I.3. ...

4. Emergency Flow Restricting Devices (EFRD). If an operator determines that an EFRD is needed on a pipeline segment that is located in, or which could affect, a high-consequence area (HCA) in the event of a hazardous liquid pipeline release, an operator must install the EFRD. In making this determination, an operator must, at least, evaluate the following factors: the swiftness of leak detection and pipeline shutdown capabilities, the type of commodity carried, the rate of potential leakage, the volume that can be released, topography or pipeline profile, the potential for ignition, proximity to power sources, location of nearest response personnel, specific terrain within the HCA or between the pipeline segment and the HCA it could affect, and benefits expected by reducing the spill size. An RMV installed under this Paragraph must meet all of the other applicable requirements in this part, provided that the requirement of this sentence does not apply to gathering lines. [49 CFR 195.452(i)(4)]

I.4.a. - N.5. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:753.

HISTORICAL NOTE: Promulgated by the Department of Natural Resources, Office of Conservation, Pipeline Division, LR 29:2830 (December 2003), amended LR 30:1216 (June 2004), LR 33:471 (March 2007), LR 35:2797 (December 2009), LR 38:108 (January 2012), LR 44:1029 (June 2018), LR 46:1608 (November 2020), LR 49:1096 (June 2023), LR 50:

**Chapter 305. Transportation of Hazardous Liquids by Pipeline—Qualification of Pipeline Personnel [49 CFR Part 195 Subpart G] and Corrosion Control [49 CFR Part 195 Subpart H]**

**Subchapter A. Qualification of Pipeline Personnel [49 CFR Part 195 Subpart G]**

**§30505. Qualification Program [49 CFR 195.505]**

A. - A.8. ...

9. after December 16, 2004, notify the administrator or a state agency participating under 49 U.S.C. Chapter 601 if the operator significantly modifies the program after the administrator or state agency has verified that it complies with this Section. Notifications to PHMSA may be submitted by electronic mail to InformationResources Manager @dot.gov and to Louisiana Office of Conservation at Pipelineinspectors@la.gov, or mail to ATTN: Information Resources Manager DOT/PHMSA/OPS, East Building, 2nd Floor, E22-321, New Jersey Avenue, S.E. Washington, DC 20590, and to the Pipeline Division Director, Pipeline Safety Section, P.O. Box 94275, Baton Rouge, LA 70804-9275. [49 CFR 195.505(i)]

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:703.

HISTORICAL NOTE: Promulgated by the Department of Natural Resources, Office of Conservation, Pipeline Division, LR 29:2835 (December 2003), amended LR 33:471 (March 2007), LR 35:2798 (December 2009), LR 44:1029 (June 2018), LR 50:

### Family Impact Statement

This Rule has no known impact on family formation, stability, and autonomy as described in R.S. 49:972.

### Poverty Impact Statement

This Rule has no known impact on poverty as described in R.S. 49:973.

### Small Business Analysis

This Rule has no known impact on small businesses as described in R.S. 49:965.6.

### Provider Impact Statement

This Rule has no known impact on providers as described in HCR 170 of 2014.

### Public Comments

All interested parties will be afforded the opportunity to submit data, views, or arguments, in writing. Written comments will be accepted by hand delivery or USPS only, until 4 p.m., July 21, 2024, at Office of Conservation, Pipeline Division, P.O. Box 94275, Baton Rouge, LA 70804-9275; or Office of Conservation, Pipeline Division, 617 North Third Street, Room 931, Baton Rouge, LA 70802. Reference Docket No. PRA 2024-01. All inquiries should be directed to Michael Peikert at the above addresses or by phone to (225) 219-3799. No preamble was prepared.

Benjamin C. Bienvenu  
Commissioner

## FISCAL AND ECONOMIC IMPACT STATEMENT FOR ADMINISTRATIVE RULES RULE TITLE: Pipeline Safety

### I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENT UNITS (Summary)

The proposed rule changes are not anticipated to have any implementation costs to the state or local governmental units at this time. The proposed rule changes are required as a part of the Department of Energy and Natural Resources (DENR) certification agreement with the U.S. Department of Transportation. The proposed rule changes modify existing Carbon Dioxide rules and codify existing federal regulations for the safety of gas transmission and hazardous liquid pipelines on: repair criteria, integrity management improvements, cathodic protection, management of change, other related amendments including technical corrections and minor changes to state specific regulations.

### II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS (Summary)

The proposed rule changes are anticipated to have no effect on revenue collections of state and local government units. The proposed rule changes do not impose any new fees or change to existing fees.

### III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS, SMALL BUSINESSES, OR NONGOVERNMENTAL GROUPS (Summary)

The proposed rule changes directly affects pipeline operators and underground natural gas storage operators. The proposed rule changes codify adopted federal regulations that pipeline regulators are currently complying with. Therefore, there should be no economic impact to the regulated community.

### IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

The proposed rule change will have no effect on competition and employment.

Benjamin C. Bienvenu  
Commissioner  
2406#045

Patrice Thomas  
Deputy Fiscal Officer  
Legislative Fiscal Office

## NOTICE OF INTENT

### Department of Health Board of Nursing

#### Continuing Full Approval for Nursing Education Degree Programs (LAC 46:XLVII.3535)

Notice is hereby given in accordance with the provisions of the Administrative Procedure Act, R.S. 49:950 et seq., and through the authority granted in R.S. 37:918, that the Louisiana State Board of Nursing (LSBN) is proposing rule changes to Chapter 35, §3535, Subsection B, under Title 46, Professional and Occupational Standards, Part XLVII. The proposed change will remove the requirement to place undergraduate nursing degree programs on probation if they do not maintain an 80 percent or greater pass rate achieved by all candidates taking the licensure examination for the first time in any one January to December calendar year.

#### Title 46

### PROFESSIONAL AND OCCUPATIONAL STANDARDS

#### Part XLVII. Nurses: Practical Nurses and Registered Nurses

#### Subpart 2. Registered Nurses

### Chapter 35. Undergraduate and Graduate Nursing Education Degree Programs

#### §3535. Continuing Full Approval for Nursing Education Degree Programs

A. ...

B. The undergraduate nursing education degree program shall have a pass rate of 80 percent or greater achieved by the candidates taking the licensure examination for the first time in any one January to December calendar year, or the program shall be placed on probation.

C. - N. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:918.

HISTORICAL NOTE: Promulgated by the Department of Health and Human Resources, Board of Nursing, LR 10:1027 (December 1984), amended by the Department of Health and Hospitals, Board of Nursing, LR 19:1149 (September 1993), LR 24:1293 (July 1998), LR 42:887 (June 2016), LR 50:

#### Family Impact Statement

The proposed additions and/or changes to the rules of the board, Louisiana State Board of Nursing should not have any known or foreseeable impact on any family as defined by R.S. 49.972(D) or on family formation, stability and autonomy. Specifically, there should be no known or foreseeable effect on:

1. the stability of the family;
2. the authority and rights of parents regarding the education and supervision of their children;
3. the functioning of the family;
4. a family's earnings and budget;
5. the behavior and personal responsibility of the children; or
6. the family's ability or that of the local government to perform the function as contained in the proposed Rule.

**Poverty Impact Statement**

In compliance with Act 854 of the 2012 Regular Session of the Louisiana Legislature, the poverty impact of this proposed Rule has been considered. It is anticipated that this proposed Rule will not have an impact on child, individual, or family poverty in relation to individual or community asset development as described on R.S. 49:973.

**Provider Impact Statement**

In compliance with House Concurrent Resolution (HCR) 170 of the 2014 Regular Session of the Louisiana Legislature, the provider impact of this proposed Rule has been considered. It is anticipated that this proposed Rule will not have an impact on the staffing level requirements or qualifications required to provide the same level of service, no direct or indirect cost to the provider to provide the same level of service, and will have no impact on the provider's ability to provide the same level of service as described in HCR 170.

**Public Comments**

Interested persons may submit written comments on the proposed Rule to Dr. Karen C. Lyon, 17373 Perkins Road, Baton Rouge, LA 70810, or by facsimile to (225) 755-7585. All comments must be submitted by 5 p.m. on or before July 10, 2024.

Karen C. Lyon, PhD, MBA, APRN-CNS, NEA  
Executive Director

**FISCAL AND ECONOMIC IMPACT STATEMENT FOR ADMINISTRATIVE RULES**

**RULE TITLE: Continuing Full Approval for Nursing Education Degree Programs**

**I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENTAL UNITS (Summary)**

The proposed rule revision will result in a one-time expenditure of \$250 in FY 24 for the Louisiana State Board of Nursing (LSBN) to publish the notice of intent and proposed rule revision in the Louisiana Register. The proposed rule revision will not affect the expenditures of other state or local governmental units.

Current regulations require undergraduate nursing education degree programs to have an 80% or greater pass rate achieved by all candidates taking the licensure examination for the first time in any one January to December calendar year, or the program shall be placed on probation. LSBN Board members and a majority of nursing school deans and directors have expressed concern that schools are placed on probation after only one year of not meeting the NCLEX-RN 80% first-time passing standard even though they are fully accredited by a national nursing accrediting body and when accrediting bodies allow for consideration of the 80% pass rate over one calendar year or over the three most recent calendar years. The proposed revision will allow an undergraduate nursing education degree program that does not meet the 80% first-time pass rate in any January to December calendar year to receive a

letter of warning from the LSBN Board. After two consecutive years of not meeting the 80% NCLEX-RN first-time pass rate, the school would be placed on probation.

**II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS (Summary)**

The proposed rule changes will not affect revenue collections for state or local governmental units.

**III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS, SMALL BUSINESSES, OR NONGOVERNMENTAL GROUPS (Summary)**

The proposed rule change will bring LSBN approval of nursing education degree programs in alignment with national nursing accreditation standards and will prevent nursing education programs from being placed on state probation when they have fully accredited programs by the national accreditation programs.

**IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)**

There is not expected to be any effect on competition or employment as all nursing education degree programs will be held to the same standard.

Karen C. Lyon  
Executive Director  
2406#046

Patrice Thomas  
Deputy Fiscal Officer  
Legislative Fiscal Office

**NOTICE OF INTENT**

**Department of Health  
Board of Nursing**

**Employment of Student Nurses and Unsuccessful  
Candidates on the State Board Licensing Examination  
(NCLEX-RN) (LAC 46:XLVII.4303)**

Notice is hereby given in accordance with the provisions of the Administrative Procedure Act, R.S. 49:950 et seq., and through the authority granted in R.S. 37:918, that the Louisiana State Board of Nursing (LSBN) is proposing rule changes to Chapter 43, §4303, Subsections A and B, under Title 46, Professional and Occupational Standards, Part XLVII. The proposed revision will allow an undergraduate nursing student currently enrolled in a professional pre-licensure education degree program or a graduate nurse who has been unsuccessful on the NCLEX-RN examination to be employed in a nursing setting and to perform procedures and tasks for which they have been educated and certified as competent by their educational institution and/or by graduation from an LSBN-approved prelicensure nursing education program.

**Title 46  
PROFESSIONAL AND OCCUPATIONAL  
STANDARDS**

**Part XLVII. Nurses: Practical Nurses  
and Registered Nurses**

**Subpart 2. Registered Nurses**

**Chapter 43. Employment of Unlicensed Persons**

**§4303. Employment of Student Nurses and  
Unsuccessful Candidates on the State Board  
Licensing Examination (NCLEX-RN)**

A. Students in nursing and unsuccessful candidates on the NCLEX-RN licensing examination employed in nursing settings may be employed as unlicensed persons and perform procedures and or tasks for which they have been educated and cleared by their educational institution and/ or

by graduation from an LSBN approved prelicensure nursing education program.

B. To assist these individuals to be employed in an acceptable position whereby they contribute to patient care and yet do not jeopardize the welfare of the patient nor legally implicate themselves or their employing institution, the board has adopted the following policies for delegation of nursing activities to currently enrolled nursing students and pre-licensure nursing graduates who have been unsuccessful on the NCLEX-RN examination but who have not passed the NCLEX-RN examination within 12 months of their first attempt taking the NCLEX.

1. The employer shall:

a. document the unlicensed status of these individuals as currently enrolled nursing students or pre-licensure nursing graduates who have not passed the NCLEX-RN examination within 12 months of their first attempt taking the NCLEX;

b. develop and review the written job description with the employee;

c. provide proper orientation to and training for the position; and

d. provide supervision of these unlicensed personnel by an RN or APRN;

e. inform all nursing personnel that the student of nursing and the unsuccessful candidate may perform procedures and or tasks enumerated in the job description.

2. Employers shall not jeopardize the potential for licensure of the student in nursing or the unsuccessful candidate for licensure in order to augment their staffing. It is understood that these unlicensed personnel may not perform the nursing tasks and procedures enumerated in their specific job description independently without the requisite supervision of the RN and/or APRN.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:918.

HISTORICAL NOTE: Promulgated by the Department of Health and Human Resources, Board of Nursing, LR 3:421 (October 1977), amended by the Department of Health and Hospitals, Board of Nursing, LR 24:1293 (July 1998), LR 50:

#### **Family Impact Statement**

The proposed additions and/or changes to the rules of the board, Louisiana State Board of Nursing should not have any known or foreseeable impact on any family as defined by R.S. 49:972(D) or on family formation, stability and autonomy. Specifically, there should be no known or foreseeable effect on:

1. the stability of the family;

2. the authority and rights of parents regarding the education and supervision of their children;

3. the functioning of the family;

4. a family's earnings and budget;

5. the behavior and personal responsibility of the children; or

6. the family's ability or that of the local government to perform the function as contained in the proposed Rule.

#### **Poverty Impact Statement**

In compliance with Act 854 of the 2012 Regular Session of the Louisiana Legislature, the poverty impact of this proposed Rule has been considered. It is anticipated that this proposed Rule will not have an impact on child, individual, or family poverty in relation to individual or community asset development as described on R.S. 49:973.

#### **Provider Impact Statement**

In compliance with House Concurrent Resolution (HCR) 170 of the 2014 Regular Session of the Louisiana Legislature, the provider impact of this proposed Rule has been considered. It is anticipated that this proposed Rule will not have an impact on the staffing level requirements or qualifications required to provide the same level of service, no direct or indirect cost to the provider to provide the same level of service, and will have no impact on the provider's ability to provide the same level of service as described in HCR 170.

#### **Public Comments**

Interested persons may submit written comments on the proposed Rule to Dr. Karen C. Lyon, 17373 Perkins Road, Baton Rouge, LA 70810, or by facsimile to (225) 755-7585. All comments must be submitted by 5 p.m. on or before July 10, 2024.

Karen C. Lyon, PhD, MBA, APRN-CNS, NEA  
Executive Director/CEO

#### **FISCAL AND ECONOMIC IMPACT STATEMENT FOR ADMINISTRATIVE RULES**

##### **RULE TITLE: Employment of Student Nurses and Unsuccessful Candidates on the State Board Licensing Examination**

#### **I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENT UNITS (Summary)**

The proposed rule revision will result in a one-time expenditure of \$250 in FY 24 for the Louisiana State Board of Nursing (LSBN) to publish the notice of intent and proposed rule revision in the Louisiana Register. The proposed rule revision will not affect the expenditures of other state or local governmental units.

Current regulations make no distinction between the nursing student In a professional pre-licensure nursing education program, the unsuccessful nursing school graduate candidate for registered nurse licensure, and any other unlicensed nursing personnel In regard to delegated responsibilities and functions The proposed revision will allow an undergraduate nursing student currently enrolled in a professional pre-licensure education degree program or a graduate nurse who has been unsuccessful on the NCLEX-RN examination to be employed in a nursing setting and to perform procedures and tasks for which they have been educated and certified as competent by their educational institution and/or by graduation from an LSBN-approved prelicensure nursing education program.

#### **II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS (Summary)**

The proposed rule changes will not affect revenue collections for state or local governmental units.

#### **III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS, SMALL BUSINESSES, OR NONGOVERNMENTAL GROUPS (Summary)**

The proposed rule change will allow LSBN rules to differentiate professional nursing students and nursing graduates with the requisite knowledge, skills, and abilities (K,S,As) demonstrated through successful matriculation In a professional nursing education program from unlicensed persons without those demonstrated K,S,As. Professional nursing students and nursing graduates who have not yet passed the NCLEX-RN examination may be allowed by their employing organizations to perform nursing procedures and

tasks for which they have been certified by their educational Institutions as competent.

#### IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

It is expected that this rule change will allow employment of nursing students and graduate nurses who have not yet passed the NCLEX-RN examination to the full extent of their knowledge and training and will provide adjunct support to RNs and APRNs in providing care to patients during the ongoing state and national nursing shortage.

Karen C. Lyon  
Executive Director  
2406#047

Patrice Thomas  
Deputy Fiscal Officer  
Legislative Fiscal Office

### NOTICE OF INTENT

#### Office of the Governor Board of Home Inspectors

#### Continuing Education and Standards of Practice (LAC 46:XL.121 and 319)

In accordance with the provisions of the Administrative Procedure Act, R.S. 49:950 et seq., and through the authority granted in R.S. 37:1475(4), notice is hereby given that the Board of Home Inspectors proposes to amend LAC 46:XL.121 and 319. The proposed amendment to §121 allows licensed home inspectors to receive continuing education hours for live or interactive streaming classes. It also allows continuing education providers five days to provide a completion certificate to the board. The proposed amendment to §319 adds carbon monoxide detectors to the items requiring inspection.

#### Title 46

### PROFESSIONAL AND OCCUPATIONAL STANDARDS

#### Part XL. Home Inspectors

#### Chapter 1. General Rules

#### §121. Continuing Education; Instructors

A.1. As a condition of license renewal, a licensee, (not renewing a license for the first time) must certify completion of at least 20 hours of continuing education during the previous licensing period, in courses approved by the board. No more than 10 hours of live and or interactive live streaming continuing education credit may be carried over into the following year. Board-approved continuing education instructors may be given continuing education credit for course preparation and other activities as set forth in Paragraph F.3, below.

2. ...

#### B. Continuing Education Courses

1. - 7.

8. The licensee may receive up to a maximum of 10 hours of continuing education credit per licensing period for any combination of the following types of classes as set forth in Paragraphs 5-8 of this Subsection:

a. online courses;

b. courses given by an unapproved instructor and courses which are outside the scope of the standards of practice but deal with the construction industry;

c. courses designated for pre-licensing education as set forth in §119.C.1 of this Chapter.

9. ...

10. Any remaining balance of continuing education hours must be obtained by participation in live in-person or interactive live-streaming video CE classes taught by a board-certified education provider.

B.11. - F.4.c. ...

5. All continuing education providers shall provide sign-in sheets, whether electronic or otherwise, for LHIs to complete upon entering a class, joining a streaming lecture, or participating online. Within five days of completion of a class, the instructor shall provide the LHI with a certificate of completion. Sign-in sheets and certificates of completion shall include the date and time of the course, the number of hours of credit assigned to each course by the board, and the name of the instructor teaching the course or courses. The continuing education provider shall forward all sign-in sheets to the board immediately upon request by the board.

6. - 9. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:1477 and R.S. 37:1479-1480.

HISTORICAL NOTE: Promulgated by the Department of Economic Development, Board of Home Inspectors, LR 26:2742 (December 2000), amended by the Office of the Governor, Board of Home Inspectors, LR 36:2860 (December 2010), LR 37:2405 (August 2011), LR 38:2531 (October 2012), LR 40:1003 (May 2014), LR 43:314 (February 2017), LR 43:1911 (October 2017), RS 28:2288 (September 2022), LR 50:

#### Chapter 3. Standards of Practice §319. Electrical System

A. - C. ...

D. The home inspector shall report on the presence or absence of smoke detectors and carbon monoxide alarms.

E. - E.5. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:1475.

HISTORICAL NOTE: Promulgated by the Department of Economic Development, Board of Home Inspectors, LR 26:2748 (December 2000), amended by the Office of the Governor, Board of Home Inspectors, LR 30:1691 (August 2004), LR 36:2863 (December 2010), LR 38:2533 (October 2012), LR 41:923 (May 2015), LR 43:1913 (October 2017), LR 50:

#### Family Impact Statement

The Rule has no known impact on family formation, family stability, and autonomy as described in R.S. 49:972.

#### Poverty Impact Statement

The Rule has no known impact on poverty as described in R.S. 49:973.

#### Small Business Analysis

The Rule has no known impact on small businesses as described in R.S. 49:965.6.

#### Provider Impact Statement

The Rule has no known impact on providers as described in HCR 170 of 2014.

#### Public Comments

Interested persons may submit written comments to Morgan Spinoso, Chief Operating Officer, Louisiana State Board of Home Inspectors, 5211 Essen Lane, Suite 9, Baton Rouge, LA 70809. Morgan Spinoso is responsible for responding to inquiries regarding this proposed Rule. The deadline for submitting written comments is at 4:30 p.m. on July 20, 2024.

Morgan Spinoso  
Chief Operating Officer

**FISCAL AND ECONOMIC IMPACT STATEMENT  
FOR ADMINISTRATIVE RULES  
RULE TITLE: Continuing Education  
and Standards of Practice**

**I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENT UNITS (Summary)**

The proposed rule change is not anticipated to result in any cost or savings to the state or local government unit, other than the cost of promulgation in FY 24, including \$1,500 in attorney fees associated with crafting and publishing the rule in the state register.

The proposed rule change does the following:

1. allows licensed home inspectors to receive continuing education hours for live or interactive streaming classes;
2. allows continuing education providers five days to provide a completion certificate to the board.; and
3. adds carbon monoxide detectors to the items requiring inspection.

**II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS (Summary)**

The proposed rule change is not anticipated to have any effect on revenue collections.

**III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS, SMALL BUSINESSES, OR NONGOVERNMENTAL GROUPS (Summary)**

The proposed rule change may have an economic impact on directly affected persons:

1. there may be a minimal cost of inspecting to determine whether the home contains a carbon monoxide detector;
2. to the extent live-streaming video decrease the costs of attending an in-person continuing education cost, licensed home inspectors may experience a minimal decrease in costs to meet the continuing education requirements;
3. continuing education providers may realize a decrease in fees and a potential increase in participants to the extent home inspectors choose to use this method;

**IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)**

The proposed rule change may have an impact on competition and employment of continuing education providers. If a provider decides to not adopt the new methods of delivery of online education, they may see a decrease in participation by licensed home inspectors. Alternatively, if the provider decides to provide a live-streaming option, they may see an increase in participation by licensed home inspectors. The magnitude of the impact is indeterminable at this time.

Albert J. Nicaud  
Board Attorney  
2406#042

Patrice Thomas  
Deputy Fiscal Officer  
Legislative Fiscal Office

**NOTICE OF INTENT**

**Office of the Governor  
Board of Pardons**

Clemency  
(LAC 22:V.203, 204, 211, and 213)

In accordance with the provisions of the Administrative Procedure Act (R.S. 49:950) and pursuant to R.S. 15:573.1, the Board of Pardons hereby gives notice of its intent to amend LAC V.203, 211, 213 and enact 204. The amendment to §203 adds a reference to the new §204, Capital Case eligibility and, extends the time an incarcerated applicant

must be disciplinary report free from 24 months to 36 months, and removes capital case eligibility from this section. §204 is new and details the application clemency process for requesting a commutation of a death sentence to life without parole. §211 adds the requirement for advance notice of pardon hearings to be given to the attorney general. §213 defines the reprieve of the death sentence and details the application process and the timeline within which the board must forward the application for reprieve to the governor.

**Title 22**

**CORRECTIONS, CRIMINAL JUSTICE AND LAW ENFORCEMENT**

**Part V. Board of Pardons**

**Chapter 2. Clemency**

**§203. Eligibility for Clemency Consideration**

**A. Eligibility**

1. ...
2. Commutation of Sentence. A person may not be considered for a commutation of sentence unless he or she has been granted a hearing by the pardon board and has had his or her case placed upon a pardon board agenda. See §204 for Capital Case eligibility.

**A.3. - C.2.a. ...**

b. must have been disciplinary report free for a period of at least 36 months prior to the date of the application or at the time of the hearing (if a hearing is granted); and

**2.c. - 3.a. ...**

b. must have been disciplinary report free for a period of at least 36 months prior to the date of the application or at the time of the hearing (if a hearing is granted); and

**C.3.c. - D. ...**

**AUTHORITY NOTE:** Promulgated in accordance with R.S. 15:573.1, 15:574.12, and 44:1 et seq.

**HISTORICAL NOTE:** Promulgated by the Office of the Governor, Board of Pardons, LR 39:2255 (August 2013), amended LR 42:1087 (July 2016), amended by the Office of the Governor, Board of Pardons and Committee on Parole, LR 44:574 (March 2018), amended by the Office of the Governor, Board of Pardons, LR 44:1006 (June 2018), LR 47:358 (March 2021), repromulgated LR 47:455 (April 2021), amended LR 50:

**§204. Capital Cases**

**A. Clemency in the form of commutation of a death sentence to life without parole may be requested by the person under sentence of death or by the person's attorney acting with the person's written and signed authorization.**

**B. No application for commutation of a death sentence should be filed before the applicant's direct appeal of the conviction and sentence has been denied, and the applicant has served 25 years from the date of sentence. The 25 years shall not include periods of time prior to the imposition of a sentence in which the applicant was in actual custody for the offense for which s/he was sentenced to death.**

**C. Applications for commutation of a death sentence must be submitted on the form approved by the Board of Pardons and must also contain the following information:**

1. the name of the applicant, together with any other pertinent identifying information;
2. identification of applicant's agents, if any, who are presenting the application;

3. certified copies of the indictment, judgment, verdict of the jury, and sentence in the case, including official documentation verifying the scheduled execution date;

4. a brief statement of the offense for which the prisoner has been sentenced to death;

5. a brief statement of the appellate history of the case, including its current status;

6. a brief statement of the legal issues which have been raised during the judicial progress of the case;

7. a brief statement of the effect of the offender's crime upon the family of the victim.

D. Timely applications for commutation of a death sentence will be reviewed to determine eligibility. If an applicant is deemed eligible, the matter shall be set for public hearing, following the procedures in §211. If the applicant is not eligible, he/she will be notified in writing of the reason for ineligibility.

E. See §213 for procedures to request a reprieve from execution after the inmate has received notification of the scheduled date of execution.

F. Only one application for commutation of the death sentence will be processed to completion. Successive or repetitious reprieve applications submitted on behalf of the same condemned felon may be summarily denied by the board without a meeting.

AUTHORITY NOTE: Promulgated in accordance with R.S. 15: 572.4, 15:574.12 and 44:12 et seq.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Board of Pardons, LR 50:

#### **§211. Hearings before the Pardon Board**

A. - C.3. ...

4. the attorney general; and

C.5. - E. ...

1. Only three persons in favor and three in opposition, representing the victim/victim's family member, will be allowed to speak either in person, via phone, or via videoconferencing during the clemency hearing. Any person making an oral presentation to the board, either in favor or opposed, will be allowed a maximum of five minutes.

2. The district attorney representing the State and the applicant's attorney will each be allowed a maximum of ten minutes for oral presentation to the board.

F. ...

G. The board shall provide notice to the Department of Public Safety and Corrections and Crime Victims Services Bureau at least 30 days prior to the pardon hearing.

H. If an applicant is requesting commutation of sentence, and is released from custody and/or supervision prior to the public hearing date, the case will be closed without notice to the applicant. The applicant may reapply two years from the date of release.

I. The applicant's failure to attend and/or notify the board of his/her inability to attend the hearing will result in an automatic denial. The applicant may reapply two years from the date of the scheduled hearing. Lifers who fail to attend and/or advise of inability to attend may reapply in five years.

J. - J.1. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 15: 572.4, 15:574.12 and 44:12 et seq.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Board of Pardons, LR 39:2256 (August 2013), amended

LR 42:1088 (July 2016), amended by the Office of the Governor, Board of Pardons and Committee on Parole, LR 43:46 (January 2017), LR 44:574 (March 2018), LR 44:2140 (December 2018), LR 47:359 (March 2021), LR 47:1107 (August 2021), LR 50:

#### **§213. Capital Cases. Request for Reprieve of Death Sentence**

A. A reprieve halts the implementation of a scheduled execution for a short time and may also be referred to as a "stay of execution." The board will accept, on behalf of the governor, an application for reprieve for an applicant for whom an execution date has been set. Any such application shall contain the following information required in §204.C:

B. The written application, with any supplemental information, must be delivered to the board office, Post Office Box 94304, Baton Rouge, LA 70804, no later than the twenty-first calendar day before the execution is scheduled. If the twenty-first calendar day before the execution is scheduled falls on a weekend or state observed holiday, the application shall be delivered no later than the next business day.

C. Any information filed with the application, including but not limited to amendments, addenda, supplements, or exhibits, which require reproduction facilities, equipment, or technology not operated by the board, must be provided in triplicate.

D. When the board receives an application for reprieve, it shall notify the trial officials of the parish of conviction and the attorney general of the state of Louisiana that the application has been received.

E. At the time of notifying the trial officials, the board shall also notify any representative of the family of the victim (who has previously requested to be notified) of the receipt of the application and of said representative or family member's rights to provide any written comments and instructions for doing so.

F. Within seventy-two hours of receipt of the application for reprieve, the board will submit the application with any available supplemental information to the governor for consideration.

AUTHORITY NOTE: Promulgated in accordance with R.S. 15: 572.4, 15:574.12 and 44:12 et seq.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Board of Pardons, LR 39:2257 (August 2013), LR 50:

#### **Family Impact Statement**

In compliance with R.S. 49:972, this amendment to the rules has no known impact on family formation, stability, or autonomy.

#### **Poverty Impact Statement**

In compliance with Act 854 of the 2012 Regular Session of the Louisiana Legislature, the poverty impact of this proposed Rule has been considered. It is anticipated that this proposed Rule will have no impact on child, individual, or family poverty in relation to individual or community asset development as described in R.S. 49:973.

#### **Small Business Analysis**

Pursuant to R.S. 49:965.6, methods for reducing the impact on small businesses, as defined in the Regulatory Flexibility Act, have been considered when creating this proposed Rule. It is not anticipated that the proposed amendments will have any adverse impact on small businesses; therefore, a Small Business Economic Impact Statement has not been prepared.

### Provider Impact Statement

The proposed Rule should not have any known or foreseeable impact on providers as defined by HCR 170 of the 2014 Regular Legislative Session.

### Public Comments

Written comments may be addressed to Whitney Troxclair, Executive Management Officer, Board of Pardons and Committee on Parole, P.O. Box 94304, Baton Rouge, LA 70804, until 3:30 p.m. on July 10, 2024.

### Public Hearing

A request pursuant to R.S. 49:953(A)(2) for a public hearing must be made in writing and received by the board within 20 days of the date of this notice. If a public hearing is requested to provide data, views, arguments, information, or comments orally in accordance with the Louisiana Administrative Procedure Act, the hearing will be held on the July 15, 2024, starting at 9 a.m., at the Louisiana Board of Pardons and Committee on Parole Hearing Room, 504 Mayflower Street, Baton Rouge, LA 70802. Any person wishing to attend should call to confirm that a hearing is being held.

Sheryl M. Ranatza  
Board Chair

## FISCAL AND ECONOMIC IMPACT STATEMENT FOR ADMINISTRATIVE RULES RULE TITLE: Clemency

### I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENT UNITS (Summary)

The proposed rule change may increase costs to the Department of Public Safety and Corrections, Corrections Services, by \$9,632 SGF annually for each inmate housed for an additional year pursuant to the requirement that inmates be free of disciplinary reports for a period of 36 months (an increase from 24 months) prior to clemency consideration.

In accordance with the provisions of the Administrative Procedure Act (R.S. 49:950), the Department of Public Safety and Corrections, Corrections Services, proposes to amend LAC Title 22: Corrections, Criminal Justice, and Law Enforcement, Part V. Board of Pardons, § 203 – Eligibility for Clemency Consideration, § 211 – Hearings before the Pardon Board, § 213 – Capital Cases, Request for Reprieve of Death Sentence, and enact § 204 – Capital Cases. Specifically, the amendments provide:

- §203—adds a reference to the new §204, Capital Case eligibility, and extends the time an incarcerated applicant must be disciplinary report free from 24 months to 36 months prior to a request for sentence commutation, and removes capital case eligibility from this section.
- §211—adds the requirement for advance notice of pardon hearings to be given to the attorney general.
- §213—defines the reprieve of the death sentence and details the application process and the timeline within which the board must forward the application for reprieve to the governor.
- §204 is new and details the application clemency process for requesting a commutation of a death sentence to life without parole.
- other technical changes

### II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS (Summary)

There will be no effect on revenue collections of state or local governmental units as a result of the proposed rule change.

### III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS, SMALL BUSINESSES, OR NONGOVERNMENTAL GROUPS (Summary)

There is no estimated cost and/or economic benefit to directly affected persons, businesses, or non-governmental groups.

### IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

There is no estimated effect on competition and employment as a result of the proposed rule change.

Thomas C. Bickham, III.  
Undersecretary  
2406#008

Patrice Thomas  
Deputy Fiscal Officer  
Legislative Fiscal Office

## NOTICE OF INTENT

### Office of the Governor Board of Pardons Committee on Parole

Corrections, Criminal Justice, and Law Enforcement  
(LAC 22:XI.Chapters 3, 5, 7, 8, 9, 11, 13, and 15)

In accordance with the provisions of the Administrative Procedure Act (R.S. 49:950), and pursuant to R.S. 15:574 and 15:574.2.D, the Board of Pardons and Committee on Parole proposes to amend LAC XI, in response to Acts 6, 8, and 11 of the 2024 Second Extraordinary Legislative Session. LAC XI, Chapter 8, Ameliorative Penalty Consideration, is being repealed in its entirety.

Amendments to Chapter 3, Parole Eligibility and Types of Parole, Sections 301 and 303, clarify that the Department of Public Safety & Corrections is the authority for determining offender class and release dates.

Amendments to Chapter 5, Meetings and Hearings, Section 501 is technical in nature, removing distinctions of meeting types. Section 504, subparagraph K establishes that the committee's decision to grant parole is subject to rescission at any time prior to an inmate's release from incarceration, provides examples for rescission, and further establishes that no inmate has any right to parole release based on any initial decision of the committee.

Amendments to Chapter 7, Parole Decisions, Section 705, Subsection B, paragraph 4 requires the committee to schedule a parole rehearing no later than 10 years from the most recent denial if the inmate has never submitted a request for rehearing. Subsection B, paragraph 5 establishes that a rehearing does not establish an expectation that an inmate is likely to be granted parole. Subsection D changes ineligibility for consideration for disciplinary write-up from 12 months to 36 months. Section 707 is being repromulgated due to technical revisions only.

Amendments to Chapter 9, Conditions of Parole, Section 901, Subsection B, allows for special conditions of parole to be imposed based on dynamic risk and needs particular to the circumstances of the individual. Subsection C clarifies that the committee may order payment of fines, court costs, and restitution if ordered by the judge as part of the inmate's sentence. Subsection C, paragraph 3 allows an exception to the requirement for high school equivalency certification for those who are unable to participate due to mental or physical impairment or due to age.



Amendments to Chapter 11, Violations of Parole, Section 1101, Subsection B defines offenses ineligible for technical violations and adds offenses eligible for technical violations at the discretion of the committee.

Amendments to Chapter 13, Time Served, Section 1301 removes the earning of good time or jail credits if revoked and removes good time credit earned while on parole supervision.

Amendments to Chapter 15, Parole Suspension and Termination of Parole, Section 1501, Subsection A, allows for temporary suspended status if a parolee is displaced to another state due to a natural disaster. Section 1502, Subsection A clarifies that a parolee in inactive status may be revoked due to a new felony conviction.

## **Title 22**

### **CORRECTIONS, CRIMINAL JUSTICE AND LAW ENFORCEMENT**

#### **Part XI. Committee on Parole**

#### **Chapter 3. Parole—Eligibility and Types**

##### **§301. General Information**

A. The authority for determining parole eligibility dates, offender class, good time release dates, and full-term dates will be the official master prison record computed by the Louisiana Department of Public Safety and Corrections. No inmate may be paroled while there is any pending indictment or bill of information against him for any crimes suspected of having been committed by him while a prisoner.

AUTHORITY NOTE: Promulgated in accordance with R.S. 15:574.2 et seq., R.S. 15:535 et seq., and R.S. 15:540 et seq.

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Board of Parole, LR 24:2295 (December 1998), amended by the Office of the Governor, Board of Pardons, Committee on Parole, LR 39:2269 (August 2013), LR 50:

##### **§303. Regular Parole**

A. An inmate's eligibility is specified by Louisiana law. Not all inmates are eligible for parole consideration. The Department of Public Safety and Corrections determines and calculates parole eligibility.

B. Prior to an inmate's parole hearing, all pertinent information will be compiled concerning the inmate's case.

AUTHORITY NOTE: Promulgated in accordance with R.S. 15:574.2 et seq., R.S. 15:535 et seq., and R.S. 15:540 et seq.

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Board of Parole, LR 24:2295 (December 1998), amended by the Office of the Governor, Board of Pardons, Committee on Parole, LR 39:2269 (August 2013), LR 42:1283 (August 2016), LR 44:575 (March 2018), LR 50:

##### **§307. Medical Parole/Medical Treatment Furlough**

###### **A. Definitions**

*Limited Mobility*—any inmate who is unable to perform activities of daily living without significant help or is totally confined to a bed or chair, including but not limited to prolonged coma and mechanical ventilation. Due to their significant limitation in mobility, these inmates represent a low public safety risk to society. If granted a medical treatment furlough, limited mobility inmates shall only be discharged to an acute care hospital, nursing home, or other healthcare facility.

*Permanently Disabled*—any inmate who is unable to engage in any substantial gainful activity by reason of any medically determinable physical impairment which can be expected to result in death or which is or can be expected to be permanently irreversible.

*Terminally Ill*—any inmate who is diagnosed with a terminal illness and death is expected within one year. The medical condition of a terminally ill inmate is usually permanent in nature and carries a poor prognosis.

B. An inmate determined by the Department of Public Safety and Corrections to be permanently disabled or terminally ill may be eligible for medical parole consideration.

1. Upon referral by the Department of Public Safety and Corrections, the committee may schedule the inmate for a hearing for medical parole consideration.

2. Inmates who are serving a sentence for conviction of first degree murder or second degree murder or who are sentenced to death are not eligible for medical parole consideration.

3. Medical parole consideration shall be in addition to any other parole for which an inmate may be eligible. An inmate eligible for both medical parole and traditional parole under the provisions of R.S. 15:574.4 shall be first considered for traditional parole.

4. In considering an inmate for medical parole, the committee may require that additional medical evidence be produced or that additional medical examinations be conducted.

C. An inmate determined by the secretary of the Department of Public Safety and Corrections to be a limited mobility inmate may be considered for medical treatment furlough release to an off-site medical facility appropriate to meet the inmate's medical and treatment needs.

1. Upon referral by the Department of Public Safety and Corrections, the committee may schedule the inmate for a hearing for medical treatment furlough.

2. Inmates who are serving a sentence for conviction of first degree murder or who are sentenced to death are not eligible for medical treatment furlough consideration.

3. Medical parole consideration shall be in addition to any other parole for which an inmate may be eligible. An inmate eligible for both medical parole and traditional parole under the provisions of R.S. 15:574.4 shall be first considered for traditional parole.

4. In considering an inmate for medical parole or medical treatment furlough, the committee may require that additional medical evidence be produced or that additional medical examinations be conducted.

D. The authority to grant medical parole or medical treatment furlough shall rest solely with the committee.

1. The committee on parole shall determine the risk to public safety and shall grant medical parole or medical treatment furlough only after determining that the inmate does not pose a threat to public safety.

2. As a condition of the medical parole or medical treatment furlough, the inmate shall waive their right to medical confidentiality and privacy.

3. An inmate who is denied medical parole or medical treatment furlough may apply for a rehearing within the time frame applicable to a denial of parole under any other provision of this Part if still deemed eligible by the Department of Public Safety and Corrections.

AUTHORITY NOTE: Promulgated in accordance with R.S. 15:574.2 et seq., R.S. 15:535 et seq., and R.S. 15:540 et seq.

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Board of Parole, LR 24:2297 (December 1998), amended by the Office of the Governor, Board

of Pardons, Committee on Parole, LR 39:2270 (August 2013), LR 41:43 (January 2015), LR 42:1283 (August 2016), amended by the Office of the Governor, Board of Pardons and Committee on Parole, LR 43:2495 (December 2017), LR 44:575 (March 2018), LR 44:2141 (December 2018), LR 49:256 (February 2023), LR 50:

**§309. Diminution of Sentence (Good Time/Parole Supervision Release)**

A. Each inmate released on diminution of sentence/parole supervision shall be subject to conditions of parole pursuant to R.S. 15:574.4(H) and Chapter 9 of this Part.

B. If an inmate violates a condition of his diminution of sentence/parole supervision release or other conditions imposed by the committee shall proceed in the same manner as in revocation matters pertaining to those granted regular parole.

AUTHORITY NOTE: Promulgated in accordance with R.S.15:574.2 et seq., R.S. 15:535 et seq., and R.S. 15:540 et seq.

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Board of Parole, LR 24:2297 (December 1998), amended by the Office of the Governor, Board of Pardons, Committee on Parole, LR 39:2271 (August 2013), LR 50:

**Chapter 5. Meetings and Hearings of the Committee on Parole**

**§501. Meetings**

A. All meetings and hearings of the committee shall be open to the public in accordance with the provisions of R.S. 42:1 et seq. (public policy for open meetings) and *Robert's Rules of Order*.

AUTHORITY NOTE: Promulgated in accordance with R.S.15:574.2 et seq., R.S. 15:535 et seq., and R.S. 15:540 et seq.

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Board of Parole, LR 24:2298 (December 1998), amended by the Office of the Governor, Board of Pardons, Committee on Parole, LR 39:2262 (August 2013), LR 41:44 (January 2015), LR 47:360 (March 2021), LR 50:

**§504. General Procedures**

A. - J.2. ...

K. The committee's decision to grant parole is subject to modification, alternation, or rescission for any reason deemed appropriate or necessary by the committee at any time prior to the inmate's release from custody onto supervision. If the committee rescinds its decision to grant parole, the inmate shall promptly receive another parole hearing. Examples of reasons that are appropriate for rescission include but are not limited to:

1. inmate has received a disciplinary report prior to or subsequent to the hearing but prior to the parole release.

2. time calculation adjustments by the Department of Corrections that changes the parole eligibility dates, causing the inmate to become ineligible for parole or pushing his parole eligibility dates beyond the allowed time frame for parole release or rescheduling.

3. refusing to comply with post and/or prior to release conditions set forth by the panel

4. if it is determined prior to an inmate's parole release that proper notification requirements were not met, the board may rescind its decision to grant parole.

L. No inmate has any right to parole release based upon any initial decisions of the committee.

AUTHORITY NOTE: Promulgated in accordance with R.S.15:574.2 et seq., R.S. 15:535 et seq., and R.S. 15:540 et seq.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Board of Pardons, Committee on Parole, LR 41:44 (January 2015), amended LR 45:1063 (August 2019), amended LR 46:42 (January 2020), LR 47:360 (March 2021), LR 49:257 (February 2023), LR 50:

**§510. Victims and Witnesses**

A. Definitions

*Victim*—a person against whom a crime was committed as listed in R.S. 46:1842.

*Witness*—any person who has testified for the prosecution relative to the case being considered by the board or committee.

B. Before a parole panel considers parole release for an inmate who is serving a sentence for an offense in which a person was the victim or witness of the offense shall be allowed to present written or oral testimony of their views about the offense, the inmate, and the effect of the offense on the victim of or witness to the offense. Nothing in this Section is intended to limit the panel's discretion to allow individual victims to make personal appearances or to make contact by phone or other electronic means through the local district attorney's victim advocacy representative. There is no limit on written correspondence in favor of and/or opposition to an inmate's consideration for parole.

C. The victim, spouse, or next of kin of a deceased victim and any person who has filed a victim notice and registration form shall be advised in writing no less than 90 days prior to the scheduled hearing date.

D. The notice shall advise that:

1. the hearing is open to the public;

2. he or she may remain in the hearing room during the entire hearing (except during executive session); and

3. the victim and witness, if any, the guardian of the victim, or close relative of a deceased victim will be allowed to speak to the panel prior to its making a decision in the case.

E. The Committee on Parole has delegated the responsibility for advance notice of a scheduled hearing to the victim and witness to the Department of Public Safety and Corrections, Division of Probation and Parole. This notification is not required when the victim or witness cannot be located despite the exercise of due diligence.

F. Written notice is not required when the victim, witness, spouse, or next of kin of a deceased victim advises the committee in writing that such notification is not desired.

G. If victim notification is determined to have not met the advance notice time requirements required by this section, a victim or witness may request that a hearing be re-scheduled if the hearing has not yet been conducted. Likewise, a victim or witness may waive the notice requirement; however, such waiver must be received in writing from the victim or witness.

H. Should a hearing be rescheduled by the board for any reason other than the victim's or witness' request, the board shall notify the victim and witness as soon as possible by their preferred method of notification.

I. The victim, witness, guardian of the victim, or a close relative of the deceased victim shall have the right to make a written or oral statement as to the impact of the crime.

J. The victim, witness, guardian of the victim, a close relative of the deceased victim, a victim's advocacy group, and the district attorney or his representative may also

appear before the panel by means of teleconference, telephone communication, or other electronic means.

K. All persons making oral presentations in favor of an applicant shall be allowed cumulatively no more than 10 minutes. All persons making oral presentations against an applicant, including victims, shall be allowed cumulatively no more than 10 minutes.

L. There is no limit on written correspondence in favor of and/or opposition to a candidate for parole release.

M. The Committee on Parole shall notify all persons who have filed a victim notice and registration form with the Department of Public Safety and Corrections of an offender's inmate's release from incarceration by parole. Such written notice shall be sent by mail or electronic communication.

AUTHORITY NOTE: Promulgated in accordance with R.S. 15:574.2 et seq., R.S. 15:535 et seq., and R.S. 15:540 et seq.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Board of Pardons, Committee on Parole, LR 39:2263 (August 2013), amended by the Office of the Governor, Board of Pardons and Committee on Parole, LR 43:47 (January 2017), LR 44:575 (March 2018), LR 44:2142 (December 2018), LR 47:1107 (August 2021), LR 49:257 (February 2023), LR 50:

#### **§511. Panel Action**

A. ...

B.1. The panel may consider the following actions with the inmate present:

a. - c. ...

2. The panel may consider the following actions without the inmate present:

a. ...

b. cases where the inmate is housed in a medical treatment facility or facility in another jurisdiction (such hearings conducted in absentia shall observe the same safeguards as hearings where the inmate is present); and

c. ...

C. Inmates incarcerated in a parish jail or parish correctional center may be interviewed by a single member of the Committee on Parole prior to a public parole hearing. The interviewing member will then present the case to the full parole panel for parole release consideration during the public parole hearing. Due to transport considerations, the inmate will not be present during the public hearing. However, the public hearing will be conducted in a manner which allows for observation and input by members of the public.

D. Generally, public hearings shall be conducted via videoconferencing, with the committee members participating from the committee's headquarters in Baton Rouge and inmates appearing before the committee via videoconferencing at the designated prison facility.

1. In the event the inmate is unable to appear before the board due to a medical condition, a medical professional shall be made available to the parole panel to provide information about the inmate's medical condition. The hearing will occur in absentia

2. In the case of videoconferencing, the family, friends, and attorney of the inmate are strongly encouraged to be at the location of the inmate.

3. In the case of videoconferencing, the victim(s) may appear in person before the parole panel, through other electronic means, or at the office of the district attorney

AUTHORITY NOTE: Promulgated in accordance with R.S. 15:574.2 et seq., R.S. 15:535 et seq., and R.S. 15:540 et seq.

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Board of Parole, LR 24:2299 (December 1998), amended LR 28:1597 (July 2002), amended by the Department of Public Safety and Corrections, Corrections Services, LR 36:2872 (December 2010), amended by the Office of the Governor, Board of Pardons, Committee on Parole, LR 39:2263 (August 2013), amended by the Office of the Governor, Board of Pardons, LR 40:57 (January 2014), amended by the Office of the Governor, Board of Pardons, Committee on Parole, LR 41:45 (January 2015), LR 46:1232 (September 2020), LR 47:361 (March 2021), LR 50:

#### **§513. Single-Member Action**

A.1. - A.1.b. ...

c. consideration to delay an \parolee's revocation hearing beyond 60 calendar days of the \ parolee's return to prison (arrest or detainment), but such a delay may only be authorized by a committee member for good cause.

2. - 3.a....

B. Written documentation must be placed in the inmate's record which clearly documents the reason for the decision by the single member panel.

C. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 15:574.2 et seq., R.S. 15:535 et seq., and R.S. 15:540 et seq.

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Board of Parole, LR 24:2300 (December 1998), amended by the Office of the Governor, Board of Pardons, Committee on Parole, LR 39:2264 (August 2013), LR 40:1528 (August 2014), repromulgated LR 40:1695 (September 2014), LR 47:362 (March 2021), amended LR 50:

#### **§514. Voting/Votes Required**

A. Unanimous Vote

1. A unanimous vote of those present is required to grant parole.

B. Majority Vote

1. A majority vote is required to impose all special conditions of release.

2. A majority vote is required to revoke parole.

3. A majority vote is required to continue or recess a meeting or hearing.

4. A majority vote is required to grant an inmate's request for a rehearing.

5. A majority vote is required for executive session.

6. A majority vote is required to recommend to the Board of Pardons as to whether an applicant is eligible for a reduction in sentence pursuant to R.S. 15:308 and Chapter 8, Ameliorative Penalty Consideration.

C. - E. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 15:574.2 et seq., R.S. 15:535 et seq., and R.S. 15:540 et seq.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Board of Pardons, Committee on Parole, LR 39:2264 (August 2013), amended LR 41:45 (January 2015), LR 44:2142 (December 2018), LR 47:362 (March 2021), LR 47:1108 (August 2021), LR 50:

### **Chapter 7. Parole Decisions**

#### **§701. Policy Statement**

A. ...

B. The committee shall consider all pertinent information (pre-parole investigation and institutional record) at least six months prior to the inmate's parole eligibility date. The information shall be a part of the

inmate's consolidated summary record. At a minimum, a pre-parole investigation shall be made available to the panel for its review. No case may be considered for parole release without a pre-parole investigation.

C. ...

1. Nature and Circumstances of the Crime

a. The committee will evaluate and consider the circumstances of the crime based upon the official version of the offense, as well as the victim's and inmate's versions of the offense, to determine, if possible, whether the particular conditions that contributed to the commission of the crime are likely to reoccur.

b. The committee shall also consider the seriousness of the offense, the inmate's role in the offense and the degree of his involvement, whether the offender inmate was the instigator of the crime, and whether the crime was premeditated.

c. Particular consideration will be given to those cases which involved the use of a weapon and/or caused injury to the victim, where the inmate committed one or more violent acts indicating a conscious disregard for the lives, safety, or property of others; or the instant offense has elements of brutality, violence, or conscious selection of victim's vulnerability such that the inmate poses a continuing threat to public safety.

2. Prior Criminal Record

a. The committee will evaluate and consider any available prior adult and/or juvenile records and the number and seriousness of prior convictions, including the length of time between any prior convictions and the commitment of the instant offense to determine the seriousness of the inmate's prior criminal history.

b. A pattern of repeated criminal episodes or a pattern of similar offenses may indicate a predisposition to commit criminal acts upon release and the likelihood that the inmate will not succeed on parole.

c. The committee may also consider whether the instant offense was committed while the inmate was on probation or parole and the inmate's response to prior community supervision, if any.

3. Character, Social Background, Emotional, and Physical Conditions

a. The committee will evaluate and consider information pertaining to the inmate's work record, level of education, occupational skills, and evidence of emotional stability.

b. A history of chronic drug and alcohol abuse may evidence the likelihood that the inmate will not succeed on parole

4. Institutional Adjustment

a. The committee will evaluate and consider information concerning the inmate's attitude while incarcerated, including the inmate's participation in available programs and his overall compliance with institutional regulations.

b. Obedience to institutional rules may be evidence that the inmate will comply with parole conditions, while a disciplinary record consisting of major and/or minor infractions may be viewed negatively.

c. Inmates with one or more high court disciplinary report(s) in the 36 months prior to screening for parole eligibility, would generally not be considered a good risk for

early release and will, therefore, not be given parole consideration until such time as the inmate has been disciplinary report free for 36 consecutive months. Inmates may be removed from a parole docket if they receive a high court disciplinary report during the investigation period. The inmate is responsible for notifying the board in writing when they are disciplinary report free for 36 consecutive months to be reconsidered for scheduling.

d. Inmates assigned to working cellblock or disciplinary detention/extended lockdown or otherwise assigned to cellblock areas for disciplinary reasons would generally not be considered a good risk for early release and will, therefore, be ineligible for parole consideration until such time as the inmate has not been in lockdown status for a period of six months.

5. Police, Judicial and Community Attitudes towards the Inmate

a. The committee will evaluate and consider information concerning the inmate from the community and public officials who are acquainted with the case.

b. This factor is given greater weight because the probability that an inmate will succeed on parole is greatly diminished if he will return to a community which has expressed hostility toward him and is lacking support for him.

c. Any victims or witness of any inmate who appears before the Committee on Parole for a parole hearing may provide the parole panel a re-entry statement to request proximity or contact restrictions, if that inmate is granted parole. Victims must submit the re-entry statement to the Committee on Parole at least 30 days prior to the inmate's scheduled parole hearing. The committee will consider the re-entry statement only for the purpose of determining the inmate's parole conditions and not for the purpose of determining whether to order the release of the inmate on parole. The re-entry statement is not binding on the Committee on Parole, but shall be considered in concert with other information when determining conditions of parole.

5.d. - 8.a. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 15:574.2 et seq., R.S. 15:535 et seq., and R.S. 15:540 et seq.

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Board of Parole, LR 24:2300 (December 1998), amended by the Office of the Governor, Board of Pardons, Committee on Parole, LR 39:2265 (August 2013), amended by the Office of the Governor, Board of Pardons, LR 40:58 (January 2014), amended by the Office of the Governor, Board of Pardons and Committee on Parole, LR 44:576 (March 2018), LR 45:1064 (August 2019), LR 50:

**§705. Application for Parole Rehearing or Request for Reconsideration of Decision**

A. If denied at the initial parole hearing, an inmate must apply in writing for a subsequent parole hearing, referred to as a parole rehearing. The written request must be submitted by the inmate or his representative

B. ...

1. The inmate must not have had a major (schedule B) disciplinary misconduct report in the 36 months prior to the reapplication request;

2. ...

3. If both criteria in §705.B.1 and 2 are met, an offender may apply to the committee for a rehearing at the following intervals.

Types of Crimes	Eligibility for Rehearing
Nonviolent, except as otherwise restricted	12 months after the most recent denial
First offense Crime of Violence [R.S. 14:2(B)] that is NOT First Degree Murder, Second Degree Murder, First Degree Rape, Second Degree Rape, Third Degree Rape, or Crime Against Nature [R.S. 14:89(A)(2)]	3 years after the most recent denial
Second or subsequent Crime of Violence [R.S. 14:2(B)] or Sex Offense (R.S. 15:541)	5 years after the most recent denial

4. An inmate whose parole has been denied on multiple occasions and who has never submitted a request for rehearing must be scheduled for rehearing no later than 10 years from the most recent denial.

5. A rehearing does not establish an expectation that an inmate is likely to be granted parole.

C. Reconsideration. An inmate may request that the committee reconsider its decision to deny parole as outlined herein. However, this process does not establish a formal appeal process as parole is an administrative discretionary decision that is not subject to appeal.

1. ...

2. An inmate whose parole is denied or rescinded or whose parole supervision is revoked may request reconsideration by the committee.

a. The request for reconsideration shall be made in writing by the inmate (or the inmate's authorized legal representative) and shall be postmarked no later than 21 calendar days from the date of the hearing during which the parole panel action was taken.

b. - d. ...

e. A written request for reconsideration postmarked within the time period set forth in §705.D.2.a. shall be screened by the chairman or designee to determine whether the request for reconsideration raises substantial grounds to believe that one or more of the reasons for reconsideration set forth in §705.D.2.c may be present. The request for reconsideration shall be denied by the chairman or designee if, at his or her discretion, it is determined that the request does not raise adequate grounds to believe that one or more of the reasons for reconsideration set forth in §705.D.2.c are present.

3. - 3.c. ...

4. If the chairman or designee determines there is no basis to grant the request for reconsideration, the applicant will be advised in writing.

#### D. Disciplinary Removals

1. If the inmate has one or more major (schedule B) disciplinary report(s) in the 36 months prior to their parole eligibility date, they will not be given parole consideration until such time as the inmate has been disciplinary report free for 36 consecutive months. Inmates shall be removed from a parole docket if they receive a schedule B disciplinary report during the investigation period. The inmate will be notified if they are not considered for placement on or removed from a docket.

a. The inmate is responsible for notifying the board in writing when they are disciplinary report free for 12 36 consecutive months to be reconsidered for scheduling.

AUTHORITY NOTE: Promulgated in accordance with R.S. 15:574.2 et seq., R.S. 15:535 et seq., and R.S. 15:540 et seq.

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Board of Parole, LR 24:2301 (December 1998), amended by the Office of the Governor, Board of Pardons, Committee on Parole, LR 39:2266 (August 2013), amended by the Office of the Governor, Board of Pardons, LR 40:58 (January 2014), LR 45:1065 (August 2019), LR 47:363 (March 2021), LR 49:257 (February 2023), LR 50:

### §707. Parole Plans

A. In order for an inmate to be considered for parole release, the inmate must have a viable transition plan that includes housing, potential job opportunities, and a support network that can incorporate family, friends, church, and rehabilitative programs. The plan for housing and will be investigated and approved by the Division of Probation and Parole.

B. ...

1. The board will not issue a certificate of parole to anyone granted parole until the residence plan has been approved by the Division of Probation and Parole. The residence plan should be given to the classification officer at the correctional facility where the inmate is housed at the pre-parole interview or mailed directly to the board 30 days prior to the parole hearing.

B.2. - C. ...

1. Before any inmate can be considered for a plan of supervision in another state, the inmate shall sign an application for interstate compact services agreement to return (waiver of extradition).

2. - 3. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 15:574.2 et seq., R.S. 15:535 et seq., and R.S. 15:540 et seq.

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Board of Parole, LR 24:2301 (December 1998), amended by the Office of the Governor, Board of Pardons, Committee on Parole, LR 39:2267 (August 2013), LR 45:1066 (August 2019), LR 50:

## Chapter 8. Ameliorative Penalty Consideration

### §801. Application

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S.15:574.2 et seq., R.S. 15:535 et seq., and R.S. 15:540 et seq.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Board of Pardons, Committee on Parole, LR 41:45 (January 2015), repealed LR 50:

### §802. Victim and District Attorney Notification [Formerly §207]

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S.15:574.2 et seq., R.S. 15:535 et seq., and R.S. 15:540 et seq.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Board of Pardons, Committee on Parole, LR 41:46 (January 2015), amended by the Office of the Governor, Committee on Parole, LR 41:1667 (September 2015), repealed LR 50:

### §803. Committee Evaluation

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 15:574.2 et seq., R.S. 15:535 et seq., and R.S. 15:540 et seq.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Board of Pardons, Committee on Parole, LR 41:45 (January 2015), repealed LR 50:

### §805. Parole Panel Decision/Recommendation

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 5:574.2 et seq., R.S. 15:535 et seq., and R.S. 15:540 et seq.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Board of Pardons, Committee on Parole, LR 41:46 (January 2015), repealed LR 50:

#### **§809. Consideration by the Board of Pardons**

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S.15:574.2 et seq., and R.S. 15:540 et seq.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Committee on Parole, LR 41:1667 (September 2015), repealed LR 50:

### **Chapter 9. Conditions of Parole**

#### **§901. Certificate of Parole**

A. The certificate of parole will not become operative until specific conditions of release have been acknowledged and agreed to in writing by the inmate.

1. The inmate shall be advised orally and in writing of the conditions of parole prior to his release from incarceration.

2. ...

B. Special conditions of parole, in addition to those required by R.S. 15:574.4, may be imposed based on the dynamic risk and needs factors of the individual and on the particular circumstances of the individual.

C. In addition to any other special condition, the committee shall impose special conditions of parole as set forth below.

1. Restitution to the victim for damage to or loss of property, when such restitution has been imposed by the sentencing judge as part of the sentence

2. Any fine or court cost imposed as part of the sentence if the inmate has not paid.

3. If the inmate does not have a high school degree or its equivalent, the committee shall require the inmate to enroll in and attend an adult education or reading program until he obtains a GED, or until he completes such educational programs required by the committee, and has attained a sixth-grade reading level, or until his term of parole expires, whichever occurs first. All costs shall be paid by the inmate. The provision of this subsection shall not apply to those inmates who are mentally, physically, or by reason of age, infirmity, or learning disorder unable to participate.

AUTHORITY NOTE: Promulgated in accordance with R.S. 15:574.2 et seq., R.S. 15:535 et seq., and R.S. 15:540 et seq.

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Board of Parole, LR 24:2302 (December 1998), amended by the Office of the Governor, Board of Pardons, Committee on Parole, LR 39:2267, 2271 (August 2013), LR 50:

### **Chapter 11. Violations of Parole**

#### **§1101. Types of Violations**

A. - B. ...

1. Technical violations are any violations of the conditions of parole that may be addressed by an administrative sanction as authorized by the committee pursuant to R.S. 15:547.7, except it shall not include being arrested, charged, or convicted of any of the following:

- a. a felony;
- b. an intentional misdemeanor affecting the person;
- c. any criminal act that is a violation of a protective order;
- d. being in possession of a firearm or other prohibited weapon;

e. absconding from the jurisdiction of the committee;

f. at the discretion of the committee, at any attempt to commit any other misdemeanor;

g. at the discretion of the committee, failing to appear at any court hearing.

B.2. - C.2.a. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 15:574.2 et seq., R.S. 15:535 et seq., and R.S. 15:540 et seq.

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Board of Parole, LR 24:2304 (December 1998), amended by the Office of the Governor, Board of Pardons, Committee on Parole, LR 39:2272 (August 2013), LR 45:1066 (August 2019), LR 50:

#### **§1103. Activity Report**

A. An activity report is used by the Division of Probation and Parole to advise the committee of an inmate's actions for informational purposes to document and notify an inmate's violation of the conditions of parole. An activity report may, or may not, require action by the committee.

A.1. - A1.h. ...

2. The Division of Probation and Parole will prepare the activity report within five working days following receipt of the preliminary hearing findings from the hearing officer or five working days from the date the parolee waived or deferred the preliminary hearing. The report, along with the preliminary hearing forms and other documents, shall be forwarded to the committee.

3. - 6. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 15:574.2 et seq., R.S. 15:535 et seq., and R.S. 15:540 et seq.

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Board of Parole, LR 24:2304 (December 1998), amended by the Office of the Governor, Board of Pardons, Committee on Parole, LR 39:2272 (August 2013), LR 45:1067 (August 2019), LR 50:

HISTORICAL NOTE: : Promulgated by the Department of Public Safety and Corrections, Board of Parole, LR 24:2305 (December 1998), amended by the Office of the Governor, Board of Pardons, Committee on Parole, LR 39:2273 (August 2013).

### **Chapter 13. Time Served**

#### **§1301. Time Must Be Served if Revoked**

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 15:574.2 et seq., R.S. 15:535 et seq., R.S. 15:540 et seq. and R.S. 15:571.5.

HISTORICAL NOTE: : Promulgated by the Department of Public Safety and Corrections, Board of Parole, LR 24:2306 (December 1998), amended by the Department of Public Safety and Corrections, Corrections Services, LR 36:2872 (December 2010), amended by the Office of the Governor, Board of Pardons, Committee on Parole, LR 39:2274 (August 2013), amended by the Office of the Governor, Board of Pardons, LR 40:59 (January 2014), repealed LR 50:

### **Chapter 15. Parole Suspension and Termination**

#### **§1501. Suspension of Supervised Parole**

A. ...

1. A parole officer may recommend that an inmate be placed in suspended status if the offender inmate meets the following criteria:

- a. completed a minimum of 18 months of supervision;
- b. be a first or second felony offender;
- c. score a "minimum" risk on the DOC Risk Needs Assessment Tool;

d. completed all special conditions ordered by the sentencing judge and/or committee;

e. remained conviction free (excludes minor traffic and local municipal statutes) for the period of supervision and has no pending criminal matters;

f. - h. ...

i. s temporary exception may be made to subparagraph A.1.h for a parole case with a current violent offense who has been displaced to another state due to an emergency situation (i.e., hurricane or other natural disaster).

B. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 15:574.2 et seq., R.S. 15:535 et seq., and R.S. 15:540 et seq.

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Board of Parole, LR 24:2307 (December 1998), amended by the Office of the Governor, Board of Pardons, Committee on Parole, LR 39:2269 (August 2013), LR 50:

### §1502. Inactive Parole Supervision

A. During the onset of parole supervision and development of the Supervision Plan, a parolee who is free from any conviction for a sex offense as defined in R.S. 15:541, shall be advised of the incentive to be compliant with conditions of supervision in order to be recommended for Inactive Parole Supervision.

1. As determined by the Division of Probation and Parole the parolee's case will be reviewed based on the following eligibility requirements

a. instant offense is not a crime of violence as defined by R.S. 14:2(B) and the offender has served a minimum of three years without a violation of the terms and conditions of parole

b. instant offense is a crime of violence as defined by R.S. 14:2(B) and the offender has served a minimum of seven years without a violation of the terms and conditions of parole

c. upon the committee's approval, the parolee's supervision level will be changed to Administrative-Inactive. At this effective date, the inmate is no longer subject to the conditions of parole as defined in R.S.15:574.4.2(A)(2).

d. A parolee in inactive status may be subject to revocation for a new felony conviction

AUTHORITY NOTE: Promulgated in accordance with R.S. 15:573.1, and 15:574.7.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Board of Pardons, LR 47:1109 (August 2021), amended LR 50:

#### Family Impact Statement

In compliance with R.S. 49:972, this amendment to the rules has no known impact on family formation, stability, or autonomy.

#### Poverty Impact Statement

In compliance with Act 854 of the 2012 Regular Session of the Louisiana Legislature, the impact of the proposed amendments on those that may be living at or below one hundred percent of the federal poverty line has been considered. It is not anticipated that the proposed amendments will have any impact on child, individual or family poverty in relation to individual or community asset development, as described in R.S. 49:973.

#### Small Business Analysis

Pursuant to R.S. 49:965.6, methods for reducing the impact on small businesses, as defined in the Regulatory

Flexibility Act, have been considered when creating this proposed Rule. It is not anticipated that the proposed amendments will have any adverse impact on small businesses; therefore, a Small Business Economic Impact Statement has not been prepared.

#### Provider Impact Statement

The proposed Rule should not have any known or foreseeable impact on providers as defined by HCR 170 of the 2014 Regular Legislative Session.

#### Public Comments

Written comments may be addressed to Whitney Troxclair, Executive Management Officer, Board of Pardons and Committee on Parole, P.O. Box 94304, Baton Rouge, LA 70804, until 3:30 p.m. on July 10, 2024.

#### Public Hearing

A request pursuant to R.S. 49:953(A)(2) for a public hearing must be made in writing and received by the board within 20 days of the date of this notice. If a public hearing is requested to provide data, views, arguments, information, or comments orally in accordance with the Louisiana Administrative Procedure Act, the hearing will be held on the July 15, 2024, starting at 9 a.m., at the Louisiana Board of Pardons and Committee on Parole Hearing Room, 504 Mayflower Street, Baton Rouge, LA 70802. Any person wishing to attend should call to confirm that a hearing is being held.

Sheryl M. Ranatza  
Board Chair

### FISCAL AND ECONOMIC IMPACT STATEMENT FOR ADMINISTRATIVE RULES RULE TITLE: Corrections, Criminal Justice, and Law Enforcement

#### I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENT UNITS (Summary)

The proposed rule change will likely increase costs to the Department of Public Safety and Corrections, Corrections Services, by \$9,632 SGF annually for each inmate housed for an additional year pursuant to changes made to parole eligibility, notice requirements for parole hearings, criteria for parole rehearings, special conditions of parole, and technical violations of conditions of parole.

In accordance with La. R.S. 15:574 and 15:574.2(D), the Board of Pardons and Committee on Parole proposes to amend Title 2 –Corrections, Criminal Justice, and Law Enforcement, Part XI–Committee on Parole, chapters 3, 5, 7, 9, 11, and 13, in response to Acts 6, 8, and 11 of the 2024 Second Extraordinary Legislative Session, and repeal Part XI –Committee on Parole, Chapter 8–Ameliorative Penalty Consideration, in its entirety. Specifically, the amendments:

- change the reference of offenders and parolee to inmate throughout the rule,
- update definitions applicable to classes of inmates who may fall under medical parole eligibility,
- remove differentiation between business meetings and public hearings relative to meetings and hearings of the Committee on Parole,
- provide victims with the ability to appear in person before the parole panel or through other electronic means,
- limit the special considerations of parole based on the dynamic risk and need factors and circumstances of the individual,

- change the requirements for parole eligibility, notice requirements for parole hearings, criteria for parole rehearings, special conditions of parole, and technical violations of conditions of parole.
- II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS (Summary)  
The proposed rule change will not affect the revenue collections of state or local governmental units.
- III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS, SMALL BUSINESSES, OR NONGOVERNMENTAL GROUPS (Summary)  
There is no estimated cost and/or economic benefit to directly affected persons, small businesses, or non-governmental groups.
- IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)  
There is no estimated effect on competition and employment as a result of the proposed rule change.

Thomas C. Bickham III  
Undersecretary  
2406#017

Patrice Thomas  
Deputy Fiscal Officer  
Legislative Fiscal Office

**NOTICE OF INTENT**  
**Department of Health**  
**Emergency Response Network Board**

Accommodations for Public Meetings  
(LAC 46:I.18601)

Notice is hereby given that the Louisiana Emergency Response Network Board has exercised the provisions of R.S. 49:950 et seq., the Administrative Procedure Act, and under the authority of R.S. 42:14(E), 42:17.2, R.S. 40:2844(H) and R.S. 40:2846(A), and intends to enact LAC 48:I, Chapter 186, Meetings, Section 18601, Conduct of Meetings, as approved by the Louisiana Emergency Response Network Board in a meeting of April 18, 2024. The amendment proposes to enact Chapter 186, Section 18601 to establish a uniform methodology for certain members of the public and certain member participation in open meetings.

**Title 48**  
**PUBLIC HEALTH—GENERAL**  
**Part I. General Administration**  
**Subpart 15. Emergency Response Network**  
**Chapter 186. Meetings**  
**§18601. Conduct of Meetings**

A. The Louisiana Emergency Response Network Board (LERN Board), its committees and regional commissions are obligated to provide for participation via teleconference or video conference, or if unavailable, by viable alternative methods, on an individualized basis for people with disabilities.

1. People with disabilities are defined as any of the following:
  - a. a member of the public with a disability recognized by the Americans with Disabilities Act (ADA);
  - b. a designated caregiver of such a person; or
  - c. a participant member of the LERN board, a LERN committee or a regional commission.
2. The LERN board, LERN Executive committee and each regional commission shall ensure that the written

public notice for an open meeting, as required by R.S. 42:19, includes the name, telephone number and email address of the board, committee or commission representative to whom a disability accommodation may be submitted.

B. The designated representative shall provide the requestor with an accommodation, including the teleconference and/or video conference link, for participation via electronic means as soon as possible following receipt of the request, but no later than the start of the scheduled meeting.

C. Member participation via electronic means shall count for purposes of establishing quorum and voting.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:2844(H), R.S. 42:14 and 42:17.2.1.

HISTORICAL NOTE: Promulgated by the Department of Health, Emergency Response Network, LR 50:

**Family Impact Statement**

1. What effect will this Rule have on the stability of the family? The proposed Rule will not affect the stability of the family.

2. What effect will this have on the authority and rights of persons regarding the education and supervision of their children? The proposed Rule will not affect the authority and rights of persons regarding the education and supervision of their children.

3. What effect will this have on the functioning of the family? The Rule will not affect the functioning of the family.

4. What effect will this have on family earnings and family budget? This Rule will not affect the family earnings or family budget.

5. What effect will this have on the behavior and personal responsibility of children? This Rule will not affect the behavior or personal responsibility of children.

6. Is the family or local government able to perform the function as contained in this proposed Rule? No, the function must be performed by the entity holding the meeting.

**Poverty Impact Statement**

The proposed Rulemaking will have no impact on poverty as described in R.S. 49:973.

**Small Business Analysis**

The impact of the proposed Rule on small business has been considered and it is estimated that the proposed action is not expected to have a significant adverse impact on small business as defined in the Regulatory Flexibility Act. The agency, consistent with health, safety, environmental and economic welfare factors has considered and, where possible, utilized regulatory methods in the drafting of the proposed Rule that will accomplish the objectives of applicable statutes while minimizing the adverse impact of the proposed Rule on small business.

**Provider Impact Statement**

In compliance with House Concurrent Resolution (HCR) 170 of the 2014 Regular Session of the Louisiana Legislature, the provider impact of this proposed Rule has been considered. It is anticipated that this proposed Rule will have no impact on the staffing level requirements or qualifications required to provide the same level of service, and no increase on direct or indirect cost. The proposed Rule



will have no impact on the provider’s ability to provide the same level of service as described in HCR 170.

**Public Comments**

Interested persons may submit written comments relative to the proposed Rule until 4:30 p.m., July 10, 2024 to Paige Hargrove, Louisiana Emergency Response Network, 7979 Independence Blvd, Suite 207, Baton Rouge, LA 70806, or via email to paige.hargrove@la.gov.

Paige Hargrove  
Executive Director

**FISCAL AND ECONOMIC IMPACT STATEMENT  
FOR ADMINISTRATIVE RULES  
RULE TITLE: Accommodations for Public Meetings**

**I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENT UNITS (Summary)**

Other than the cost of Rulemaking, which is approximately \$393 related to publishing the proposed Rule and final Rule in the Louisiana Register, the proposed Rule changes are not anticipated to result in implementation costs or savings to state or local governmental units.

The proposed Rule changes explain that the Louisiana Emergency Response Network (LERN Board), its committees, and regional commissions are eligible to conduct open public meetings via electronic means since it meets the criteria pursuant to Act 393 of the 2023 RLS and is obligated to provide participation in open meetings via electronic means by people with disabilities. The proposed Rule changes detail the process for posting the meeting notice and agenda, as well as detailed information regarding how members of the public may participate in the meeting prior to the electronic council meeting. The proposed changes also describe the requirements and limitations of electronic meetings. The proposed Rule changes define “people with disabilities,” require the written public notice for an open meeting to include contact information for the agency representative to whom a disability accommodation may be submitted, and detail the process the agency will follow in accommodating requests for participation by eligible individuals.

**II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS (Summary)**

The proposed Rule changes will not affect revenue collections of state or local governmental units.

**III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS, SMALL BUSINESSES, OR NONGOVERNMENTAL GROUPS (Summary)**

The proposed Rule changes will benefit LERN, its committees, and regional commissions by allowing individuals with disabilities to participate in open public meetings via electronic means. The proposed Rule changes will help make meeting participation more accessible for members of the public or the board who have ADA-recognized disabilities. The proposed Rule may result in travel savings for certain members of the public with disabilities as they can now participate in the meeting virtually.

**IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)**

The proposed Rule changes will have no effect on competition or employment.

Paige Hargrove  
Executive Director  
2406#035

Patrice Thomas  
Deputy Fiscal Officer  
Legislative Fiscal Office

**NOTICE OF INTENT**

**Department of Health  
Health Standards Section**

Hospitals—Licensing Standards  
(LAC 48:I.9303 and 9353)

The Department of Health, Health Standards Section proposes to amend LAC 48:I.9303 and §9353 as authorized by R.S. 36:254 and R.S. 40:2100-2115. This proposed Rule is promulgated in accordance with the provisions of the Administrative Procedure Act, R.S. 49:950, et seq.

The Department of Health, Health Standards Section promulgated an Emergency Rule to amend the provisions governing the licensing of hospitals in order to add a new definition, and to include provisions for the distribution of naloxone nasal spray to patients and/or non-patients who present in the hospital (*Louisiana Register*, Volume 50, Number 5). This proposed Rule is being promulgated to continue the provisions of the April 29, 2024 Emergency Rule.

**Title 48  
PUBLIC HEALTH-MEDICAL ASSISTANCE**

**Part I. General Administration**

**Subpart 3. Licensing and Certification**

**Chapter 93. Hospitals**

**Subchapter A. General Provisions**

**§9303. Definitions**

A. ...

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*Naloxone Nasal Spray*—an over-the-counter (OTC) Food and Drug Administration (FDA) approved medication that rapidly reverses the effects of opioid overdose.

\*\*\*

AUTHORITY NOTE: Promulgated in accordance with R.S.36:254 and R.S. 40:2100-2115.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Office of the Secretary, Bureau of Health Services Financing, LR 21:177 (February 1995), LR 29:2400 November 2003), amended by the Department of Health and Hospitals, Bureau of Health Services Financing, LR 36:513 (March 2010), LR 37:3028 (October 2011), LR 38:1413 (June 2012), amended by the Department of Health, Bureau of Health Services Financing, LR 45:1475 (October 2019), LR 49:1221 (July 2023), amended by the Department of Health, Bureau of Health Services Financing, LR 49:1934 (November 2023), amended by the Department of Health, Health Standards Section, LR 50:

**Subchapter D. Pharmaceutical Services**

**§9353. Delivery of Services**

A. - L. ...

M. Naloxone nasal spray, as an over-the-counter (OTC) non-prescription drug, may be distributed by the hospital to patients and/or non-patients who present in the hospital. Other non OTC formulations and dosages of naloxone will remain available by prescription only.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:2100-2115.

HISTORICAL NOTE: Promulgated by the Department of Health and Human Resources, Office of the Secretary, LR 13:246 (April 1987), amended by the Department of Health and Hospitals, Office of the Secretary, Bureau of Health Services Financing, LR 21:177 (February 1995), LR 29:2411 (November 2003), amended by the Department of Health, Health Standards Section, LR 50:

### Family Impact Statement

In compliance with Act 1183 of the 1999 Regular Session of the Louisiana Legislature, the impact of this proposed Rule on the family has been considered. It is anticipated that this proposed Rule may have a positive impact on family functioning, stability, and autonomy as described in R.S. 49:972 by expanding the availability of life-saving medication to reverse an opioid overdose.

### Poverty Impact Statement

In compliance with Act 854 of the 2012 Regular Session of the Louisiana Legislature, the poverty impact of this proposed Rule has been considered. It is anticipated that this proposed Rule will have no impact on child, individual, or family poverty in relation to individual or community asset development as described in R.S. 49:973.

### Small Business Analysis

In compliance with the Small Business Protection Act, the economic impact of this proposed Rule on small businesses has been considered. It is anticipated that this proposed Rule will not have an impact on small businesses.

### Provider Impact Statement

In compliance with House Concurrent Resolution (HCR) 170 of the 2014 Regular Session of the Louisiana Legislature, the provider impact of this proposed Rule has been considered. It is anticipated that this proposed Rule will not have an impact on staffing level requirements or qualifications required to provide the same level of service, but may have an indeterminable impact on the direct or indirect cost to the provider and on the provider's ability to provide the same level of service as described in HCR 170, since there is no way to determine how many hospitals may purchase naloxone and/or the number of doses of naloxone that the hospital may distribute.

### Public Comments

Interested persons may submit written comments to Tasheka Dukes, RN, Health Standards Section, P.O. Box 3767, Baton Rouge, LA 70821. Ms. Dukes is responsible for responding to inquiries regarding this proposed Rule. The deadline for submitting written comments is at 4:30 p.m. on August 1, 2024.

### Public Hearing

Interested persons may submit a written request to conduct a public hearing by U.S. mail to the Office of the Secretary ATTN: LDH Rulemaking Coordinator, Post Office Box 629, Baton Rouge, LA 70821-0629; however, such request must be received no later than 4:30 p.m. on July 10, 2024. If the criteria set forth in R.S. 49:961(B)(1) are satisfied, LDH will conduct a public hearing at 9:30 a.m. on July 31, 2024 in Room 118 of the Bienville Building, which is located at 628 North Fourth Street, Baton Rouge, LA. To confirm whether or not a public hearing will be held, interested persons should first call Allen Enger at (225) 342-1342 after July 10, 2024. If a public hearing is to be held, all interested persons are invited to attend and present data, views, comments, or arguments, orally or in writing.

Ralph L. Abraham, M.D.  
Secretary

## FISCAL AND ECONOMIC IMPACT STATEMENT FOR ADMINISTRATIVE RULES

### RULE TITLE: Hospitals—Licensing Standards

#### I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENT UNITS (Summary)

It is anticipated that implementation of this proposed rule will have no programmatic fiscal impact to the state other than the cost of promulgation for FY 23-24. It is anticipated that \$432 will be expended in FY 23-24 for the state's administrative expense for promulgation of this proposed rule and the final rule.

This proposed rule continues the provisions of the April 29, 2024 Emergency Rule which amended the provisions governing the licensing of hospitals in order to add a new definition, and to include provisions for the distribution of naloxone nasal spray to patients and/or non-patients who present in the hospital.

#### II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS (Summary)

It is anticipated that implementation of this proposed rule will have no impact on state revenue collections in FY 23-24, FY 24-25, and FY 25-26.

#### III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS, SMALL BUSINESSES, OR NONGOVERNMENTAL GROUPS (Summary)

This proposed rule will have no impact on small businesses, but is anticipated to have an indeterminable impact on the direct or indirect cost to hospitals, since there is no way to determine how many may purchase naloxone and/or the number of doses of naloxone that the hospital may distribute in FY 23-24, FY 24-25, and FY 25-26.

#### IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

This proposed rule has no known effect on competition and employment.

Tasheka Dukes, RN  
Deputy Assistant Secretary  
2406#036

Patrice Thomas  
Deputy Fiscal Officer  
Legislative Fiscal Office

### NOTICE OF INTENT

#### Department of Health Health Standards Section

Rural Health Clinics  
Licensing Standards  
(LAC 48:I.Chapter 75)

The Department of Health (the department), Health Standards Section proposes to amend LAC 48:I.Chapter 75, and to repeal §7533 as authorized by R.S. 46:153 and R.S. 40:2197. This proposed Rule is promulgated in accordance with the provisions of the Administrative Procedure Act, R.S. 49:950 et seq.

The department proposes to amend the provisions governing the licensing of rural health clinics (RHCs) to ensure RHC regulations are in line with federal requirements, to update physician obligations, to modify requirements for emergency preparedness, infection control, and quality assurance, and to remove obsolete language.

**Title 48**

**PUBLIC HEALTH—GENERAL**

**Part I. General Administration**

**Subpart 3. Licensing and Certification**

**Chapter 75. Licensing of Rural Health Clinics**

**Subchapter A. General Provisions**

**§7517. Personnel Qualifications/Responsibilities**

A. - A.3. ...

B. Qualifications. All personnel shall be licensed in accordance with their respective professions and be either board certified or board eligible as required by their respective certifying organizations. In addition, rural health clinics (RHCs) shall be responsible for verifying and monitoring that professional certified personnel maintain continuous license/certification.

1. Physician Services. The physician, a medical doctor or doctor of osteopathic medicine, shall provide the following:

a. medical direction for the clinic's healthcare activities, and consultation for and medical supervision of the healthcare staff;

b. in conjunction with the physician assistant and/or midlevel practitioner, participation in the development, execution, and periodic review of the RHCs' written policies and services provided to patients; and

c. periodic review of the RHCs' patient records, and provision of medical orders and medical care services to the patients of the RHC.

2. Mid-level Practitioner. The mid-level practitioner shall be appropriately licensed and credentialed as either an advanced practice registered nurse (family nurse practitioner) or physician's assistant. The mid-level practitioner(s) shall be required to maintain Advanced Cardiac Life Support (ACLS) certification to assure his/her proficiency in accepted standards of emergency care. If a facility has a current written agreement with an advanced life support provider, who can provide care within 10 minutes, then the mid-level practitioner and/or physician are exempt from this required certification.

a. - b. Repealed.

3. ...

C. Governing Body. All owners of RHCs shall be disclosed. Ownership of five percent or more constitutes ownership. In the case of an entity requiring a board of directors by law and/or as a condition of its articles of incorporation or bylaws, members of the board of directors must be identified and minutes of the board meetings shall be made available to LDH/HSS. In those RHCs requiring a board of directors, the board shall meet at least once a year.

AUTHORITY NOTE: Promulgated in accordance with R.S. 46:153 and R.S. 40:2197.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Office of the Secretary, Bureau of Health Services Financing, LR 25:1846 (October 1999), amended LR 28:509 (March 2002), amended by the Department of Health, Health Standards Section, LR 50:

**§7519. Services**

A. - B.6. ...

C. Treatment Services

1. - 2.b....

3. All facilities shall have written policies and procedures that identify a prearranged plan for access to a nearby hospital that provides advanced life support services.

4. Contracted Treatment Services. Written agreements with full-service hospitals and credentialed practitioner(s) for specialty care must be current, clearly written, and reviewed annually. The RHC retains responsibility for all medical care provided until the patient is referred to or admitted into another facility. Agreements must be signed and dated by all parties.

D. - D.2....

AUTHORITY NOTE: Promulgated in accordance with R.S. 46:153 and R.S. 40:2197.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Office of the Secretary, Bureau of Health Services Financing, LR 25:1846 (October 1999), amended LR 28:509 (March 2002), amended by the Department of Health, Health Standards Section, LR 50:

**§7521. Agency Operations**

A. Municipals. Rural health clinics shall function as a community resource for all citizens of the service area and shall promote improvement of the health of the entire community by providing educational opportunities where feasible, resource lists for referrals, assistance with accessing other resources, wellness programs, and participation in community efforts to promote health and safety. Rural health clinics shall demonstrate the following:

1. ...

2. Emergency Preparedness. A RHC shall:

a. - b. ...

c. maintain emergency supplies to provide basic emergency care in the case of a disaster in the community;

d. participate in the development of local community disaster plan, and;

e. test the emergency preparedness plan annually, by participating in a community-based full-scale exercise (if available) or conduct an individual facility-based functional exercise every other year. In the opposite years off the full-scale exercise, RHCs are required to conduct a testing exercise of its choice, which may include either a community-based full-scale exercise (if available), an individual, facility-based functional exercise, a drill, or a table-top exercise or workshop.

i. RHCs that activate their emergency plans are exempt from the next required full-scale community-based or individual, facility-based functional exercise. In this case, the RHC must be able to demonstrate, through written documentation, that it activated its emergency preparedness plan due to the emergency.

B. ...

C. Operation Hours. A RHC shall provide:

1. RHC services during the hours of operation as indicated on their licensing application, and in their policies and procedures. In addition, patient care services by a nurse practitioner, physician assistant, or certified nurse-midwife shall be available at least 50 percent of the time the RHC operates.

a. - c. Repealed.

2. - 3. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 46:153 and R.S. 40:2197.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Office of the Secretary, Bureau of Health Services Financing, LR 25:1846 (October 1999), amended LR 28:510 March 2002), amended by the Department of Health, Health Standards Section, LR 50:

**§7523. Procedural Standards**

A. The following processes are required for RHCs in Louisiana:

1. - 4.e....

5. Infection Control. A facility shall maintain and implement written and dated effective infection control policies and procedures that protect the patients and staff from infections and communicable diseases.

6. - 8. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 46:153 and R.S. 40:2197.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Office of the Secretary, Bureau of Health Services Financing, LR 25:1846 (October 1999), amended LR 28:510 (March 2002), amended by the Department of Health, Health Standards Section, LR 50:

**§7529. Quality Assurance**

A. ...

\* \* \*

B. Purpose

1. Utilization Review. The purpose of the review is to determine whether:

- a. the utilization of services are appropriate;
- b. the established policies are followed; and
- c. if any changes are needed.

2. - 5.i. Repealed.

C. Process

1. Rural health clinics shall carry out, or arrange for, a biennial evaluation of its total program.

2. The evaluation shall include review of:

- a. utilization of the RHCs' services, including at least the number of patients served and the volume of services; and
- b. a representative sample of both active and closed clinical records; and
- c. the RHC's health care policies.

D. Quality Assurance/Continuous Quality Improvement. The RHC shall have ongoing programs to assure that the overall function of the clinic is in compliance with federal, state, and local laws, and is meeting the needs of the citizens of the area, as well as attaining the goals and objectives developed from the mission statement established by the RHCs.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:2197.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Office of the Secretary, Bureau of Health Services Financing, LR 25:1851 (October 1999), amended by the Department of Health, Health Standards Section, LR 50:

**§7531. Patient's Rights and Responsibilities**

A. The RHCs shall provide education to personnel regarding patient rights during orientation at least annually, and post a copy of the patient's rights in a conspicuous place.

1. Patients of RHCs shall have the right to the following, including but not limited to:

1.a. - 2.b. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:2197.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Office of the Secretary, Bureau of Health Services Financing, LR 25:1852 (October 1999), amended by the Department of Health, Health Standards Section, LR 50:

**§7533. Advisory Committee**

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 46:153 and R.S. 40:2197.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Office of the Secretary, Bureau of Health Services Financing, LR 25:1846 (October 1999), amended LR 28:510 (March 2002), repealed by the Department of Health, Health Standards Section, LR 50:

**§7535. Physical Environment**

A. ...

B. Safety. The following are fundamental to the effective management of RHCs:

1. - 9.b....

10. miscellaneous:

a. - c. ...

d. - d.iii. Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:2197.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Office of the Secretary, Bureau of Health Services Financing, LR 25:1852 (October 1999), amended by the Department of Health, Health Standards Section, LR 50:

**Family Impact Statement**

In compliance with Act 1183 of the 1999 Regular Session of the Louisiana Legislature, the impact of this proposed Rule on the family has been considered. It is anticipated that this proposed Rule will have no impact on family functioning, stability and autonomy as described in R.S. 49:972.

**Poverty Impact Statement**

In compliance with Act 854 of the 2012 Regular Session of the Louisiana Legislature, the poverty impact of this proposed Rule has been considered. It is anticipated that this proposed Rule will have no impact on child, individual, or family poverty in relation to individual or community asset development as described in R.S. 49:973.

**Small Business Analysis**

In compliance with the Small Business Protection Act, the economic impact of this proposed Rule on small businesses has been considered. It is anticipated that this proposed Rule will likely result in reduced costs to rural health clinics (RHCs), since RHCs will only be required to provide patient care services at least 50 percent of the time RHCs operate.

**Provider Impact Statement**

In compliance with House Concurrent Resolution (HCR) 170 of the 2014 Regular Session of the Louisiana Legislature, the provider impact of this proposed Rule has been considered. It is anticipated that this proposed Rule may have a cost impact on the staffing level requirements or qualifications required to provide the same level of service, direct or indirect cost to the provider to provide the same level of service, and may have an impact on the provider's ability to provide the same level of service as described in HCR 170. It is anticipated that this proposed Rule will likely result in reduced costs to the rural health clinics (RHCs), since RHCs will only be required to provide patient care services at least 50 percent of the time RHCs operate.

**Public Comments**

Interested persons may submit written comments to Tasheka Dukes, RN, Health Standards Section, P.O. Box 3767, Baton Rouge, LA 70821. Ms. Dukes is responsible for responding to inquiries regarding this proposed Rule. The deadline for submitting written comments is at 4:30 p.m. on August 1, 2024.

## Public Hearing

Interested persons may submit a written request to conduct a public hearing by U.S. mail to the Office of the Secretary ATTN: LDH Rulemaking Coordinator, Post Office Box 629, Baton Rouge, LA 70821-0629; however, such request must be received no later than 4:30 p.m. on July 10, 2024. If the criteria set forth in R.S. 49:961(B)(1) are satisfied, LDH will conduct a public hearing at 9:00 a.m. on July 31, 2024 in Room 118 of the Bienville Building, which is located at 628 North Fourth Street, Baton Rouge, LA. To confirm whether or not a public hearing will be held, interested persons should first call Allen Enger at (225) 342-1342 after July 10, 2024. If a public hearing is to be held, all interested persons are invited to attend and present data, views, comments, or arguments, orally or in writing.

Ralph L. Abraham, M.D.  
Secretary

### FISCAL AND ECONOMIC IMPACT STATEMENT FOR ADMINISTRATIVE RULES RULE TITLE: Rural Health Clinics—Licensing Standards

#### I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENT UNITS (Summary)

It is anticipated that implementation of this proposed rule will have no programmatic fiscal impact to the state other than the cost of promulgation for FY 23-24. It is anticipated that \$1,404 will be expended in FY 23-24 for the state's administrative expense for promulgation of this proposed rule and the final rule.

This proposed rule amends the provisions governing the licensing of rural health clinics (RHCs) to ensure that the RHC regulations are in line with federal requirements, to update physician obligations, to modify requirements for emergency preparedness, infection control, and quality assurance, and to remove obsolete language.

#### II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS (Summary)

It is anticipated that implementation of this proposed rule will have no impact on state revenue collections in FY 23-24, FY 24-25, and FY 25-26.

#### III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS, SMALL BUSINESSES, OR NONGOVERNMENTAL GROUPS (Summary)

It is anticipated that this proposed rule will likely result in reduced costs to RHCs, since RHCs will only be required to provide patient care services at least 50 percent of the time RHCs operate in FY 23-24, FY 24-25, and FY 25-26.

#### IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

This proposed rule may have an indeterminable effect on the staffing level requirements of RHCs.

Tasheka Dukes, RN  
Deputy Assistant Secretary  
2406#037

Patrice Thomas  
Deputy Fiscal Officer  
Legislative Fiscal Office

## NOTICE OF INTENT

### Department of Insurance Office of the Commissioner

Regulation 31—Holding Company  
(LAC 37:XIII.Chapter 1)

The Department of Insurance, pursuant to the authority of the Louisiana Insurance Code, R.S. 22:1 et seq., and in accordance with the Administrative Procedure Act, R.S. 49:950 et seq., hereby gives notice of its intent to amend Regulation 31.

The purpose of the amendment to Regulation 31 is to add additional language permitting electronic filing and to provide clarification as to the exemption with respect to the group capital calculation.

### Title 37 INSURANCE

#### Part XIII. Regulations

#### Chapter 1. Regulation 31—Holding Company

#### §128. Group Capital Calculation

A. - B.1.c. ...

C. For an insurance holding company that has previously met an exemption with respect to the group capital calculation pursuant to Subsection A or B, the lead state commissioner may require at any time the ultimate controlling person to file an annual group capital calculation, completed in accordance with the NAIC Group Capital Calculation Instructions, if any of the following criteria are met:

C.1. - E.4 ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 22:611 et seq., R.S. 22:631 et seq., and R.S. 22:691.1-691.27.

HISTORICAL NOTE: Promulgated by the Department of Insurance, Commissioner of Insurance, LR 49:488 (March 2023), amended LR 50:

#### §131. Instructions for Forms A, B, C, D, E and F

A. - A.2 ...

3. Statements should be prepared either electronically or on paper 8 1/2" x11" in size and preferably bound at the top or the top left corner. Exhibits and financial statements, unless specifically prepared for the filing, may be submitted in their original size. All copies of any statement, financial statements, or exhibits shall be clear, easily readable, and suitable for photocopying. Debits in credit categories and credits in debit categories shall be designated so as to be clearly distinguishable as such on photocopies. Statements shall be in the English language and monetary values shall be stated in United States currency. If any exhibit or other paper or document filed with the statement is in a foreign language, it shall be accompanied by a translation into the English language and any monetary value shown in a foreign currency normally shall be converted into United States currency.

A.4 - D. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 22:691.1-691.27.

HISTORICAL NOTE: Promulgated by the Department of Insurance, Commissioner of Insurance, LR 18:274 (March 1992), amended LR 19:501 (April 1993), amended by the Office of the Commissioner, LR 41:1298 (July 2015), LR 50:

#### **Family Impact Statement**

1. Describe the Effect of the Proposed Regulation on the Stability of the Family. The proposed regulation should have no measurable impact upon the stability of the family.

2. Describe the Effect of the Proposed Regulation on the Authority and Rights of Parents Regarding the Education and Supervision of their Children. The proposed regulation should have no impact upon the rights and authority of children regarding the education and supervision of their children.

3. Describe the Effect of the Proposed Regulation on the Functioning of the Family. The proposed regulation should have no direct impact upon the functioning of the family.

4. Describe the Effect of the Proposed Regulation on Family Earnings and Budget. The proposed regulation should have no direct impact upon family earnings and budget.

5. Describe the Effect of the Proposed Regulation on the Behavior and Personal Responsibility of Children. The proposed regulation should have no impact upon the behavior and personal responsibility of children.

6. Describe the Effect of the Proposed Regulation on the Ability of the Family or a Local Government to Perform the Function as Contained in the Rule. The proposed regulation should have no impact upon the ability of the family or a local governmental unit to perform the function as contained in the rule.

#### **Poverty Impact Statement**

1. Describe the Effect on Household Income, Assets, and Financial Security. The proposed regulation should have no effect on household income assets and financial security.

2. Describe the Effect on Early Childhood Development and Preschool through Postsecondary Education Development. The proposed regulation should have no effect on early childhood development and preschool through postsecondary education development.

3. Describe the Effect on Employment and Workforce Development. The proposed regulation should have no effect on employment and workforce development.

4. Describe the Effect on Taxes and Tax Credits. The proposed regulation should have no effect on taxes and tax credits.

5. Describe the Effect on Child and Dependent Care, Housing, Health Care, Nutrition, Transportation and Utilities Assistance. The proposed regulation should have no effect on child and dependent care, housing, health care, nutrition, transportation and utilities assistance.

#### **Small Business Analysis**

The impact of the proposed regulation on small businesses as defined in the Regulatory Flexibility Act has been considered. It is estimated that the proposed action is not expected to have a significant adverse impact on small businesses. The agency, consistent with health, safety, environmental and economic welfare factors has considered

and, where possible, utilized regulatory methods in the drafting of the proposed regulation that will accomplish the objectives of applicable statutes while minimizing the adverse impact of the proposed regulation on small businesses.

1. Identification and Estimate of the Number of the Small Businesses Subject to the Proposed Rule. The proposed regulation should have no measurable impact upon small businesses.

2. The Projected Reporting, Record Keeping, and Other Administrative Costs Required for Compliance with the Proposed Rule, Including the Type of Professional Skills Necessary for Preparation of the Report or Record. The proposed regulation should have no measurable impact upon small businesses.

3. A Statement of the Probable Effect on Impacted Small Businesses. The proposed regulation should have no measurable impact upon small businesses.

4. Describe any Less Intrusive or Less Costly Alternative Methods of Achieving the Purpose of the Proposed Rule. The proposed regulation should have no measurable impact on small businesses; therefore, will have no less intrusive or less cost alternative methods.

#### **Provider Impact Statement**

1. Describe the Effect on the Staffing Level Requirements or Qualifications Required to Provide the Same Level of Service. The proposed regulation will have no effect.

2. The Total Direct and Indirect Effect on the Cost to the Provider to Provide the Same Level of Service. The proposed regulation will have no effect.

3. The Overall Effect on the Ability of the Provider to Provide the Same Level of Service. The proposed regulation will have no effect.

#### **Public Comments**

Interested persons who wish to make comments may do so by writing to Jennifer Land, Staff Attorney, Louisiana Department of Insurance, P.O. Box 94214, Baton Rouge, LA 70804-9214, by faxing comments to (225) 342-1632, or electronically at [regulations@ldi.la.gov](mailto:regulations@ldi.la.gov). Comments will be accepted through the close of business, 4:30 p.m., July 10, 2024.

Timothy J. Temple  
Commissioner

### **FISCAL AND ECONOMIC IMPACT STATEMENT FOR ADMINISTRATIVE RULES RULE TITLE: Regulation 31—Holding Company**

#### **I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENT UNITS (Summary)**

The proposed amended rule is not anticipated to result in implementation costs or savings to the state or local governmental units. The proposed rule is being amended to add additional language permitting electronic filing and to provide clarification as to the exemption with respect to the group capital calculation.

#### **II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS (Summary)**

The proposed amended rule will have no effect on revenue collections of state or local governmental units.

III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS, SMALL BUSINESSES, OR NONGOVERNMENTAL GROUPS (Summary)

The proposed amended rule will have no costs and/or economic benefits to directly affected persons, small businesses, or non-governmental groups.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

The proposed amended rule does not affect competition and employment in the state.

Lance Herrin  
Deputy Commissioner  
2406#016

Alan M. Boxberger  
Legislative Fiscal Officer  
Legislative Fiscal Office

**NOTICE OF INTENT**

**Department of Insurance  
Office of the Commissioner**

**Regulation 46—Long-Term Care Insurance  
(LAC 37:XIII.1931)**

The Department of Insurance, pursuant to the authority of the Louisiana Insurance Code, R.S. 22:1 et seq., and in accordance with the Administrative Procedure Act, R.S. 49:950 et seq., hereby gives notice of its intent to amend Regulation 46—Long-Term Care Insurance. The Department of Insurance is amending Regulation 46 to remove §1931 because it is not statutorily authorized.

**Title 37**

**INSURANCE**

**Part XIII. Regulations**

**Chapter 19. Regulation 46—Long-Term Care  
Insurance**

**§1931. Discretionary Powers of the Commissioner  
(Formerly §1927)**

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 22:1736(A), 22:1736(E), 22:1738(C), 22:1739, and 22:1740.

HISTORICAL NOTE: Promulgated by the Department of Insurance, Office of the Commissioner, LR 19:1153 (September 1993), amended LR 23:975 (August 1997), amended LR 31:470 (February 2005), repealed LR 50:

**Family Impact Statement**

1. Describe the Effect of the Proposed Regulation on the Stability of the Family. The proposed regulation should have no measurable impact upon the stability of the family.

2. Describe the Effect of the Proposed Regulation on the Authority and Rights of Parents Regarding the Education and Supervision of their Children. The proposed regulation should have no impact upon the rights and authority of children regarding the education and supervision of their children.

3. Describe the Effect of the Proposed Regulation on the Functioning of the Family. The proposed regulation should have no direct impact upon the functioning of the family.

4. Describe the Effect of the Proposed Regulation on Family Earnings and Budget. The proposed regulation should have no direct impact upon family earnings and budget.

5. Describe the Effect of the Proposed Regulation on the Behavior and Personal Responsibility of Children. The

proposed regulation should have no impact upon the behavior and personal responsibility of children.

6. Describe the Effect of the Proposed Regulation on the Ability of the Family or a Local Government to Perform the Function as Contained in the Rule. The proposed regulation should have no impact upon the ability of the family or a local governmental unit to perform the function as contained in the rule.

**Poverty Impact Statement**

1. Describe the Effect on Household Income, Assets, and Financial Security. The proposed regulation should have no effect on household income assets and financial security.

2. Describe the Effect on Early Childhood Development and Preschool through Postsecondary Education Development. The proposed regulation should have no effect on early childhood development and preschool through postsecondary education development.

3. Describe the Effect on Employment and Workforce Development. The proposed regulation should have no effect on employment and workforce development.

4. Describe the Effect on Taxes and Tax Credits. The proposed regulation should have no effect on taxes and tax credits.

5. Describe the Effect on Child and Dependent Care, Housing, Health Care, Nutrition, Transportation and Utilities Assistance. The proposed regulation should have no effect on child and dependent care, housing, health care, nutrition, transportation and utilities assistance.

**Small Business Analysis**

The impact of the proposed regulation on small businesses as defined in the Regulatory Flexibility Act has been considered. It is estimated that the proposed action is not expected to have a significant adverse impact on small businesses. The agency, consistent with health, safety, environmental and economic welfare factors has considered and, where possible, utilized regulatory methods in the drafting of the proposed regulation that will accomplish the objectives of applicable statutes while minimizing the adverse impact of the proposed regulation on small businesses.

1. Identification and Estimate of the Number of the Small Businesses Subject to the Proposed Rule. The proposed regulation should have no measurable impact upon small businesses.

2. The Projected Reporting, Record Keeping, and Other Administrative Costs Required for Compliance with the Proposed Rule, Including the Type of Professional Skills Necessary for Preparation of the Report or Record. The proposed regulation should have no measurable impact upon small businesses.

3. A Statement of the Probable Effect on Impacted Small Businesses. The proposed regulation should have no measurable impact upon small businesses.

4. Describe any Less Intrusive or Less Costly Alternative Methods of Achieving the Purpose of the Proposed Rule. The proposed regulation should have no measurable impact on small businesses; therefore, will have no less intrusive or less cost alternative methods.

**Provider Impact Statement**

1. Describe the Effect on the Staffing Level Requirements or Qualifications Required to Provide the

Same Level of Service. The proposed regulation will have no effect.

2. The Total Direct and Indirect Effect on the Cost to the Provider to Provide the Same Level of Service. The proposed regulation will have no effect.

3. The Overall Effect on the Ability of the Provider to Provide the Same Level of Service. The proposed regulation will have no effect.

#### Public Comments

Interested persons who wish to make comments may do so by writing to Jennifer Land, Staff Attorney, Louisiana Department of Insurance, P.O. Box 94214, Baton Rouge, LA 70804-9214, by faxing comments to (225) 342-1632, or electronically at [regulations@ldi.la.gov](mailto:regulations@ldi.la.gov). Comments will be accepted through the close of business, 4:30 p.m., July 10, 2024.

Timothy J. Temple  
Commissioner

### FISCAL AND ECONOMIC IMPACT STATEMENT FOR ADMINISTRATIVE RULES

#### RULE TITLE: Regulation 46 Long-Term Care Insurance

#### I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENT UNITS (Summary)

The proposed amended rule is not anticipated to result in implementation costs or savings to the state or local governmental units. The proposed rule is being amended to remove Section 1931 because it is not statutorily authorized.

#### II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS (Summary)

The proposed amended rule will have no effect on state or local governmental revenues.

#### III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS, SMALL BUSINESSES, OR NONGOVERNMENTAL GROUPS (Summary)

The proposed amended rule will have no impact on economic costs or benefits to directly affected persons, small businesses, or non-governmental groups.

#### IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

The proposed amended rule does not affect competition and employment in the state.

Lance Herrin  
Deputy Commissioner  
2406#015

Alan M. Boxberger  
Legislative Fiscal Officer  
Legislative Fiscal Office

### NOTICE OF INTENT

#### Department of Insurance Office of the Commissioner

#### Regulation 47—Actuarial Opinion and Memorandum Regulation (LAC 37:XIII.Chapter 21)

In accordance with R.S. 49:950 et seq., the Administrative Procedure Act, and through the authority granted under R.S. 22:11 et seq., the Department of Insurance hereby gives notice of its intent to amend Regulation 47 for the purpose of amending redesignated legal citations.

### Title 37 INSURANCE

#### Part XIII. Regulations

#### Chapter 21. Regulation 47—Actuarial Opinion and Memorandum Regulation

#### §2101. Purpose

A. The purpose of this regulation is to prescribe:

1. requirements for statements of actuarial opinion that are to be submitted in accordance with R.S. 22:752, and for memoranda in support thereof;

2. - 3 ...

AUTHORITY NOTE: Promulgated in accordance with R.S.22:3, 22:752 and the Administrative Procedure Act, R.S. 49:950 et seq.

HISTORICAL NOTE: Promulgated by the Department of Insurance, Office of the Commissioner, LR 31:2543 (October 2005), amended LR 50:

#### §2103. Authority

A. This regulation is issued pursuant to the authority vested in the Commissioner of Insurance of the State of Louisiana under R.S. 22:752. This regulation will take effect for annual statements for the year 2005.

AUTHORITY NOTE: Promulgated in accordance with R.S.22:3, 22:752 and the Administrative Procedure Act, R.S. 49:950 et seq.

HISTORICAL NOTE: Promulgated by the Department of Insurance, Office of the Commissioner, LR 31:2543 (October 2005), amended LR 50:

#### §2107. Definitions

*Actuarial Opinion*—the opinion of an appointed actuary regarding the adequacy of the reserves and related actuarial items based on an asset adequacy analysis in accordance with §2111 of this regulation and with applicable Actuarial Standards of Practice.

*Actuarial Standards Board*—the board established by the American Academy of Actuaries to develop and promulgate standards of actuarial practice.

*Annual Statement*—that statement required by Section R.S. 22:571 of the Insurance Law to be filed by the company with the office of the commissioner annually.

*Appointed Actuary*—an individual who is appointed or retained in accordance with the requirements set forth in §2109.C. of this regulation to provide the actuarial opinion and supporting memorandum as required by R.S. 22:752.

*Asset Adequacy Analysis*—an analysis that meets the standards and other requirements referred to in §2109.D of this regulation

*Commissioner*—the commissioner of insurance of Louisiana.

*Company*—a life insurance company, fraternal benefit society or reinsurer subject to the provisions of this regulation.

*Qualified Actuary*—an individual who meets the requirements set forth in §2109.B of this regulation.

AUTHORITY NOTE: Promulgated in accordance with R.S.22:3, 22:752 and the Administrative Procedure Act, R.S. 49:950 et seq.

HISTORICAL NOTE: Promulgated by the Department of Insurance, Office of the Commissioner, LR 31:2544 (October 2005), amended LR

#### §2109. General Requirements

A. - D.3. ...

E. Liabilities to be Covered



1. Under authority of R.S. 22:752, the statement of actuarial opinion shall apply to all in force business on the statement date, whether directly issued or assumed, regardless of when or where issued, e.g., reserves of Exhibits 5, 6 and 7, and claim liabilities in Exhibit 8, Part I and equivalent items in the separate account statement or statements.

2 - 3 ...

AUTHORITY NOTE: Promulgated in accordance with R.S.22:3, 22:752 and the Administrative Procedure Act, R.S. 49:950 et seq.

HISTORICAL NOTE: Promulgated by the Department of Insurance, Office of the Commissioner, LR 31:2544 (October 2005), amended LR 50:

**§2111. Statement of Actuarial Opinion Based on an Asset Adequacy Analysis**

A. - B.1.b. ...

2. The scope paragraph should include a statement such as:

"I have examined the actuarial assumptions and actuarial methods used in determining reserves and related actuarial items listed below, as shown in the annual statement of the company, as prepared for filing with state regulatory officials, as of December 31, 20[ ]. Tabulated below are those reserves and related actuarial items which have been subjected to asset adequacy analysis."

Dividend Accumulations or Refunds (Column 4, Line 14)					
Total Exhibit 7 (Column 1, Line 14)					
Exhibit 8, Part 1 Life (Page 3, Line 4.1)					
2 Health (Page 3, Line 4.2)					
Total Exhibit 8, Part 1					
Separate Accounts (Page 3 of the Annual Statement of the Separate Accounts, Lines 1, 2, 3.1, 3.2, 3.3)					
TOTAL RESERVES					

IMR (General Account, Page ___ Line ___)	
(Separate Accounts, Page Line )	
AVR (Page Line )	(c)
Net Deferred and Uncollected Premium	

Asset Adequacy Tested Amounts—Reserves and Liabilities					
Statement Item	Formula Reserves (1)	Additional Actuarial Reserves (a)(2)	Analysis Method (b)	Other Amount (3)	Total Amount (1)+(2)+(3) (4)
Exhibit 5 A Life Insurance					
B Annuities					
C Supplementary Contracts Involving Life Contingencies					
D Accidental Death Benefit					
E Disability – Active					
F Disability – Disabled					
G Miscellaneous					
Total (Exhibit 5 Item 1, Page 3)					
Exhibit 6 A Active Life Reserve					
B Claim Reserve					
Total (Exhibit 6 Item 2, Page 3)					
Exhibit 7 Premium and Other Deposit Funds (Column 5, Line 14)					
Guaranteed Interest Contracts (Column 2, Line 14)					
Other (Column 6, Line 14)					
Supplemental Contracts and Annuities Certain (Column 3, Line 14)					

\* \* \*

B.3 - F.1. ...

2. The Standard Valuation Law gives the commissioner broad authority to accept the valuation of a foreign insurer when that valuation meets the requirements applicable to a company domiciled in this state in the aggregate. As an alternative to the requirements of Subsection B.6.c of this Section, the commissioner may make one or more of the following additional approaches available to the opining actuary.

F.2.a. - F.3. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 22:3, 22:752 and the Administrative Procedure Act, R.S. 49:950 et seq.

HISTORICAL NOTE: Promulgated by the Department of Insurance, Office of the Commissioner, LR 31:2545 (October 2005), amended LR 37:598 (February 2011), amended LR 50:

**§2113. Description of Actuarial Memorandum Including an Asset Adequacy Analysis and Regulatory Asset Adequacy Issues Summary**

A. General

1. In accordance with R.S. 22:752, the appointed actuary shall prepare a memorandum to the company describing the analysis done in support of his or her opinion regarding the reserves. The memorandum shall be made available for examination by the commissioner upon his or her request but shall be returned to the company after such examination and shall not be considered a record of the insurance department or subject to automatic filing with the commissioner.

2 - 4 ...

5. In accordance with R.S. 22:752, the appointed actuary shall prepare a regulatory asset adequacy issues

summary, the contents of which are specified in Subsection C. The regulatory asset adequacy issues summary will be submitted no later than March 15 of the year following the year for which a statement of actuarial opinion based on asset adequacy is required. The regulatory asset adequacy issues summary is to be kept confidential to the same extent and under the same conditions as the actuarial memorandum.

B. - F. ...

AUTHORITY NOTE: Promulgated in accordance with R.S.22:3, 22:752 and the Administrative Procedure Act, R.S. 49:950 et seq.

HISTORICAL NOTE: Promulgated by the Department of Insurance, Office of the Commissioner, LR 31:2548 (October 2005), amended LR 50:

#### **Family Impact Statement**

1. Describe the Effect of the Proposed Regulation on the Stability of the Family. The proposed regulation should have no measurable impact upon the stability of the family.

2. Describe the Effect of the Proposed Regulation on the Authority and Rights of Parents Regarding the Education and Supervision of their Children. The proposed regulation should have no impact upon the rights and authority of children regarding the education and supervision of their children.

3. Describe the Effect of the Proposed Regulation on the Functioning of the Family. The proposed regulation should have no direct impact upon the functioning of the family.

4. Describe the Effect of the Proposed Regulation on Family Earnings and Budget. The proposed regulation should have no direct impact upon family earnings and budget.

5. Describe the Effect of the Proposed Regulation on the Behavior and Personal Responsibility of Children. The proposed regulation should have no impact upon the behavior and personal responsibility of children.

6. Describe the Effect of the Proposed Regulation on the Ability of the Family or a Local Government to Perform the Function as Contained in the Rule. The proposed regulation should have no impact upon the ability of the family or a local governmental unit to perform the function as contained in the rule.

#### **Poverty Impact Statement**

1. Describe the Effect on Household Income, Assets, and Financial Security. The proposed regulation should have no effect on household income assets and financial security.

2. Describe the Effect on Early Childhood Development and Preschool through Postsecondary Education Development. The proposed regulation should have no effect on early childhood development and preschool through postsecondary education development.

3. Describe the Effect on Employment and Workforce Development. The proposed regulation should have no effect on employment and workforce development.

4. Describe the Effect on Taxes and Tax Credits. The proposed regulation should have no effect on taxes and tax credits.

5. Describe the Effect on Child and Dependent Care, Housing, Health Care, Nutrition, Transportation and Utilities Assistance. The proposed regulation should have no effect on child and dependent care, housing, health care, nutrition, transportation and utilities assistance.

#### **Small Business Analysis**

The impact of the proposed regulation on small businesses as defined in the Regulatory Flexibility Act has been considered. It is estimated that the proposed action is not expected to have a significant adverse impact on small businesses. The agency, consistent with health, safety, environmental and economic welfare factors has considered and, where possible, utilized regulatory methods in the drafting of the proposed regulation that will accomplish the objectives of applicable statutes while minimizing the adverse impact of the proposed regulation on small businesses.

1. Identification and Estimate of the Number of the Small Businesses Subject to the Proposed Rule. The proposed regulation should have no measurable impact upon small businesses.

2. The Projected Reporting, Record Keeping, and Other Administrative Costs Required for Compliance with the Proposed Rule, Including the Type of Professional Skills Necessary for Preparation of the Report or Record. The proposed regulation should have no measurable impact upon small businesses.

3. A Statement of the Probable Effect on Impacted Small Businesses. The proposed regulation should have no measurable impact upon small businesses.

4. Describe any Less Intrusive or Less Costly Alternative Methods of Achieving the Purpose of the Proposed Rule. The proposed regulation should have no measurable impact on small businesses; therefore, will have no less intrusive or less cost alternative methods.

#### **Provider Impact Statement**

1. Describe the Effect on the Staffing Level Requirements or Qualifications Required to Provide the Same Level of Service. The proposed regulation will have no effect.

2. The Total Direct and Indirect Effect on the Cost to the Provider to Provide the Same Level of Service. The proposed regulation will have no effect.

3. The Overall Effect on the Ability of the Provider to Provide the Same Level of Service. The proposed regulation will have no effect.

#### **Public Comments**

Interested persons who wish to make comments may do so by writing to Jennifer Land, Staff Attorney, Louisiana Department of Insurance, P.O. Box 94214, Baton Rouge, LA 70804-9214, by faxing comments to (225) 342-1632, or electronically at [regulations@ldi.la.gov](mailto:regulations@ldi.la.gov). Comments will be accepted through the close of business, 4:30 p.m., July 10, 2024.

Timothy J. Temple  
Commissioner

#### **FISCAL AND ECONOMIC IMPACT STATEMENT FOR ADMINISTRATIVE RULES RULE TITLE: Regulation 47—Actuarial Opinion and Memorandum Regulation**

#### **I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENT UNITS (Summary)**

The proposed amended rule is not anticipated to result in implementation costs or savings to the state or local

governmental units. The proposed rule is being amended to correct legal citations.

II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS (Summary)

The proposed amended rule will have no impact on state or local governmental revenues.

III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS, SMALL BUSINESSES, OR NONGOVERNMENTAL GROUPS (Summary)

The proposed amended rule will have no impact on economic costs or benefits to directly affected persons, small businesses, or non-governmental groups.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

The proposed amended rule does not affect competition and employment in the state.

Lance Herrin  
Deputy Commissioner  
2406#015

Alan M. Boxberger  
Legislative Fiscal Officer  
Legislative Fiscal Office

## NOTICE OF INTENT

### Office of the Lieutenant Governor

#### Open Meetings Accessibility and Accommodations (LAC 4:XXIII.Chapter 7)

In accordance with the provisions of R.S. 49:950 et seq.), the Office of the Lieutenant Governor (OLG) proposes to adopt LAC 4:XXIII.Chapter 7. The purpose of the proposed rule is to accommodate people with disabilities so that they may participate via electronic means in public meetings of public bodies placed in the OLG. Such rulemaking is required pursuant to Act 393 of the 2023 Regular Session of the Louisiana Legislature, specifically R.S. 42:14(E)(4) and R.S. 42:17.2.1(B).

#### Title 4

#### ADMINISTRATION

#### Part XXIII. ADA Accessibility

#### Chapter 7. Office of the Lieutenant Governor

#### §501. Open Meetings Accessibility and Accommodations

A. All public bodies placed within the Office of the Lieutenant Governor shall provide for access to and participation in open meetings held by the public body via electronic means on an individualized basis to people with disabilities.

B. People with disabilities means any of the following:

1. a member of the public with a disability recognized by the Americans with Disabilities Act (ADA) or a designated caregiver of such person; or

2. a member of the public body with an ADA-qualifying disability.

C. People with disabilities interested in participating in the open meeting via electronic means should submit such request to the designated agency representative listed on the written public notice of the open meeting, in advance of the applicable meeting.

D. As soon as possible, but no later than the start of the open meeting, the public body shall provide the requestor the teleconference phone number and/or video conference link (with the passcode, if applicable) to

accommodate the requestor's participation in the open meeting.

E. People with disabilities interested in providing written comments on agenda items shall be permitted by the public body to submit such comments to an address, email address, or other portal that is specifically described by the public body in the written public notice of its meeting.

AUTHORITY NOTE: Promulgated in accordance with R.S. 42:14 and R.S. 42:17.2.1.

HISTORICAL NOTE: Promulgated by the Office of the Lieutenant Governor, LR 50:

#### Family Impact Statement

In accordance with R.S. 49:972, the impact of this proposed Rule on the family has been considered. It has a positive impact on family functioning, stability and autonomy by removing barriers that prevent people with disabilities from equal opportunity and full participation in the public policy making process. Moreover, the proposed rule will allow caregivers of persons with disabilities the opportunity to attend public meetings via electronic means without disrupting the daily routine as otherwise required for in-person attendance, such as time away from the home and arrangements for an alternate caregiver.

#### Poverty Impact Statement

In accordance with R.S. 49:973, the impact of this proposed Rule on poverty issues has been considered. The proposed Rule has no known or foreseeable effect on: household income, assets, and financial security; early childhood development; employment and workforce development; taxes and tax credits; or assistance for child and dependent care, housing, health care, nutrition, transportation and utilities.

#### Small Business Analysis

In accordance with R.S. 49:974.5, the impact of this proposed Rule on small businesses has been considered. There is no known or foreseeable adverse impact on small businesses. Therefore, a Small Business Economic Impact Statement has not been prepared.

#### Provider Impact Statement

In accordance with House Concurrent Resolution 170 of the 2014 Regular Session, the impact of this proposed rule on organizations that provide services for individuals with developmental disabilities has been considered. It does not have any effect on provider staffing levels, qualifications, costs, or overall ability of providers to provide the same level of service.

#### Public Comments

All interested persons are invited to submit written comments on the proposed rule. Such comments should be submitted by email or mail to Britain Engleton, Department of Culture, Recreation and Tourism, Human Resources Director, at bcarbins@crt.la.gov or P.O. Box 44243, Baton Rouge, LA 70804-4243. All written comments must be received on or before July 10, 2024 at 4:30 p.m. If necessary, a public hearing will be scheduled pursuant to R.S. 49:961(B)(1).

Nancy Watkins  
Undersecretary

**FISCAL AND ECONOMIC IMPACT STATEMENT  
FOR ADMINISTRATIVE RULES**

**RULE TITLE: Open Meetings  
Accessibility and Accommodations**

**I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENTAL UNITS (Summary)**

There are no anticipated costs or savings to state and local governmental units as a result of the proposed rule change. In compliance with Act 393 of the 2023 Regular Session, the Office of the Lieutenant Governor proposes to adopt LAC 4:XXIII.Chapter 7 of the Louisiana Administrative Code. The proposed rule establishes the framework for teleconferencing or video conferencing of board meetings. The Office of the lieutenant Governor is already in possession of the equipment necessary to provide teleconference or video conference participation in its meetings; therefore, there are no implementation costs.

**II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS (Summary)**

There is no anticipated effect on revenue collections of state or local governmental units as a result of the proposed rule change.

**III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS, SMALL BUSINESSES, OR NONGOVERNMENTAL GROUPS (Summary)**

Electronic meetings could potentially reduce expenses to directly affected persons, small businesses, or non-governmental groups by negating the need for travel to a board meeting.

**IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)**

Implementation of this proposed rule is not expected to have an effect on competition and employment.

Nancy Watkins  
Undersecretary  
2406#010

Patrice Thomas  
Deputy Fiscal Officer  
Legislative Fiscal Office

**NOTICE OF INTENT**

**Department of Public Safety and Corrections  
Office of Management and Finance**

**Firemen Supplemental Pay  
(LAC 55:XV.Chapters 1, 3, 5, 7, and 9)**

In accordance with the emergency provisions of R.S. 36:404, and 40:1666 et seq., the Department of Public Safety and Corrections, Public Safety Services, Office of Management and Finance (department) hereby proposes to amend warrant and payroll procedures for Firemen Supplemental Pay, authorized and administered pursuant to 36:404, and 1666 et seq., 2022 regular session of the legislature. Prior to enactment of 36:404, and 1666 et seq., the law required the fire chief of the respective municipality, parish, or fire protection district to forward all approved and certified supplemental pay warrants to the secretary of the Department of Public Safety and Corrections, Public Safety Services, Office of Management and Finance, on the basis of such warrants, the secretary of the department had to prepare, sign, and issue individual checks representing the amount to be paid out of state funds to each recipient. Each such check showed the legislative appropriation from which payment was made and noted that it represents additional compensation paid by the state. Checks were required to be

delivered by mail to the individual recipients in whose favor it was drawn. Many instances were recorded where recipients of supplemental pay were either underpaid or overpaid. These cases primarily arose from miscommunication in the trilateral relationship between the department, employer, and recipient. Where underpayments occurred, the remediation process was protracted, unduly burdensome and, in some cases, significantly adversely affected the financial health, safety or wellbeing of the recipient. Where overpayments occurred, the claw-back period of collecting funds was likewise protracted thereby affecting the department's budget and funding of services and, ultimately, affected the state fiscal year. The utility of the former process was far outweighed by the gravity of harm often suffered by recipients of supplemental pay and the state.

The legislature recognized the detrimental effects of the former process and enacted laws to streamline the procedures and bring about immediacy when financial errors are being corrected. The new law eliminated the trilateral process where the department paid supplemental pay directly to the recipient based on information provided by the municipality, parish, or fire protection district (governing authority). The new law streamlined the process by requiring the governing authority to furnish warrant information to the department and then the department pays the total sum of the warrants solely to the governing authority. The governing authority then distributes the supplemental pay directly to its individual recipients. When there is an error, the governing authority and recipient can remediate the problem without the need for intervention by the department. The expedited process is important, particularly where a financial error affects the home mortgage, utility bills, or prescriptive medication of a recipient. It improves departmental budgeting procedures by making line item allowances predictable, and with greater accuracy in reporting to departmental auditors and legislative oversight bodies.

This Rule provides clarity for the procedural operations by recognizing modern technological methods for delivery of supplemental pay, e.g., direct deposit to the recipient's financial institution. Moreover, this Rule clarifies how warrants are to be processed, how changes are to be made, notification of changes to employment status, and eligibility requirements for the receipt thereof, all limited by the provisions of 36:404, and 1666 et seq.

**Title 55**

**PUBLIC SAFETY**

**Part XV. Firemen Supplemental Pay**

**Chapter 1. Warrants**

**§101. Purpose**

A. The warrant consists of a list of all recipients in the municipality who are currently receiving supplemental pay and a signature sheet. The warrant is the municipality's authorization for the department to pay the listed recipients for the following month. Warrants will be issued by the department on a monthly basis.

**AUTHORITY NOTE:** Promulgated in accordance with R.S. 36:404, and 40:1666 et seq.

**HISTORICAL NOTE:** Promulgated by the Department of Public Safety and Corrections, Public Safety Services, LR 13:246 (April 1987), amended by the Department of Public Safety and Corrections, Office of Management and Finance, LR 50:

### **§103. Who is Required to Sign the Warrants**

A. Two officials must sign every warrant authorizing payment of supplemental pay in addition to the preparer. The fire chief is required to sign the warrant as the approving officer. The mayor or parish president/fire board president is required to sign the warrant as the certifying officer. The preparer must hold an administrative position, such as payroll/human resources/financial.

B. The department will request an updated document of authorized signatures annually. The municipality must notify the department whenever there is a change to the person or persons authorized to sign.

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:404, and 40:1666 et seq.

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Public Safety Services, LR 13:246 (April 1987), amended by the Department of Public Safety and Corrections, Office of Management and Finance, LR 50:

### **§105. Extent of Municipalities' Obligation**

A. The department shall remit the supplemental pay for employees listed on the warrant to the recipient(s). If the department overpays the recipient(s) as a result of any changes in the employee's employment status, the applicable municipality will be invoiced and shall promptly reimburse the department for the amount of the overpayment. If an overpayment is not a result of error by the municipality, parish, or fire protection district, the department shall collect the overpayment from the recipient(s). If the recipient's mailing address is undeliverable, the department shall collect such overpayment from the municipality, parish, or fire protection district. The municipality, parish, or fire protection district shall use extreme care in ascertaining each recipient's eligibility for the next month prior to certifying and submitting the warrant.

B. Each person who prepares, signs, or submits any supplemental pay form or document on behalf of a municipality, parish, or fire protection district is hereby deemed to acknowledge understanding the following legal ramifications.

C. The submission of a supplemental pay form or document and the contents therein constitutes the filing or depositing of a public record pursuant to R.S. 14:132 and R.S. 14:133. Intentionally submitting false information, forging the documents, or wrongfully altering the documents and the contents therein may constitute a violation of applicable provisions of criminal law, including but not limited to R.S. 14:132 or R.S. 14:133, or both, and may subject the submitting party or parties to felony criminal prosecution, criminal fines, and criminal restitution.

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:404, and 40:1666 et seq.

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Public Safety Services, LR 13:246 (April 1987), amended by the Department of Public Safety and Corrections, Office of Management and Finance, LR 50:

### **§107. How to Indicate Changes**

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 33:2006 et seq.

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Public Safety Services, LR 13:246 (April 1987), repealed by the Department of Public Safety and Corrections, Office of Management and Finance, LR 50:

### **§109. Due Date**

A. The approved and certified warrants must be returned to the department by close of business on the fifteenth day of the month. If the fifteenth day of the month falls on a Saturday, Sunday, or a legal holiday, the warrant must be received by the Friday immediately thereto. If the warrant is not received by the deadline, the recipients shall be placed in deferment and shall not receive any payments until the municipality is in compliance.

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:404, and 40:1666 et seq.

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Public Safety Services, LR 13:246 (April 1987), amended by the Department of Public Safety and Corrections, Office of Management and Finance, LR 50:

## **Chapter 3. Applications**

### **§301. Requirements**

A. The municipality is required to submit all applications online through the SuMPay portal, using the most current forms and instructions on the department's website.

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:404, and 40:1666 et seq.

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Public Safety Services, LR 13:246 (April 1987), amended by Department of Public Safety and Corrections, Public Safety Services, Office of Management and Finance, LR 50:

### **§303. Prior Service**

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 33:2006 et seq.

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Public Safety Services, LR 13:246 (April 1987), amended by the Department of Public Safety and Corrections, Office of Management and Finance, LR 50:

### **§305. When to Submit Applications to Public Safety**

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 33:2006 et seq.

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Public Safety Services, LR 13:246 (April 1987), repealed amended by the Department of Public Safety and Corrections, Office of Management and Finance, LR 50:

## **Chapter 5. Changes in Status**

### **§501. When to Notify the Department**

A. Notification of any change in employment or pay status must be received within fifteen days of the effective date of the change. These changes may be indicated on the warrant if time permits, if not, notification must be made via an official electronic means. Supporting documentation must be provided.

B. Changes in employment status include but are not limited to:

1. resignations/retirements/death;
2. suspensions;
3. leave without pay;
4. change in duties;
5. classification/job title changes;
6. workmen's compensation;
7. military leave;
8. furlough;
9. reinstatement/return from any of the above;

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:404, and 40:1666 et seq.

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Public Safety Services, LR 13:246 (April 1987), amended by the Department of Public Safety and Corrections, Office of Management and Finance, LR 50:

#### **§503. Resignations**

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 33:2006 et seq.

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Public Safety Services, LR 13:246 (April 1987), repealed by the Department of Public Safety and Corrections, Office of Management and Finance, LR 50:

#### **§505. Suspensions**

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 33:2006 et seq.

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Public Safety Services, LR 13:246 (April 1987), amended by the Department of Public Safety and Corrections, Office of Management and Finance, LR 50:

#### **§507. Leave without Pay**

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 33:2006 et seq.

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Public Safety Services, LR 13:246 (April 1987), repealed by the Department of Public Safety and Corrections, Office of Management and Finance, LR 50:

#### **§509. Change in Duties**

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 33:2006 et seq.

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Public Safety Services, LR 13:246 (April 1987), repealed LR 50:

#### **§511. Change in Classification/Title**

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 33:2006 et seq.

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Public Safety Services, LR 13:246 (April 1987), repealed by the Department of Public Safety and Corrections, Office of Management and Finance, LR 50:

#### **§513. Workmen's Comp**

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 33:2006 et seq.

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Public Safety Services, LR 13:246 (April 1987), repealed by the Department of Public Safety and Corrections, Office of Management and Finance, LR 50:

#### **§515. Death**

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 33:2006 et seq.

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Public Safety Services, LR 13:246 (April 1987), repealed by the Department of Public Safety and Corrections, Office of Management and Finance, LR 50:

### **Chapter 7. Reinstatements**

#### **§701. Reinstatement from Suspension**

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 33:2006 et seq.

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Public Safety Services, LR 13:246

(April 1987), repealed by the Department of Public Safety and Corrections, Office of Management and Finance, LR 50:

#### **§703. Reinstatement from Resignation**

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 33:2006 et seq.

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Public Safety Services, LR 13:246 (April 1987), repealed by the Department of Public Safety and Corrections, Office of Management and Finance, LR 50:

#### **§705. Reinstatement from Workmen's Comp**

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 33:2006 et seq.

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Public Safety Services, LR 13:246 (April 1987), repealed by the Department of Public Safety and Corrections, Office of Management and Finance, LR 50:

#### **§707. Reinstatement from L.W.O.P.**

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 33:2006 et seq.

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Public Safety Services, LR 13:246 (April 1987), repealed by the Department of Public Safety and Corrections, Office of Management and Finance, LR 50:

### **Chapter 9. Eligibility and Board Approval**

#### **§901. Eligibility Requirements for Supplemental Pay**

A. The eligibility requirements for supplemental pay are regulated by state statute, R.S. 40:1666.1, and approved by the board of review. The board is mandated to follow all state statutes.

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:404, and 40:1666 et seq.

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Public Safety Services, LR 13:246 (April 1987), amended by the Department of Public Safety and Corrections, Office of Management and Finance, LR 50:

#### **§903. Board Approval of Applications**

A. All applications, for supplemental pay are subject to board approval. Applicants whose job duties and/or classifications are among those the board routinely approves are placed on the payroll in the appropriate month prior to board approval. The board meets quarterly and approves these routine additions to the payroll for the quarter just ended. Applicants whose duties and/or classifications are not among those the board routinely approves or applications with questionable information are put before the board for an eligibility ruling.

B. In the event of an application being put before the board, the municipality is notified of the meeting and is invited to attend and participate in any discussion pertaining to the application. The municipality and applicant are also notified of the board's decision.

C. Decisions of the board are final as per R.S. 40:1666.8. However, the employee has the right to appeal a board's decision. Written notice of intent to appeal the board's decision must be submitted to the department no later than 30 days after receipt of the denial letter. The appeal shall be included on the next regular meeting agenda. See §913 for information on the policies of the board on "Back Pay".

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:404, and 40:1666 et seq.

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Public Safety Services, LR 13:246

(April 1987), amended by the Department of Public Safety and Corrections, Office of Management and Finance, LR 50:

**§904. Daily Rate Calculation**

A. Supplemental pay shall be prorated for the number of days worked using the current daily scale when supplemental pay recipient works less than a full month. State supplemental pay shall be distributed monthly based on a 30-day cycle. When the daily rate (current monthly pay amount divided by 30 days) is calculated, the recipient will be paid for the number of days in the month. The most recent pay grid shall be posted to the SuMPay website.

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:404, and 40:1666 et seq.

HISTORICAL NOTE: Promulgated by Department of Public Safety and Corrections, Public Safety Services, Office of Management and Finance, LR 50:

**§905. Waiting Period for New Employees**

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 33:2006 et seq.

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Public Safety Services, LR 13:246 (April 1987), repealed by the Department of Public Safety and Corrections, Office of Management and Finance, LR 50:

**§907. Step Increases**

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 33:2006 et seq.

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Public Safety Services, LR 13:246 (April 1987), repealed by the Department of Public Safety and Corrections, Office of Management and Finance, LR 50:

**§909. Cut Off Date for Raises**

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 33:2006 et seq.

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Public Safety Services, LR 13:246 (April 1987), repealed by the Department of Public Safety and Corrections, Office of Management and Finance, LR 50:

**§911. Cut Off Date for Eligibility for that Month's Check**

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 33:2006 et seq.

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Public Safety Services, LR 13:246 (April 1987), repealed by the Department of Public Safety and Corrections, Office of Management and Finance, LR 50:

**§913. Back Pay Policy**

A. The Department of Public Safety's fiscal year ends on June 30th, therefore, Legislative approval is required for back supplemental pay beyond July. The Board of Review must approve all back supplemental pay, whether or not it extends beyond the current fiscal year.

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:404, and 40:1666 et seq.

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Public Safety Services, LR 13:246 (April 1987), repealed by Department of Public Safety and Corrections, Public Safety Services, Office of Management and Finance, LR 50:

**§915. Stop Payments**

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 33:2006 et seq.

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Public Safety Services, LR 13:246 (April 1987), repealed by the Department of Public Safety and Corrections, Office of Management and Finance, LR 50:

**§917. Duplicate W-2's**

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 33:2006 et seq.

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Public Safety Services, LR 13:246 (April 1987), repealed by the Department of Public Safety and Corrections, Office of Management and Finance, LR 50:

**§919. Correspondence**

A. All correspondence and or notifications to the department must come from the municipality, parish, or fire protection district, not the individual recipient. In all correspondence or notifications, please include the applicant or recipient's name, last four digits of social security number, and the municipality's contact information. All correspondence or notifications shall be by electronic means.

AUTHORITY NOTE: Promulgated in accordance with R.S. 33:2006 et seq.

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Public Safety Services, LR 13:246 (April 1987), amended by the Department of Public Safety and Corrections, Office of Management and Finance, LR 50:

**Family Impact Statement**

The proposed Rule changes have no known impact on family formation, stability or autonomy, as described in R.S. 49:972.

**Poverty Impact Statement**

The proposed Rule changes have no known impact on poverty, as described in R.S. 49:973.

**Small Business Analysis**

The proposed Rule should not have any known or adverse impact on small business as described in R.S. 49:978.5.

**Provider Impact Statement**

The proposed Rule should not have any known or foreseeable impact on providers as defined by HCR 170 of 2014 Regular Legislative Session.

**Public Comments**

Interested persons may direct their comments to Gail C. Holland, Deputy General Counsel, Louisiana Department of Public Safety, Office of Legal Affairs, P.O. Box 66614, Baton Rouge, LA 70896 until 4:30 p.m. on July 10, 2024.

Lt. Colonel Greg Graphia  
Chief Administrative Officer

**FISCAL AND ECONOMIC IMPACT STATEMENT FOR ADMINISTRATIVE RULES**

**RULE TITLE: Firemen Supplemental Pay**

I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENT UNITS (Summary)

There are no anticipated implementation costs or savings to state or local governmental units due to the proposed rule

change. This rule change provides clarity for the procedural operations by recognizing modern technological methods for delivery of supplemental pay, e.g., direct deposit to the recipient's financial institution.

II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS (Summary)

There is no anticipated effect on the revenue collections of state or local governmental units as a result of the proposed rule change.

III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS, SMALL BUSINESSES, OR NONGOVERNMENTAL GROUPS (Summary)

There are no anticipated costs directly affected persons, small businesses, or nongovernmental groups as a result of the proposed rule change. This rule change will benefit firemen officers by expediting the supplemental pay process.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

There is no anticipated effect on competition and employment as a result of the proposed rule change.

LTC Gregory Graphia  
Chief Administrative Officer  
2406#020

Patrice Thomas  
Deputy Fiscal Officer  
Legislative Fiscal Office

## NOTICE OF INTENT

### Department of Public Safety and Corrections Office of Management and Finance

#### Municipal Police Officers Supplemental Pay (LAC 55:XVII.Chapters 1, 3, 5, 7, and 9)

In accordance with the provisions of R.S. 36:404, and 40:1667 et seq., the Department of Public Safety and Corrections, Public Safety Services, Office of Management and Finance (department) hereby proposes to amend warrant and payroll procedures for Municipal Police Officers Supplemental Pay, authorized and administered pursuant to Act 637, 2022 regular session of the legislature. Prior to enactment of Act 637, the law required the mayor of the respective municipality to forward all approved and certified supplemental pay warrants to the secretary of the Department of Public Safety and Corrections and Corrections, Public Safety Services, Office of Management and Finance, on the basis of such warrants, the secretary of the department had to prepare, sign, and issue individual checks representing the amount to be paid out of state funds to each recipient. Each such check showed the legislative appropriation from which payment was made and noted that it represents additional compensation paid by the state. Checks were required to be delivered by mail to the individual recipients in whose favor it was drawn. Many instances were recorded where recipients of supplemental pay were either underpaid or overpaid. These cases primarily arose from miscommunication in the trilateral relationship between the department, employer, and recipient. Where underpayments occurred, the remediation process was protracted, unduly burdensome and, in some cases, significantly adversely affected the financial health, safety or wellbeing of the recipient. Where overpayments occurred, the claw-back period of collecting funds was likewise protracted thereby affecting the department's budget and funding of services and, ultimately, affected the state fiscal year. The utility of the former process was far outweighed by

the gravity of harm often suffered by recipients of supplemental pay and the state.

The legislature recognized the detrimental effects of the former process and enacted laws to streamline the procedures and bring about immediacy when financial errors are being corrected. The new law eliminated the trilateral process where the department paid supplemental pay directly to the recipient based on information provided by the municipality. The new law streamlined the process by requiring the municipality to furnish warrant information to the department and then the department pays the total sum of the warrants solely to the municipality. The municipality then distributes the supplemental pay directly to its individual recipients. When there is an error, the municipality and recipient can remediate the problem without the need for intervention by the department. The expedited process is important, particularly where a financial error affects the home mortgage, utility bills, or prescriptive medication of a recipient. It improves departmental budgeting procedures by making line item allowances predictable, and with greater accuracy in reporting to departmental auditors and legislative oversight bodies.

This proposed Rule provides clarity for the procedural operations by recognizing modern technological methods for delivery of supplemental pay, e.g., direct deposit to the recipient's financial institution. Moreover, this Rule clarifies how warrants are to be processed, how changes are to be made, notification of changes to employment status, and eligibility requirements for the receipt thereof, all limited by the provisions of Act 637.

## Title 55

### PUBLIC SAFETY

#### Part XVII. Municipal Police Officers Supplemental Pay Chapter 1. Warrants

##### §101. Purpose

A. The warrant consists of a list of all recipients in a municipality who are currently receiving supplemental pay and a signature sheet. The warrant is the municipality's authorization for the department to pay the listed recipients for the following month. Warrants will be issued by the department on a monthly basis.

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:404, and 40:1667 et seq.

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, LR 13:247 (April 1987), amended by the Department of Public Safety and Corrections, Office of Management and Finance, LR 50:

##### §103. Who Is Required to Sign the Warrants

A. Two officials must sign every warrant authorizing payment of supplemental pay in addition to the preparer. The police chief is required to sign the warrant as the approving officer. The mayor is required to sign the warrant as the certifying officer. The marshal is required to sign the warrant as the approving officer. The certifying officer is the mayor. The preparer must hold an administrative position, such as payroll/human resources/finance.

B. The department will request certifying signature authorizations annually. The municipality must notify the department whenever there is a change to the person or persons authorized to sign.

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:404, and 40:1667 et seq.



HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, LR 13:247 (April 1987),—amended by the Department of Public Safety and Corrections, Office of Management and Finance, LR 50:

#### **§105. Extent of Municipalities' Obligation**

A. The department shall remit the supplemental pay for employees listed on the warrant to the municipality. Prior to distributing payment to employees who are eligible for supplemental pay, the municipality is obligated to confirm eligibility for that specific month. If the department overpays the municipality as a result of any change in any employee's employment status, the municipality will be invoiced for the amount of the overpayment and shall promptly reimburse the department for the amount of the overpayment. The municipality shall use extreme care in ascertaining each recipient's eligibility for the next month prior to certifying and submitting the warrant.

B. Each person who prepares, signs, or submits any supplemental pay form or document on behalf of a municipality is hereby deemed to acknowledge understanding the following legal ramifications.

C. The submission of a supplemental pay form or document and the contents therein constitutes the filing or depositing of a public record pursuant to R.S. 14:132 and R.S. 14:133. Intentionally submitting false information, forging the document or wrongfully altering the document and the contents therein may constitute a violation of applicable provisions of criminal law, including but not limited to R.S. 14:132 or R.S. 14:133, or both, and may subject the submitting party or parties to felony criminal prosecution, criminal fines and criminal restitution.

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:404, and 40:1667 et seq.

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, LR 13:247 (April 1987), amended by the Department of Public Safety and Corrections, Office of Management and Finance, LR 50:

#### **§107. How to Indicate Changes**

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 33:2218.7 et seq.

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, LR 13:247 (April 1987), repealed by the Department of Public Safety and Corrections, Office of Management and Finance, LR 50:

#### **§109. Due Date**

A. The approved and certified warrants must be returned to the department by the close of business on the fifteenth day of the month. If the fifteenth day of the month falls on a Saturday, Sunday, or a legal holiday, the warrant must be received immediately prior thereto. If the warrant is not received by the deadline, the municipality shall be placed in deferment and shall not receive any payments until the municipality is in compliance.

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:404, and 40:1667 et seq.

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, LR 13:247 (April 1987), repealed by the Department of Public Safety and Corrections, Office of Management and Finance, LR 50:

### **Chapter 3. Applications**

#### **§301. Requirements**

A. The municipality is required to submit all applications on line through the SuMPay Portal, using the most current forms and instructions on the department's website.

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:404, and 40:1667 et seq.

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, LR 13:247 (April 1987), amended by the Department of Public Safety and Corrections, Office of Management and Finance, LR 50:

#### **§303. Prior Service**

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 33:2218.7 et seq.

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, LR 13:247 (April 1987), repealed by the Department of Public Safety and Corrections, Office of Management and Finance, LR 50:

#### **§305. POST Certification**

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 33:2218.7 et seq.

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, LR 13:247 (April 1987), repealed by the Department of Public Safety and Corrections, Office of Management and Finance, LR 50:

#### **§307. When to Submit Applications to D.P.S.**

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 33:2218.7 et seq.

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, LR 13:247 (April 1987), repealed by the Department of Public Safety and Corrections, Office of Management and Finance, LR 50:

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#### **§501. When to Notify the Department**

A. Notification of any change in employment or pay status must be received within fifteen days of the effective date of the change. These changes may be indicated on the warrant if time permits, if not, notification must be made via an official electronic notification. Supporting documentation must be provided. Changes in employment status include but are not limited to:

1. resignations/retirements/death;
2. suspensions;
3. leave without pay;
4. change in duties;
5. classification/job title changes;
6. workmen's compensation;
7. military leave;
8. furlough;
9. reinstatement/return from any of the above.

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:404, and 40:1667 et seq.

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, LR 13:247 (April 1987), amended by the Department of Public Safety and Corrections, Office of Management and Finance, LR 50:

### **§503. Resignations**

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 33:2218.7 et seq.

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, LR 13:247 (April 1987), repealed by the Department of Public Safety and Corrections, Office of Management and Finance, LR 50:

### **§505. Suspensions**

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 33:2218.7 et seq.

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, LR 13:247 (April 1987), repealed by the Department of Public Safety and Corrections, Office of Management and Finance, LR 50:

### **§507. Leave without Pay (L.W.O.P.)**

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 33:2218.7 et seq.

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, LR 13:247 (April 1987), repealed by the Department of Public Safety and Corrections, Office of Management and Finance, LR 50:

### **§509. Change in Duties**

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 33:2218.7 et seq.

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, LR 13:247 (April 1987), repealed by the Department of Public Safety and Corrections, Office of Management and Finance, LR 50:

### **§511. Change in Classification/Title**

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 33:2218.7 et seq.

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, LR 13:247 (April 1987), repealed by the Department of Public Safety and Corrections, Office of Management and Finance, LR 50:

### **§513. Workmen's Compensation**

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 33:2218.7 et seq.

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, LR 13:247 (April 1987), repealed by the Department of Public Safety and Corrections, Office of Management and Finance, LR 50:

### **§515. Death**

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 33:2218.7 et seq.

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, LR 13:247 (April 1987), repealed by the Department of Public Safety and Corrections, Office of Management and Finance, LR 50:

## **Chapter 7. Reinstatements**

### **§701. Reinstatement from Suspension**

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 33:2218.7 et seq.

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, LR 13:247 (April 1987), repealed by the Department of Public Safety and Corrections, Office of Management and Finance, LR 50:

### **§703. Reinstatement from Resignation**

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 33:2218.7 et seq.

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, LR 13:247 (April 1987), repealed by the Department of Public Safety and Corrections, Office of Management and Finance, LR 50:

### **§705. Reinstatement from Workmen's Comp**

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 33:2218.7 et seq.

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, LR 13:247 (April 1987), repealed by the Department of Public Safety and Corrections, Office of Management and Finance, LR 50:

### **§707. Reinstatement from L.W.O.P.**

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 33:2218.7 et seq.

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, LR 13:247 (April 1987), repealed by the Department of Public Safety and Corrections, Office of Management and Finance, LR 50:

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### **§901. Eligibility Requirements for Supplemental Pay**

A. The eligibility requirements for supplemental pay are regulated by state statute, R.S. 40:1667.1, and approved by the board of review. The board is mandated to follow all state statutes.

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:404, and 40:1667 et seq.

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, LR 13:247 (April 1987), amended by the Department of Public Safety and Corrections, Office of Management and Finance, LR 50:

### **§903. Board Approval of Applications**

A. All applications for supplemental pay are subject to board approval. Applicants whose job duties and/or classifications are among those the board routinely approves are placed on the payroll in the appropriate month prior to board approval. The board meets quarterly and approves these routine additions to the payroll for the quarter just ended. Applicants whose duties and/or classifications are not among those the board routinely approves or applications with questionable information are put before the board for an eligibility ruling.

B. In the event of an application being put before the board, the municipality is notified of the meeting and is invited to attend and participate in any discussion pertaining to the application. The municipality and applicant are also notified of the board's decision.

C. Decisions of the board are final as per R.S. 40:1667.6. However, the employee has the right to appeal a board decision. Written notice of intent to appeal the board's decision must be submitted to the department no later than 30 days after receipt of the denial letter. The appeal shall be included on the next regular meeting agenda. See §913 for information on the policies of the board on "Back Pay".

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:404, and 40:1667 et seq.

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, LR 13:247 (April 1987), amended

by the Department of Public Safety and Corrections, Office of Management and Finance, LR 50:

#### **§904. Daily Rate Calculation**

A. Supplemental pay shall be prorated for the number of days worked using the current daily scale when a supplemental pay recipient works less than a full month. State supplemental pay shall be distributed monthly based on a 30-day cycle. When the daily rate (current monthly pay amount divided by 30 days) is calculated, the recipient will be paid for the number of days in the month. The most recent pay grid shall be posted to the SuMPay website.

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:404, and 40:1667 et seq.

HISTORICAL NOTE: Promulgated by Department of Public Safety and Corrections, Public Safety Services, Office of Management and Finance, LR 50:

#### **§905. Waiting Period for New Employees**

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 33:2218.7 et seq.

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, LR 13:247 (April 1987), repealed by the Department of Public Safety and Corrections, Office of Management and Finance, LR 50:

#### **§907. Step Increases**

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 33:2218.7 et seq.

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, LR 13:247 (April 1987), repealed by the Department of Public Safety and Corrections, Office of Management and Finance, LR 50:

#### **§909. Cut Off Date for Raises**

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 33:2218.7 et seq.

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, LR 13:247 (April 1987), repealed by the Department of Public Safety and Corrections, Office of Management and Finance, LR 50:

#### **§911. Cut-Off Date for Eligibility for that Month's Check**

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 33:2218.7 et seq.

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, LR 13:247 (April 1987), repealed by the Department of Public Safety and Corrections, Office of Management and Finance, LR 50:

#### **§913. Back Pay Policy**

A. The department's fiscal year ends on June 30th, therefore, Legislative approval is required for back supplemental pay beyond July. The Board of Review must approve all back supplemental pay, whether or not it extends beyond the current fiscal year.

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:404, and 40:1667 et seq.

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Public Safety Services, LR 13:246 (April 1987), amended by Department of Public Safety and Corrections, Public Safety Services, Office of Management and Finance, LR 50:

#### **§915. Stop Payments**

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 33:2218.7 et seq.

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, LR 13:247 (April 1987), repealed by the Department of Public Safety and Corrections, Office of Management and Finance, LR 50:

#### **§917. Duplicate W-2's**

Repealed

AUTHORITY NOTE: Promulgated in accordance with R.S. 33:2218.7 et seq.

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, LR 13:247 (April 1987), repealed by the Department of Public Safety and Corrections, Office of Management and Finance, LR 50:

#### **§919. Correspondence**

A. All correspondence and or notifications to the department must come from the municipality, not the individual recipient. In all correspondence or notifications, please include the applicant or recipient's name, last four digits of social security number, and the municipality's contact information. All correspondence or notifications shall be by electronic means.

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:404, and 40:1667 et seq.

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Public Safety Services, LR 13:246 (April 1987), amended by Department of Public Safety and Corrections, Public Safety Services, Office of Management and Finance, LR 50:

#### **Family Impact Statement**

The proposed Rule changes have no known impact on family formation, stability or autonomy, as described in R.S. 49:972.

#### **Poverty Impact Statement**

The proposed Rule changes have no known impact on poverty, as described in R.S. 49:973.

#### **Small Business Analysis**

The proposed Rule should not have any known or adverse impact on small business as described in R.S. 49:978.5.

#### **Provider Impact Statement**

The proposed Rule should not have any known or foreseeable impact on providers as defined by HCR 170 of 2014 Regular Legislative Session.

#### **Public Comments**

Interested persons may direct their comments to Gail C. Holland, Deputy General Counsel, Louisiana Department of Public Safety, Office of Legal Affairs, P.O. Box 66614, Baton Rouge, LA 70896 until 4:30 p.m. on July 10, 2024.

Lt. Colonel Greg Graphia  
Chief Administrative Officer

### **FISCAL AND ECONOMIC IMPACT STATEMENT FOR ADMINISTRATIVE RULES**

#### **RULE TITLE: Municipal Police Officers Supplemental Pay**

#### **I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENT UNITS (Summary)**

It is not anticipated that state or local governmental units will incur any costs or savings as a result of this proposed rule.

In accordance with Act 637 of the 2022 RS, the Department of Public Safety (DPS) proposed to amend Sections 101, 103, 105, 107, 109, 301, 303, 305, 307, 501, 503, 505, 507, 509, 511, 513, 515, 701, 703, 705, 707, 901, 903, 904, 905, 907, 909, 911, 913, 915, 917, 919 of Part XV,

Chapters 1, 3, 5, 7, and 9 of Title 55 (Public Safety) of the Louisiana Administrative Code. Specifically, the proposed rule:

- Streamlines the process and requirements for how warrants are processed for payment.
- Requires the municipality to submit all applications online through the SuMPay portal.
- Requires the notification of any changes in employment or pay status to be communicated within fifteen days of the effective date of the change.
- Establishes the Daily Rate Calculation and provides for the most recent pay grid to be posted to the SuMPay website.
- States all correspondence and or notifications to the department must be by electronic means and come from the municipality, parish, or fire protection district, not the individual recipient.

II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS (Summary)

There is no anticipated effect on revenue collections of state or local governmental units.

III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS, SMALL BUSINESSES, OR NONGOVERNMENTAL GROUPS (Summary)

There are no anticipated costs or economic benefits to directly affected persons, small business, or non-governmental groups. The proposed measure clarifies the process of disbursing funds to satisfy warrants approved and certified by governing authorities, and provides consistency between the administrative code and current practice.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

Implementation of this proposed rule is not anticipated to have an effect on competition and employment.

LTC Gregory Graphia  
Chief Administrative Officer  
2406#021

Patrice Thomas  
Deputy Fiscal Officer  
Legislative Fiscal Office

**NOTICE OF INTENT**

**Department of Revenue  
Office of Charitable Gaming**

**Limited Raffle Licenses  
(LAC 42:I.1722)**

Under the authority of R.S. 4:707, 707.1, and 729, and in accordance with the provisions of the Administrative Procedures Act, R.S. 49:950 et seq., the Department of Revenue, Office of Charitable Gaming gives notice that the rulemaking procedures have been initiated to adopt LAC 42:I.1722.

Revised Statute 4:707.1, enacted by 2023 Acts, No. 89, establishes a limited raffle license and provides exemptions from the requirements of R.S. 4:705(2)(c) (\$75 license fee) and 4:714(F)(1) (requiring a separate charitable gaming account). LAC 42:I.1722 sets forth the qualifications and requirements for a limited raffle license. The Rule will establish a reduced license and renewal fee of \$25. Limited raffle licenses are available to organizations who conduct one or more raffle games during the 12-month license period with aggregate total prize winnings that do not exceed \$10,000.

An Emergency Rule outlining the qualifications and requirements was issued on September 1, 2023 (*Louisiana Register*, Volume 49, Number 9). A revised Emergency Rule

was issued on February 29, 2024. This Rule will adopt the provisions set forth in the February 29, 2024 Emergency Rule.

**Title 42**

**LOUISIANA GAMING**

**Part I. Charitable Bingo, Keno, Raffle**

**Subpart 1. Bingo**

**Chapter 17. Charitable Bingo, Keno and Raffle**

**Subchapter B. Gaming Requirements**

**§1722. Limited Raffle License Requirements**

A. A limited raffle license may be issued pursuant to R.S. 4:707.1 to an organization that:

1. qualifies under Louisiana law to conduct charitable gaming;
2. holds one or more raffle games during the 12-month license period for which the aggregate value of all prizes to be awarded for all raffle games does not exceed \$10,000; and
3. the raffles are not conducted at a time and place other games of chance allowed under R.S. 4:707 are conducted.

B. Limited raffle licensees shall be subject to the same requirements as other licensed organizations conducting raffles except that:

1. the license and renewal fee shall be \$25;
2. a separate charitable gaming account shall not be required;
3. the information required by R.S. 4:716 shall be submitted annually rather than quarterly; and
4. the license renewal application may be submitted after June 30 without penalty, provided it is filed at least 30 days prior to the scheduled raffle unless the secretary waives this requirement for good cause.

C. Notwithstanding Paragraph B.1 of this Section, if the aggregate value of all prizes to be awarded during the license period will not exceed \$250, the license and renewal fees shall be waived.

D. Raffle games for which the prize value cannot reasonably be predetermined, such as 50/50 and split the pot raffles do not qualify for a limited raffle license. Similarly, raffles with prizes that by nature exceed \$10,000, such as automobiles and immovable property, do not qualify for the limited raffle license.

E. If the total prize winnings distributed by the licensee during the 12-month limited license period exceed \$10,000, the organization shall be prohibited from renewing its limited raffle license. In this case, the organization shall apply for a standard charitable gaming license. In the event that the organization does not apply for a standard charitable gaming license, the organization's limited raffle license will be deemed suspended for a calendar year. After the expiration of the calendar year, the organization may reapply for a limited raffle license.

AUTHORITY NOTE: Promulgated in accordance with R.S. 4:707.1 and 47:1511.  
HISTORICAL NOTE: Promulgated by the Department of Revenue, Office of Charitable Gaming, LR 50:

**Family Impact Statement**

The proposed adoption of this rule has no known impact on family as defined by R.S. 49:972(D) or on family formation, stability and autonomy. The proposed rule also have no other known or foreseeable impact on:

1. the stability of the family.
2. the authority and rights of parents regarding the education and supervision of their children.
3. the functioning of the family.
4. family earnings and family budget.
5. the behavior and personal responsibility of children.
6. the ability of the family or a local government to perform this function.

**Poverty Impact Statement**

The proposed Rule has no known impact on poverty as described in R.S. 49:973.

**Small Business Analysis**

The proposed Rule has no known or foreseeable measurable impact on small businesses as described in R.S. 49:974.4.

**Provider Impact Statement**

The proposed Rule has no known or foreseeable effect on:

1. The staffing levels requirements or qualifications required to provide the same level of service.
2. The total direct and indirect effect on the cost to the provider to provide the same level of service.
3. The overall effect on the ability of the provider to provide the same level of service.

**Public Comments**

All interested persons may submit written data, views, arguments or comments regarding this proposed Rule to Shanda J. McClain, Attorney, Tax Policy and Planning Division, Office of Legal Affairs, P.O. Box 44098, Baton Rouge, LA 70804-4098. Written comments will be accepted until 4:30 p.m., July 29, 2024.

**Public Hearing**

A public hearing will be held on July 30, 2024 at 10 a.m. in the Calcasieu Room located on the 2nd floor of the LaSalle Building, 617 North Third Street, Baton Rouge, Louisiana.

Luke Morris  
Assistant Secretary

state revenues are anticipated: one from a reduction in revenue associated with regular gaming licenses and one from an increase in the number of organizations who apply for the new limited raffle licenses. Under certain circumstances, some organizations that had previously applied for a regular gaming license and paid the \$75 fee may now apply for the limited raffle license and pay the \$25 registration fee. This is anticipated to reduce fee revenues. However, an increase in the number of new organizations applying for the limited raffle license due to the lower price threshold and reduced administrative requirements is anticipated to increase fee revenues. The extent to which these two impacts offset one another is indeterminable.

Local governmental units are not affected.

III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS, SMALL BUSINESSES, OR NONGOVERNMENTAL GROUPS (Summary)

Organizations qualified to conduct charitable gaming that apply for the limited raffle license will pay a reduced application fee and not be required to maintain a separate gaming bank account. This is anticipated to reduce the expenses associated with charitable gaming. Any additional costs for completion and submission of the required paperwork of this proposed rule are expected to be minor.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

There is no anticipated impact on competition or employment.

Luke Morris  
Assistant Secretary  
2406#026

Alan M. Boxberger  
Legislative Fiscal Officer  
Legislative Fiscal Office

**NOTICE OF INTENT**

**Department of Revenue  
Policy Services Division**

Aviation Fuel Dealer Sales Tax Returns,  
Form R-1029E—Electronic Filing  
and Payment Requirement  
(LAC 61.III.1549 and 1550)

**FISCAL AND ECONOMIC IMPACT STATEMENT  
FOR ADMINISTRATIVE RULES  
RULE TITLE: Limited Raffle License Requirements**

I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENT UNITS (Summary)

The proposed rule establishes the qualifications and requirements for a limited raffle license. Act 89 of the 2023 Regular Session of the Louisiana Legislature enacted R.S. 4:707.1 to establish a limited raffle license and provide certain exemptions from the requirements of R.S. 4:705(2)(c) and 4:714(F)(1).

Implementation of this proposed rule will result in \$65,000 in additional costs in the Office of Charitable Gaming associated with the development of the application forms and new limited raffle license. Programming changes are needed to the existing system to accommodate the new license and for tracking of the registration and reporting. No additional personnel are needed.

II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS (Summary)

The proposed rule establishes an annual license, renewal fee, and provides guidance for charitable organizations applying to only conduct raffles with an aggregate prize total of \$10,000 or less per license period. Two potential impacts on

Under the authority of R.S. 47:1511, 47:1519, 47:1520 and in accordance with the Administrative Procedure Act, R.S. 49:950 et seq., the Department of Revenue, through this Notice of Intent, proposes to adopt rules to require electronic filing and payment requirements for aviation fuel dealers who are filing the Form 1029, *Louisiana Sales Tax Return*.

R.S. 47:1519(B)(1) authorizes the secretary to require payments by electronic funds transfer, and R.S. 47:1520(A)(3) grants the secretary the discretion to require electronic filing of tax returns or reports by administrative rule promulgated with legislative oversight in accordance with the Administrative Procedure Act, R.S. 49:950 et seq. R.S. 47:1520(A)(1)(d) also allows the secretary to require electronic filing when the report is required for dedicated fund distribution. The purpose of this regulation is to require aviation fuel dealers to electronically file all state sales tax returns and electronically submit all related sales and use tax payments. Article VII §27(B)(1) of the Louisiana Constitution requires the revenue dedicated to airports be appropriated based on annual estimated revenue from sales taxes collected and received on aviation fuel. Aviation fuel dealers must file and pay electronically so that aviation fuel

revenues can be tracked to ensure the accuracy of future revenue estimates.

This Rule is written in plain language in an effort to increase transparency.

## **Title 61**

### **REVENUE AND TAXATION**

#### **Part III. Administrative and Miscellaneous Provisions**

#### **Chapter 15. Mandatory Electronic Filing of Tax Returns and Payment**

#### **§1549. Aviation Fuel Dealers—Electronic Filing Requirements**

A. Definitions. The terms *aviation fuel*, *aviation fuel dealer*, *aviation gasoline*, and *aviation jet fuel* shall have the same meanings given to them in R.S. 47:818.2.

B. For filing periods beginning on or after October 1, 2024, aviation fuel dealers shall be required to file the Form R-1029E, Louisiana Sales Tax Return, electronically.

C. Aviation fuel dealers may not file paper versions of the Form R-1029.

D.1. Failure to comply with the electronic filing requirement of this section will result in the assessment of a penalty as provided for in R.S. 47:1520(B), beginning with the October 2024 filing period.

2. Waiver of the penalty provided for in paragraph 1 of this subsection shall only be allowed as provided for in R.S. 47:1520(B).

AUTHORITY NOTE: Promulgated in accordance with R.S. 47:1511 and 47:1520.

HISTORICAL NOTE: Promulgated by the Department of Revenue, Policy Services Division, LR 50:

#### **§1550. Aviation Fuel Dealers—Electronic Payment Required**

A. R.S. 47:1519(B)(1) allows the secretary to require aviation fuel dealers to pay sales and use tax by electronic funds transfer.

B. Effective for all filing periods beginning on or after October 1, 2024, all payments by any aviation fuel dealer shall be electronically transferred to the department on or before the twentieth day following the close of the reporting period using the electronic format provided.

C. For purposes of this Rule, specific requirements relating to the procedures for making payments by electronic funds transfer are set forth in R.S. 47:1519 and LAC 61.I.4910.

D. Failure to comply with the electronic funds transfer requirements shall result in the tax payment being considered delinquent and subject to penalties and interest as provided under R.S. 47:1601 and 1602, beginning on November 20, 2024.

E. If an aviation fuel dealer has made a good faith attempt and exercises due diligence in initiating a payment under the provisions of R.S. 47:1519, this Rule, and LAC 61.I.4910 but because of unexpected problems arising at financial institutions, Federal Reserve facilities, the automated clearinghouse system, or state agencies, the payment is not timely received, the delinquent penalty may be waived as provided by R.S. 47:1603. Before a waiver will be considered, aviation fuel dealers must furnish the department with documentation proving that due diligence was exercised and that the delay was clearly beyond their control.

F. In any case where the aviation fuel dealer can prove payment by electronic funds transfer would create an undue hardship, the secretary may exempt the taxpayer from the requirement to transmit funds electronically.

G. The tax returns must be filed electronically; separately from the electronic transmission of the remittance.

AUTHORITY NOTE: Promulgated in accordance with R.S. 47:1511 and 47:1519.

HISTORICAL NOTE: Promulgated by the Department of Revenue, Policy Services Division, LR 50:

#### **Family Impact Statement**

The proposed adoption of this Rule should have no known or foreseeable impact on any family as defined by R.S. 49:972(D) or on family formation, stability and autonomy. Specifically, the implementation of this proposed rule has no known or foreseeable effect on:

1. the stability of the family.
2. the authority and rights of parents regarding the education and supervision of their children.
3. the functioning of the family.
4. family earnings and family budget.
5. the behavior and personal responsibility of children.
6. the ability of the family or a local government to perform this function.

#### **Poverty Impact Statement**

The proposed Rule has no known impact on poverty as described in R.S. 49:973.

#### **Small Business Analysis**

The proposed Rule has no known measurable impact on small businesses as described in R.S. 49:974.4.

#### **Provider Impact Statement**

The proposed Rule has no known or foreseeable effect on:

1. the staffing levels requirements or qualifications required to provide the same level of service.
2. the total direct and indirect effect on the cost to the provider to provide the same level of service.
3. the overall effect on the ability of the provider to provide the same level of service.

#### **Public Comments**

All interested persons may submit written data, views, arguments or comments regarding this proposed Rule to Mia Strong at P.O. Box 44098, Baton Rouge, Louisiana, 70804. Written comments will be accepted until 4:30 p.m., Wednesday, July 24, 2024.

#### **Public Hearing**

A public hearing will be held on Thursday, July 25, 2024 at 2 p.m. in the River Room, located on the seventh floor of the LaSalle Building, 617 North Third Street, Baton Rouge, Louisiana. Should individuals with a disability need an accommodation in order to participate, contact Mia Strong at the address given above in the Public Comments section, by email at [LDRadarequests@la.gov](mailto:LDRadarequests@la.gov) or at by phone at (225) 219-2784.

Richard Nelson  
Secretary

**FISCAL AND ECONOMIC IMPACT STATEMENT  
FOR ADMINISTRATIVE RULES**

**RULE TITLE: Aviation Fuel Dealer Sales  
Tax Returns, Form R-1029E—Electronic  
Filing and Payment Requirement**

**NOTICE OF INTENT**

**Department of Revenue  
Tax Policy and Planning Division**

**Installment Agreement for Payment of Tax  
(LAC 61.I.4919)**

**I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO  
STATE OR LOCAL GOVERNMENT UNITS (Summary)**

The proposed rules require aviation fuel dealers to submit returns and payments electronically on Form R-1029E, Electronic Sale Tax Return. The proposed rules also provide for the assessment of penalties for non-compliance and the waiver of penalties as provided for in R.S. 47:1520(B).

Implementation of this proposed rule will result in \$25,200 in additional costs associated with the development and testing of the reporting schedule. Computer system acceptance of the required electronic return is already in place. Accounting for non-compliance penalties will not result in material additional costs.

**II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE  
OR LOCAL GOVERNMENTAL UNITS (Summary)**

The proposed rules may increase self-generated revenue (SGR) and state general fund (SGF) collections from penalties by an indeterminable amount beginning in FY 25 (see note below). A modest and temporary increase in revenue from penalties may occur as the proposed rules are implemented, although LDR cannot predict non-compliant behavior. For returns that are currently required to be filed electronically, LDR has collected the following amounts in non-E-filing penalties: \$48,900 in FY 20, \$23,500 in FY 21, \$13,900 in FY 22, \$113,100 in FY 23, and \$188,000 in FY 24. LDR has collected the following amounts in non-E-payment penalties: \$395,800 in FY 20, \$438,500 in FY 21, \$390,900 in FY 22, \$0 in FY 23, and \$0 in FY 24. However, any actual collections in penalties are dependent upon non-compliant behavior associated with the filing types included in the proposed rules. Therefore, any increase in revenue is indeterminable.

Note: Pursuant to Act 348 of the 2020 Regular Session, penalties and fees except compensatory fees levied by LDR will accrue to the state general fund, rather than to self-generated revenue for the department.

Local governmental units are not affected.

**III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO  
DIRECTLY AFFECTED PERSONS, SMALL BUSINESSES, OR  
NONGOVERNMENTAL GROUPS (Summary)**

The proposed rules require aviation fuel dealers to file their returns and reports electronically on Form R-1029E, Electronic Sales Tax Return, and remit the tax and payment by electronic funds transfer for reporting periods beginning on or after October 1, 2024. Electronic filing of the sales tax returns will be available directly through LDR's LaTAP portal that will allow taxpayers to file for free. LDR does not have the information necessary to determine the additional costs to comply with the proposed rules, but these costs are expected to be minimal as online access and activity has largely become a business standard. To the extent non-compliance penalties are collected, affected taxpayers will incur penalty costs. LDR cannot estimate the additional penalty amount as it is dependent upon taxpayer violations and liabilities.

**IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT  
(Summary)**

There is no anticipated impact on competition or employment.

Luke Morris  
Assistant Secretary  
2406#029

Alan M. Boxberger  
Legislative Fiscal Officer  
Legislative Fiscal Office

Under the authority of R.S. 47:105(B), 47:1511, and 47:1576.2 and in accordance with the Administrative Procedure Act, R.S. 49:950 et seq., the Department of Revenue, Tax Policy and Planning Division, gives notice that rulemaking procedures have been initiated to amend LAC 61.I.4919 relative to installment agreements for the payment of tax.

R.S. 47:105(B) and 47:1576.2 authorizes the payment of taxes in installments and gives the secretary authority to promulgate rules to administer the installment program. The purpose of this regulation is to increase the maximum threshold and extend the payment period for informal installment agreements.

This Rule is written in plain language in an effort to increase transparency.

**Title 61**

**REVENUE AND TAXATION**

**Part I. Administrative and Miscellaneous Provisions  
Chapter 49. Tax Collection**

**§4919. Installment Agreement for Payment of Tax**

A. - C.4. ...

D. Forms of Installment Agreements

1. Informal installment agreements shall be allowed only if the amount owed is less than \$50,000 and the payment period is 60 months or less.

2. Formal installment agreements shall be required if the amount owed is \$50,000 or more or the payment period exceeds 60 months. Information relative to the taxpayer's employment, bank account, credit, income statement, balance sheets, cash-flow data, and any other information shall be provided to the department upon request.

D.3. - E.2. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 47:105 and R.S. 47:1576.2.

HISTORICAL NOTE: Promulgated by the Department of Revenue, Policy Services Division, LR 42:281 (February 2016), amended by the Department of Revenue, Policy Services Division, LR 47:892 (July 2021), amended by the Department of Revenue, Tax Policy and Planning Division, LR 50:

**Family Impact Statement**

The proposed adoption of this Rule might have a slight positive impact on family as defined by R.S. 49:972(D) or on family formation, stability and autonomy as the length of the installment agreement period is being extended giving families more time over which to pay their liabilities. The proposed adoption should have no other known or foreseeable impact on:

1. the stability of the family.
2. the authority and rights of parents regarding the education and supervision of their children.
3. the functioning of the family.
4. family earnings and family budget.
5. the behavior and personal responsibility of children.
6. the ability of the family or a local government to perform this function.

### Poverty Impact Statement

The proposed Rule has no known impact on poverty as described in R.S. 49:973.

### Small Business Analysis

The proposed Rule has no known measurable impact on small businesses as described in R.S. 49:974.4.

### Provider Impact Statement

The proposed Rule has no known or foreseeable effect on:

1. the staffing levels requirements or qualifications required to provide the same level of service.
2. the total direct and indirect effect on the cost to the provider to provide the same level of service.
3. the overall effect on the ability of the provider to provide the same level of service.

### Public Comments

All interested persons may submit written data, views, arguments or comments regarding this proposed rule to John Pearce, Attorney, Tax Policy and Planning Division, Office of Legal Affairs, P.O. Box 44098, Baton Rouge, LA 70804-4098. Written comments will be accepted until 4:30 p.m. on July 29, 2024.

### Public Hearing

A public hearing will be held on July 30, 2024 at 10 a.m. in the River Room, located on the 7th floor of the LaSalle Building, 617 North Third Street, Baton Rouge, Louisiana. Should individuals with a disability need an accommodation in order to participate, contact John Pearce at the address given above in the Public Comments section, by email at LDRadarequests@la.gov or at by phone at (225) 219-2784.

Richard Nelson  
Secretary

## FISCAL AND ECONOMIC IMPACT STATEMENT FOR ADMINISTRATIVE RULES RULE TITLE: **Installment Agreement for Payment of Tax**

### I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENT UNITS (Summary)

This proposal amends the rule to allow informal installment agreements only if the amount owed is less than \$50,000 and to extend the maximum payment period for an informal installment agreement from 36 months to 60 months. It also provides for a formal agreement if the amount owed is \$50,000 or more or the payment period exceeds 60 months. The installment agreement fee of \$105 remains unchanged as does the reinstatement fee of \$60. The fees do not apply to establish an installment agreement with a taxpayer whose adjusted gross income is less than or equal to \$25,000. The installment agreement fees cannot be paid in installments nor waived or applied against any tax debt.

Implementation of this proposal will not result in material additional costs or cost savings to the Louisiana Department of Revenue (LDR). Local governments will not be affected by this proposal.

### II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS (Summary)

The proposed rule is anticipated to have an indeterminable decrease on revenue collections of the state in the short-term. Taxpayers who owe less than \$50,000 will be able to spread liabilities over five years, instead of three, through informal installment agreements under the proposed rule. Extending the duration of informal installment agreements is anticipated to decrease revenue collections of the state annually in the first

four years of the installment plans, assuming the current LDR monthly rate of 0.97917% remains constant over the fiscal horizon. However, interest and late payment penalties will continue to accrue during the extended installment agreements which increases the taxpayer's overall liability. State revenues are anticipated to increase in the fifth year of collections due to the interest accumulation. LDR anticipates the proposed rule may increase the number of installment agreements and decrease the rate of taxpayer defaults by providing taxpayers a longer period to spread liabilities over. To the extent the default rate improves, this would offset a portion of the decrease in collections but is not expected to entirely offset the revenue losses in the short term.

Local governmental units are not affected.

### III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS, SMALL BUSINESSES, OR NONGOVERNMENTAL GROUPS (Summary)

Affected taxpayers are anticipated to benefit by providing additional time to resolve outstanding liabilities. To the extent taxpayers elect to utilize a longer installment plan, monthly payments will decrease but overall tax liability increases as interest accumulates in time. LDR anticipates the proposed rule will effectively reduce the demand for formal installment agreements as most individual taxpayers will qualify for the informal installment agreements.

Taxpayers requesting a formal installment agreement must complete a Statement of Financial Condition and provide copies of bills. Often there are delays in establishing formal agreements because it takes the taxpayer awhile to complete the paperwork. The financial information has to be reviewed and approved by staff or appointed officials, depending on the years and the amount of debt.

Taxpayers now qualified for informal agreements are expected to experience less of an administrative burden. The taxpayers will be able to log onto LaTAP to establish the agreement without the current delays of more extensive paperwork.

### IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

There is no anticipated impact on competition or employment.

Luke Morris  
Assistant Secretary  
2406#028

Alan M. Boxberger  
Legislative Fiscal Officer  
Legislative Fiscal Office

## NOTICE OF INTENT

### Department of Revenue Tax Policy and Planning Division

#### Restaurant Oyster Shell Recycling Tax Credit (LAC 61:I.1933)

Under the authority of R.S. 47:1511 and 6043, and in accordance with the provisions of the Administrative Procedures Act, R.S. 49:950 et seq., the Department of Revenue, Tax Policy and Planning Division, proposes to adopt LAC 61:I.1933 to effectively administer R.S. 47:6043 relative to the restaurant oyster shell recycling tax credit.

Act 404 of the 2023 Regular Legislative Session ("Act 404") enacted R.S. 47:6043, which authorizes an income tax credit for Louisiana restaurants that donate oyster shell material to the oyster shell recycling program of the Coalition to Restore Coastal Louisiana or a department-approved oyster shell recycling program. The credit authorized by Act 404 may be claimed for taxable years



beginning between January 1, 2024 and December 31, 2028. The credit is refundable and may be applied against corporation, individual, and fiduciary income taxes for the year in which donations are made. The primary purpose of this proposed regulation is to implement Act 404.

The proposed Rule is written in plain language in an effort to increase transparency.

## Title 61

### REVENUE AND TAXATION

#### Part I. Taxes Collected and Administered by the Secretary of Revenue

#### Chapter 19. Miscellaneous Tax Exemptions, Credits and Deductions

#### §1933. Restaurant Oyster Shell Recycling Tax Credit

##### A. Definitions

*Compensation*—for purposes of this section, any amount of payment in any form that contributes to an entity's profit.

*CRCL*—the Coalition to Restore Coastal Louisiana.

*Department*—the Department of Revenue.

*OSRP*—an oyster shell recycling program or activity certified by the department for purposes of this credit. The CRCL is considered an OSRP.

*Restaurant*—a food establishment as defined by LAC 51:XXIII.101 that

- a. holds a state health department permit to operate,
- b. has an owner or designated employee possessing a state food safety certificate,
- c. collects, accounts for, and remits state sales tax to the department.

*Taxpayer*—a person who is required to file a Louisiana income tax return.

##### B. General Description

1. For taxable years beginning on or after January 1, 2024 but before January 1, 2029, taxpayers are eligible for the restaurant oyster shell recycling tax credit for donations of oyster shell material by restaurants to the oyster shell recycling program of the Coalition to Restore Coastal Louisiana or other oyster shell recycling program or activity approved by the department. The credit is a refundable income tax credit and is limited to \$2,000 per restaurant.

2. OSRPs are certified by the department to receive donations eligible for the tax credit. Only donations to the CRCL or an OSRP qualify for the credit.

##### C. Claiming the Tax Credit

1. Taxpayers claiming the restaurant oyster shell recycling credit must attach Form(s) R-90154, Receipt for Restaurant Oyster Shell Recycling Credit, to their return. The receipt shall contain the information set forth in this paragraph and must be issued by the OSRP to the donor on a quarterly basis, or monthly if approved by the department.

a. The OSRP section shall contain the following information:

- i. name and physical location address of the restaurant;
- ii. name of the OSRP;
- iii. beginning and ending dates of the donation period;
- iv. receipt number for tracking; and
- v. the total amount, in pounds, of oyster shell material donated by the donor to the OSRP during the donation period.

- b. The donor section shall contain the following:
  - i. legal name of the restaurant making the donation, whether an individual or entity; and
  - ii. last four digits of the Social Security number, or Louisiana revenue account number, of the owner of the restaurant that donated to the OSRP; and
  - iii. the amount of the credit.

c. The amount of donated oyster shell material may be ineligible for the credit for failure to include any information required on the receipt.

2. The credit shall be claimed for the taxable year in which the donation was made.

a. Exception: Receipts issued on a quarterly basis shall be claimed for the taxable year in which the quarter ends.

3. If the total amount of credits claimed in a particular calendar year exceeds the \$100,000 annual cap, the Department shall treat the excess as having been applied for on the first day of the following year. To utilize the credits in the subsequent year during which the taxpayer's claim has priority, the taxpayer shall claim the credits on the subsequent tax year's return and file it prior to the end of the calendar year. If the taxpayer fails to file a return in the subsequent year, the credits shall lose their priority status.

##### D. Application for Certification as an Oyster Shell Recycling Program

1. An organization that seeks to become certified as an OSRP may apply for certification at any time during the year by submitting a completed Form R-90152, Application for Certification as an Oyster Shell Recycling Program to the department.

2. The application shall contain:

- a. the name, mailing and physical address, Louisiana revenue account number, and federal employer identification number of the OSRP;
- b. contact information, including an email address, for the OSRP's designated representative;
- c. a statement detailing the planned method of calculating approximate weights of oyster shell material donated to the program;
- d. a statement that the program intends use 100 percent of donated oyster shell material to improving water quality, benefitting aquatic habitats, supporting local economies, and protecting the coastline of this state;
- e. a statement that the OSRP will not use or otherwise facilitate the use of donated oyster shell material for commercial aquaculture or as aggregate in commercial use;
- f. a statement that the program will not receive or provide compensation for donated oyster shell material.

3. Within two months of receipt of an application for certification as an OSRP, the department shall notify the applicant of their status by way of approval notated on the application to the email address designated on the application. The notification shall designate whether the OSRP is approved to issue quarterly or monthly receipts to donors. Certification is valid beginning January 1 of the year that an organization is approved.

4. If the application is denied, the department will inform the applicant of its grounds for denial and allow 15 business days from date of notification for the applicant to

correct any defects. Grounds for denial include, but are not limited to:

- a. failure of the applicant to submit any information required by the application;
- b. failure of the applicant to submit any additional information requested by the department.

**E. OSRP Reporting**

1. An OSRP shall submit a completed Form R-90154, Receipt for Restaurant Oyster Shell Recycling Credit, with a completed OSRP section to each donor on a quarterly basis, or monthly if approved by the department.

2. An OSRP shall file an annual report with the department no later than January 31 of each year to [OysterShell.RecyclingCredit@la.gov](mailto:OysterShell.RecyclingCredit@la.gov).

3. The annual report shall contain the following information:

- a. a certification that the OSRP continues to abide by the statements attested to in their OSRP application;
- b. copies of all receipts issued to donors during the prior calendar year;
- c. a listing in Excel format of all donations made for the purpose of this credit. For every donation of oyster shell material made during the prior calendar year, include:
  - i. the date of donation, the weight of materials donated, in pounds, the restaurant name and physical location address, and the receipt number on which the donation is included;
  - ii. if issuing receipts quarterly, the last day of the quarter;
- d. notification to the department of changes that may affect certification eligibility.

AUTHORITY NOTE: Promulgated in accordance with R.S. 47:1511 and R.S. 47:6043.

HISTORICAL NOTE: Promulgated by the Department of Revenue, Tax Planning and Policy Division, LR 50:

**Family Impact Statement**

The proposed Rule should not have any known or foreseeable impact on any family as defined by R.S. 49:972(D) or on family formation, stability and autonomy. Specifically, the implementation of this proposed rule will have no known or foreseeable effect on:

1. The stability of the family.
2. The authority and rights of parents regarding the education and supervision of their children.
3. The functioning of the family.
4. Family earnings and family budget.
5. The behavior and personal responsibility of children.
6. The ability of the family or a local government to perform this function.

**Poverty Statement**

This proposed Rule will have no foreseeable impact on poverty as described in R.S. 49:973.

**Small Business Analysis**

The proposed Rule is not expected to have a significant adverse impact on small businesses as defined in the Regulatory Flexibility Act. The agency, consistent with health, safety, environmental and economic factors has considered and, where possible, utilized regulatory methods in drafting this proposed amendment to accomplish the objectives of applicable statutes while minimizing any anticipated adverse impact on small businesses.

**Provider Impact Statement**

The proposed Rule will have no known or foreseeable effect on:

1. The staffing levels requirements or qualifications required to provide the same level of service.
2. The total direct and indirect effect on the cost to the provider to provide the same level of service.
3. The overall effect on the ability of the provider to provide the same level of service.

**Public Comments**

Any interested person may submit written data, views, arguments or comments regarding this proposed Rule to Danielle Daniels, Attorney, Tax Policy and Planning Division, Office of Legal Affairs by mail to P.O. Box 44098, Baton Rouge, LA 70804-4098 or by email at [Danielle.Daniels2@la.gov](mailto:Danielle.Daniels2@la.gov). All comments must be received no later than 4 p.m., Tuesday, July 30, 2024.

**Public Hearing**

A public hearing will be held on Wednesday, July 31, 2024, at 10:30 AM in the LaBelle Room, on the first floor of the LaSalle Building, 617 North Third Street, Baton Rouge, LA 70802. Should individuals with a disability need an accommodation in order to participate, contact Danielle Daniels at the address given above in the Public Comments section, by phone at (225)219-1781, or by e-mail at [LDRadarequests@la.gov](mailto:LDRadarequests@la.gov).

Richard Nelson  
Secretary

**FISCAL AND ECONOMIC IMPACT STATEMENT  
FOR ADMINISTRATIVE RULES  
RULE TITLE: Restaurant Oyster Shell  
Recycling Tax Credit**

**I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENT UNITS (Summary)**

Act 404 of the 2023 Regular Session of the Louisiana Legislature established a refundable tax credit for restaurants who donate oyster shell material to an oyster shell recycling program. The tax credit allowed is \$1 per 50 pounds of oyster material donated limited to \$2,000 maximum credit per restaurant. The credit is claimed for taxable years beginning between January 1, 2024 and December 31, 2028.

The proposed rule sets up the application process and the process of approving credits under the established \$100,000 cap on granted credits.

Implementation of this proposal will result in approximately \$52,750 of additional expenditures for computer system development and modification, tax form redesign, and testing. There are no anticipated implementation costs or savings to local governments.

**II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS (Summary)**

The impact on revenue collections is an indeterminable decrease via reduced individual, fiduciary, and corporate income tax receipts. Act 404 limits total credits granted per calendar year to \$100,000. The credit amount is \$1 per 50 pounds of oyster material donated limited to \$2,000 maximum credit per restaurant. The credit amount would allow an individual restaurant to qualify for the credit for up to 100,000 pounds of shell material per taxable year.

With no local income tax, there are no anticipated effects on revenue collections of local governments.

III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS, SMALL BUSINESSES, OR NONGOVERNMENTAL GROUPS (Summary)

The proposed rule will impact restaurant owners who donate oyster shell material to an oyster shell recycling program (OSRP) to claim the refundable tax credit. The department created an application for OSRPs to apply for certification. However, applicants will also have to file an annual report no later than January 31 of each year with LDR. Additional costs for completion and submission of the required paperwork of this proposed rule are expected to be minor.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

No material impact on competition or employment is anticipated due to this proposal.

Luke Morris  
Assistant Secretary  
2406#019

Alan M. Boxberger  
Legislative Fiscal Officer  
Legislative Fiscal Office

**NOTICE OF INTENT**

**Department of Revenue  
Tax Policy and Planning Division**

**Tax Credit Documentation Requirements  
(LAC 61:I.1902, 1903, and 1905)**

Under the authority of R.S. 47:1511 and in accordance with the provisions of the Administrative Procedure Act, R.S. 49:950 et seq., the Department of Revenue, Tax Policy and Planning Division, proposes to amend LAC 61:I.1902, 1903, and 1905.

R.S. 47:1624(F) authorizes the suspension of the accrual of interest during any period of time that a delay in the issuance of a refund is attributable to the taxpayer's failure to provide information or documentation required by statute or regulation. The purpose of these amendments is to set forth the information and documentation required to be provided by a taxpayer claiming the Inventory Tax Credit, certain School Readiness Tax Credits, and the Credit for property taxes paid by certain telephone companies.

**Title 61**

**REVENUE AND TAXATION**

**Part I. Taxes Collected and Administered by the  
Secretary of Revenue**

**Chapter 19. Miscellaneous Tax Exemptions. Credits  
and Deductions**

**§1902. Inventory Tax Credits**

A. - D3. ...

E. Documentation for Claiming the Credit

1. The following documentation shall be submitted with any return claiming the credit at the time of filing:

a. Form R-10610, Schedule of Ad Valorem Tax Credit Claimed by Manufacturers, Distributors, and Retailers;

b. a copy of the ad valorem (property) tax assessment prepared by the assessor's office; and

c. a copy of the cancelled check or receipt of electronic payment for the ad valorem (property) tax assessment.

2. A manufacturer that has claimed the property tax exemption under the Industrial Tax Exemption Program (ITEP) during the taxable year in which the local inventory

taxes were levied and members of a consolidated federal income tax return that includes a manufacturer who has claimed the property tax exemption under ITEP must submit the following documentation with the return at the time of filing:

a. Form R-10610-ITE, Schedule of Ad Valorem Tax Credit Claimed by ITEP Manufacturers for Ad Valorem Tax Paid on Inventory;

b. a copy of the ad valorem (property) tax assessments prepared by the assessor's office; and

c. a copy of the cancelled check or receipt of electronic payment for the ad valorem (property) tax assessments.

3. The accrual of interest shall be suspended during any period of time that a delay in the issuance of a refund is attributable to the taxpayer's failure to provide any of the information or documentation required herein, as provided by R.S. 47:1624(F).

AUTHORITY NOTE: Promulgated in accordance with R.S. 47:1511 and 6006.

HISTORICAL NOTE: Promulgated by the Department of Revenue, Policy Services Division, LR 27:1705 (October 2001), amended by the Department of Revenue, Tax Policy and Planning Division, LR 50:

**§1903. Administration of the School Readiness Tax  
Credits**

A. - A.3. ...

4. The accrual of interest shall be suspended during any period of time that a delay in the issuance of a refund is attributable to the taxpayer's failure to provide any of the information or documentation required herein, as provided by R.S. 47:1624(F).

B. - B.1. ...

2. The provider shall complete the provider portion of the credit certificate and shall submit the certificate to each taxpayer who had a child at the facility during the calendar year no later than January 31 of the succeeding year. The provider portion of the credit certificate will include, but not be limited to, the following information: the child care facility name, the child care facility star rating, the child care facility Louisiana tax identification number, the child care facility license number, the name of the child attending the facility and the issue date and effective year. The provider shall submit to the Department of Revenue a list of all taxpayers to whom a certificate was issued.

3. ...

4. The Department of Education shall provide information necessary for the Secretary of the Department of Revenue to determine the child care provider's quality rating.

C. - C.1.d. ...

2. The Department of Education shall provide documentation to each qualifying provider of the average monthly number of children participating in the Child Care Assistance Program or in the Foster Care Program. If the provider has multiple sites, the Department of Education shall provide this information for each site. The certificate shall be delivered or mailed to all qualifying child care providers by March 1 of the year following the year the credit is earned. The certificate shall include, but not be limited to, the following information: the child care facility name, the child care facility star rating, the child care facility license number and the issue date and effective year.

3. Child care providers shall submit the credit certificate issued by the Department of Education with their Louisiana income tax return claiming the credit.

4. The Department of Education shall provide information necessary for the secretary of the Department of Revenue to determine and/or verify the provider's quality rating.

D. Credit for Child Care Directors and Staff

1. The Department of Education shall provide information necessary for the secretary of the Department of Revenue to determine and/or verify the director and staff levels for earning the credit

2. In order to claim this credit, the Department of Education, or its representative, must provide child care facility directors and staff members with Form R-10615, Louisiana School Readiness Tax Credit For Child Care Director and Staff Member, no later than January 31 stating which level of qualification the employee meets according to the criteria established by the Department of Education. The taxpayer must submit Form R-10615 with their Louisiana income tax return.

3. Each child care facility director and staff member will also have to verify that he/she has worked at the same child care facility for at least six months in the calendar year, unless otherwise approved by the Department of Education.

4. Child care director and staff levels will have such meaning as provided by regulation issued by the Department of Education.

E. - E.1. ...

a. In order for a business to claim this credit, the business must support the amount of qualifying expenses paid or made by providing the Department of Revenue with copies of cancelled checks, receipts, and other documentation containing the following information: the name and Louisiana revenue tax identification number of the child care facility to or for whom the eligible expenses were paid or made, the amount and nature of qualifying expenses at each child care facility as defined in R.S. 47:6102 and the child care facility's quality rating.

b. The Department of Education shall provide information necessary for the Secretary of the Department of Revenue to determine and/or verify the facility's quality rating

2. - 2.b....

c. The Department of Education shall provide to the Department of Revenue a list of qualifying child care resource or referral agencies for each calendar year.

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:474 , R.S. 47:287.785, R.S. 47:295, R.S. 47:1511, and R.S. 47:6103.

HISTORICAL NOTE: Promulgated by the Department of Revenue and the Department of Social Services, LR 33:2667 (December 2007), amended by the Department of Revenue, Tax Policy and Planning Division, LR 50:

**§1905. Telephone Company Property Assessment Relief Fund**

A. - D.4. ...

E. Documentation for Claiming the Credit

1. The following documentation shall be attached to and submitted with the return at the time of filling:

a. a copy of the ad valorem (property) tax assessment prepared by the assessor's office;

b. a copy of the cancelled check or receipt of electronic payment for the ad valorem (property) tax assessment; and

c. a schedule stating which entity paid the tax and obtained the credit on the taxpayer's behalf, if applicable.

2. The accrual of interest shall be suspended during any period of time that a delay in the issuance of a refund is attributable to the taxpayer's failure to provide information or documentation required herein, as provided by R.S. 47:1624(F).

AUTHORITY NOTE: Promulgated in accordance with R.S. 47:1511 and 6014.

HISTORICAL NOTE: Promulgated by the Department of Revenue, Policy Services Division, LR 32:866 (May 2006), amended by the Department of Revenue, Tax Policy and Planning Division, LR 50:

**Family Impact Statement**

The proposed amendments should not have any known or foreseeable impact on any family as defined by R.S. 49:972(D) or on family formation, stability and autonomy. Specifically, the implementation of this proposed amendment will have no known or foreseeable effect on:

1. The stability of the family.
2. The authority and rights of parents regarding the education and supervision of their children.
3. The functioning of the family.
4. Family earnings and family budget.
5. The behavior and personal responsibility of children.
6. The ability of the family or a local government to perform this function.

**Poverty Impact Statement**

The proposed amendments will have no known impact on poverty as described in R.S. 49:973.

**Small Business Analysis**

It is anticipated that the proposed amendments should not have a significant adverse impact on small businesses as defined in the Regulatory Flexibility Act. The agency, consistent with health, safety, environmental and economic factors has considered and, where possible, utilized regulatory methods in drafting these proposed amendments to accomplish the objectives of applicable statutes while minimizing any anticipated adverse impact on small businesses.

**Provider Impact Statement**

The proposed amendments will have no known or foreseeable effect on:

1. The staffing level requirements or qualifications required to provide the same level of service.
2. The total direct and indirect effect on the cost to the provider to provide the same level of service.
3. The overall effect on the ability of the provider to provide the same level of service.

**Public Comments**

Any interested persons may submit written data, views, arguments, or comments regarding these proposed amendments to Lauren Domingue, Attorney, Tax Policy and Planning Division by mail to P.O. Box 44098, Baton Rouge, LA 70804-4098 or email at Lauren.Domingue@la.gov. All comments must be received no later than 4:30 p.m. on July 30, 2024.

### Public Hearing

A public hearing will be held on July 31, 2024, at 10 a.m. in the LaBelle Room, on the First Floor of the LaSalle Building, 617 North Third Street, Baton Rouge, LA 70802. Should individuals with a disability need an accommodation in order to participate, contact Lauren Domingue at the address given above in the Public Comments section, by email at LDRadarequests@la.gov or by phone at (225) 219-2778.

Richard Nelson  
Secretary

### FISCAL AND ECONOMIC IMPACT STATEMENT FOR ADMINISTRATIVE RULES

#### RULE TITLE: Tax Credit Documentation Requirements

#### I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENT UNITS (Summary)

The proposed rule sets forth the information and documentation required to be provided when claiming the inventory tax credit, certain school readiness tax credits, and the telephone property credit. The proposed rule also allows for the suspension of interest as provided in R.S. 47:1624(F). R.S. 47:1624(F) authorizes the suspension of accrual of interest due to a delay in the issuance of a refund that is attributable to the taxpayer's failure to provide information or documentation required by statute or regulation.

Implementation of this proposal will not result in material additional costs or cost savings to the Department of Revenue (LDR).

#### II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS (Summary)

To the extent the additional information required for the credits and the suspension of interest provisions reduce refund interest paid by the state to taxpayers, the proposed rule will increase state revenue.

According to R.S. 47:1624(A)(1)(a) interest shall be allowed from 90 days after the later of the due date of the return, the filing date of the return or claim for refund on which the overpayment is claimed, or the date the tax was paid. LDR is unable to provide an estimate as to how much interest has accumulated due to missing documentation for these particular credits.

With no local income tax, there is no impact to local governmental revenue as a result of this rule.

#### III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS, SMALL BUSINESSES, OR NONGOVERNMENTAL GROUPS (Summary)

Taxpayers claiming the inventory tax credit, certain school readiness tax credits, or the telephone property tax credit will be affected by the proposed rule. Taxpayers will be required to submit new documentation when filing the return. However, the additional costs for completion and submission of the required information to claim the tax credit on the return from this proposed rule are expected to be minor.

To the extent taxpayers previously received interest in certain circumstances, the proposed rule will decrease taxpayer income from the interest suspension when proper documentation is not provided.

#### IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

There is no anticipated impact on competition or employment.

Luke Morris  
Assistant Secretary  
2406#027

Alan M. Boxberger  
Legislative Fiscal Officer  
Legislative Fiscal Office

### NOTICE OF INTENT

#### Department of Wildlife and Fisheries Wildlife and Fisheries Commission

#### Marking System for Passive Nets and Traps (LAC 76:VII.114)

The Department of Wildlife and Fisheries and the Wildlife and Fisheries Commission do hereby provide notice of their intent to revise a Rule (LAC 76:VII.114) by adding the requirement of marking crawfish and bream traps, cans, and barrels. Recreational crawfish trap marking requirements were removed from R.S. 56 with the license restructure in 2021, and this rule reinstates that requirement and expands it to commercial traps.

The secretary of the Department of Wildlife and Fisheries is authorized to take any and all necessary steps on behalf of the commission to promulgate and effectuate this notice of intent, including but not limited to, the filing of the fiscal and economic impact statement, the filing of the notice of intent, and compiling public comments and submissions for the commission's review and consideration. In the absence of any further action by the commission following an opportunity to consider all public comments regarding the proposed rule, the secretary is authorized and directed to prepare and transmit a summary report to the legislative oversight committees and promulgate the final rule.

#### Title 76

#### WILDLIFE AND FISHERIES

#### Part VII. Fish and Other Aquatic life

#### Chapter 1. Freshwater Sports and Commercial Fishing

#### §114. Marking System for Passive Nets and Traps

A. Each gill net or trammel net shall be marked with a waterproof tag attached to the corkline at each end of the net, no more than three feet from the edge of the webbing or on an attached buoy. Each hoop net, slat trap, wire net, recreational crawfish trap, can, barrel, and bream trap shall be marked with a waterproof tag attached directly to the device or on an attached buoy. Said tags shall be supplied by the fisher and shall be completely waterproof. Each tag or buoy shall have the fisher's appropriate commercial or recreational fisher's license number (not the net license number) etched, stamped, or printed or written in indelible ink thereon in the English language, so as to be clearly legible.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:6, R.S. 56:320(F), and R.S. 56:322.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 48:2372 (September 2022), amended LR 49:1144 (June 2023), LR 50:

**Family Impact Statement**

In accordance with Act 1183 of 1999, the Department of Wildlife and Fisheries/Wildlife and Fisheries Commission hereby issue its Family Impact Statement in connection with the preceding Notice of Intent. This Notice of Intent will have no impact on the six criteria set out at R.S. 49:972(B).

**Poverty Impact Statement**

The proposed rulemaking will have no impact on poverty as described in R.S. 49:973.

**Small Business Analysis**

Because most of the commercial fishers who may be affected by the requirements to mark cans and barrels used commercially probably qualify as small businesses, the proposed rule change may result in a minor increase in costs for a limited number of small businesses.

**Provider Impact Statement**

This proposed Rule has no known impact on providers as described in HCR 170 of 2014.

**Public Comments**

Interested persons may submit written comments relative to the proposed rule to Robby Maxwell, Department of Wildlife and Fisheries, 1025 Tom Watson Rd., Lake Charles, LA, 70615, or via e-mail to rmaxwell@wlf.la.gov prior to July 30, 2024.

Brandon J. DeCuir  
Chairman

**FISCAL AND ECONOMIC IMPACT STATEMENT  
FOR ADMINISTRATIVE RULES  
RULE TITLE: Marking System for  
Passive Nets and Traps**

**I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENT UNITS (Summary)**

The proposed rule change will have no expenditure impact on state or local governmental units.

The proposed rule change does the following:

(1) Requires the attachment of waterproof tags to all recreational crawfish traps and bream traps and to all recreational and commercial cans and barrels placed in Louisiana waters;

(2) Clarifies regulations requiring the use of indelible ink on tags attached to hoop nets, slat traps, wire nets, crawfish traps, cans, barrels, and bream traps.

**II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS (Summary)**

The proposed rule change is anticipated to have no effect on revenue collections of state or local governmental units.

**III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS, SMALL BUSINESSES, OR NONGOVERNMENTAL GROUPS (Summary)**

The proposed rule change is expected to benefit fisheries management by identifying ownership of private property placed in public waterways and to benefit public safety by marking the location of items that may pose a potential risk to boaters and other users.

The proposed rule requiring attachment of waterproof tags to recreational crawfish traps, cans, barrels, and bream traps is expected to result in a minor increase in costs for anglers who use these devices.

**IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)**

The proposed rule change is anticipated to have no impact on competition and employment in Louisiana.

Bryan McClinton  
Undersecretary  
2406#025

Patrice Thomas  
Deputy Fiscal Officer  
Legislative Fiscal Office

**NOTICE OF INTENT**

**Department of Wildlife and Fisheries  
Wildlife and Fisheries Commission**

**Passive Hooked Fishing Gear Regulations  
(LAC 76:VII.116)**

The Department of Wildlife and Fisheries and the Wildlife and Fisheries Commission do hereby provide notice of their intent to revise a Rule (LAC 76:VII.116) by expanding marking, setting, and tending requirements to freshwater commercial passive hooked gear and reinstating waterbody-specific requirements for commercial gear that were inadvertently nullified upon the recent update to LAC 76:VII.116.

The secretary of the Department of Wildlife and Fisheries is authorized to take any and all necessary steps on behalf of the commission to promulgate and effectuate this notice of intent, including but not limited to, the filing of the fiscal and economic impact statement, the filing of the notice of intent, and compiling public comments and submissions for the commission's review and consideration. In the absence of any further action by the commission following an opportunity to consider all public comments regarding the proposed rule, the secretary is authorized and directed to prepare and transmit a summary report to the legislative oversight committees and promulgate the final rule.

**Title 76**

**WILDLIFE AND FISHERIES**

**Part VII. Fish and Other Aquatic life**

**Chapter 1. Freshwater Sports and Commercial Fishing**

**§116. Freshwater Yo-Yos, Trigger Devices, Trotlines, Limb Lines, Jugs, and all Passive Fishing Devices Containing a Hook or Hooks**

A. The Wildlife and Fisheries Commission hereby adopts the following regulations applicable to the use of yo-yos, trigger devices, trotlines, limb lines, jugs, and all other passive fishing devices containing a hook or hooks in freshwater areas of the state.

1. No more than 50 recreational yo-yos, or trigger devices, limb lines, or floating devices containing a hook or hooks shall be allowed per person. There is no limit for commercial use of this gear, except that no more than 50 commercial yo-yos, or trigger devices, limb lines, or floating devices containing a hook or hooks shall be allowed per person in Black Lake, Clear Lake and Prairie Lake (Natchitoches Parish), Caddo Lake (Caddo Parish), Chicot Lake (Evangeline Parish), D'Arbonne Lake (Union Parish), Lake St. Joseph (Tensas Parish), and Lake Bruin, including the portion known as Brushy Lake (Tensas Parish), Louisiana.

2. At any given time, no person shall set more than 150 hooks on all recreational trotlines, combined. There is no limit for commercial use of this gear, except that no person shall set more than 150 hooks on all commercial trotlines, combined, in Black Lake, Clear Lake and Prairie Lake (Natchitoches Parish), Caddo Lake (Caddo Parish), Chicot Lake (Evangeline Parish), D'Arbonne Lake (Union Parish), Lake St. Joseph (Tensas Parish), and Lake Bruin, including the portion known as Brushy Lake (Tensas Parish), Louisiana.

3. Each yo-yo, trigger device, trotline, limb line, jug, or other passive fishing device containing a hook or hooks, whether recreational or commercial, shall be clearly tagged with the fishing license number of the owner or user. Information must be attached with a waterproof tag or written directly on the device in indelible ink.

4. Each yo-yo, trigger device, trotline, limb line, jug, or other passive fishing device containing a hook or hooks, whether recreational or commercial, shall be rebaited at least once every 24 hours, and all fish and any other animal caught, entangled, ensnared, or hooked, shall be immediately removed from the device.

5. Each yo-yo, trigger device, trotline, limb line, jug, or other passive fishing device containing a hook or hooks shall be removed from the waterbody immediately by the owner or user once the device is not being used in accordance with the provisions of this Section, except for those devices that are attached to a privately owned pier, boathouse, seawall, or dock.

6. Where allowed, objects sourced from another location used to anchor yo-yos, trigger devices, trotlines, limb lines, jugs, or other passive fishing devices containing a hook or hooks, whether recreational or commercial, which are driven into or attached to the lake bottom, a stump, tree, or the shoreline must be removed from the waterbody along with the passive devices by the user when not in use.

7. No driven or attached objects used to attach yo-yos, trigger devices, trotlines, limb lines, jugs, or other passive fishing devices containing a hook or hooks shall be larger than two inches by two inches or two inches in diameter.

8. No metal object which is driven into or attached to the lake bottom, a stump, tree, or the shoreline shall be used to anchor a yo-yo, trigger device, trotline, limb line, jug, or other passive fishing device containing a hook or hooks. A metal object may be used to anchor yo-yos, trigger devices, trotlines, limb lines, jugs, or other passive fishing devices containing a hook or hooks if it is attached to a pier, boathouse, seawall, dock, or a retrievable anchor (that is not attached to the water bottom) as part of the typical construction of that structure or object.

9. In Black Lake, Clear Lake and Prairie Lake (Natchitoches Parish), Caddo Lake (Caddo Parish), Chicot Lake (Evangeline Parish), D'Arbonne Lake (Union Parish), Lake St. Joseph (Tensas Parish), and Lake Bruin, including the portion known as Brushy Lake (Tensas Parish), Louisiana, except for an object used strictly in the construction of a pier, boathouse, seawall, or dock, no object sourced from another location which is driven into the lake bottom, a stump, tree, or the shoreline shall be used to anchor a yo-yo or trigger device.

10. All trotlines shall have a cotton leader on each end of the trotline. Commercial trotlines shall not have hooks spaced closer than 24 inches apart.

B. A violation of any of the provisions of this Section shall be a class one violation, except there shall be no imprisonment. In addition, any device found in violation of this Section shall be immediately seized by and forfeited to the department.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:6, R.S. 56:8, and R.S. 56:320.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 37:355 (January 2011), amended LR 48:2610 (October 2022), LR

#### **Family Impact Statement**

In accordance with Act 1183 of 1999, the Department of Wildlife and Fisheries/Wildlife and Fisheries Commission hereby issue its Family Impact Statement in connection with the preceding Notice of Intent. This Notice of Intent will have no impact on the six criteria set out at R.S. 49:972(B).

#### **Poverty Impact Statement**

The proposed rulemaking will have no impact on poverty as described in R.S. 49:973.

#### **Small Business Analysis**

Because most of the commercial fishers who may be affected by the restrictions on passive fishing devices probably qualify as small businesses, the proposed rule change may have a minor negative impact on small businesses.

#### **Provider Impact Statement**

This proposed Rule has no known impact on providers as described in HCR 170 of 2014.

#### **Public Comments**

Interested persons may submit written comments relative to the proposed rule to Robby Maxwell, Department of Wildlife and Fisheries, 1025 Tom Watson Rd., Lake Charles, LA, 70615, or via e-mail to [rmaxwell@wlf.la.gov](mailto:rmaxwell@wlf.la.gov) prior to July 30, 2024.

Brandon J. DeCuir  
Chairman

### **FISCAL AND ECONOMIC IMPACT STATEMENT FOR ADMINISTRATIVE RULES RULE TITLE: *Passive Hooked Fishing Gear Regulations***

#### **I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENT UNITS (Summary)**

The proposed rule change will have no expenditure impact on state or local governmental units.

The proposed rule change does the following:

(1) Places restrictions on commercial freshwater passive fishing devices containing hooks, such as yo-yos, trigger devices, trotlines, limb lines, and jugs, in all Louisiana freshwater bodies, expanding regulations currently in place for recreational fishers in freshwater areas of the state;

(2) Requires the attachment of waterproof tags to all passive fishing devices. Tags may be written in indelible ink directly on the devices;

(3) Requires that all devices be rebaited every 24 hours. It requires the removal of all animals caught, entangled, ensnared, or hooked from the devices;

**NOTICE OF INTENT**

**Department of Wildlife and Fisheries  
Wildlife and Fisheries Commission**

**Passive Saltwater Hooked Fishing Gear Regulations  
(LAC 76:VII.389)**

(4) Limits the number of passive fishing devices to 50 devices and 150 trotline hooks per commercial fisher in Black Lake, Clear Lake, and Prairie Lake, Caddo Lake, Chicot Lake, Chicot Lake, D'Arbonne Lake, Lake St. Joseph, and Lake Bruin, including the portion known as Brushy Lake. It limits the number of trotline hooks to 150 hooks per commercial fisher in Black Lake, Clear Lake, and Prairie Lake, Caddo Lake, Chicot Lake, D'Arbonne Lake, Lake St. Joseph, and Lake Bruin, including the portion known as Brushy Lake;

(5) Prohibits the attachment of passive hook devices to any metal object except for metal objects above the water that are affixed to private piers, docks, houseboats, or other manufactured objects, except for retrievable anchors attached to the bottom. It prohibits the attachment of passive fishing devices to metal objects driven into or attached to water bottoms, stumps, or shorelines. It limits the size of driven or attached non-metal objects used to attach passive fishing devices to two-inches by two-inches in diameter;

(6) Requires the removal of all passive fishing devices and all related material when the devices are not in use, except for devices attached to privately-owned pier, dock, seawall, or boathouse.

**II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS (Summary)**

The proposed rule change is anticipated to have no effect on revenue collections of state or local governmental units.

**III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS, SMALL BUSINESSES, OR NONGOVERNMENTAL GROUPS (Summary)**

The proposed rule change is expected to benefit anglers, waterfowl hunters, boaters, and others who participate in waterborne activities in freshwater areas where passive fishing devices are used. The prohibition on metal objects driven into water bottoms and shoreline objects is expected to remove potential physical hazards to persons operating or riding in vessels on freshwater bodies across the state. The prohibition on leaving gear deployed while not in use is intended to remove potential hazards, improve safety, reduce litter, and reduce harm to fish and wildlife.

The proposed rule change may negatively affect some commercial fishers who use passive fishing devices in the aforementioned water bodies, especially those who have installed devices attached to metal objects. The limitation on the number of hooks per device may reduce harvests for commercial fishers who currently fish with more than 50 devices in certain waterbodies. The requirement to check devices daily and the requirement to remove devices that are not actively being used may increase labor requirements and thus operating costs for some commercial fishers. The number of commercial fishers who may be affected by these proposed restrictions cannot be assessed with the available information.

The proposed requirement to attach waterproof tags to passive fishing devices may result in a minor increase in costs for commercial fishers.

**IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)**

The proposed rule change is anticipated to have no impact on competition and employment in Louisiana.

Bryan McClinton  
Undersecretary  
2406#023

Patrice Thomas  
Deputy Fiscal Officer  
Legislative Fiscal Office

The Department of Wildlife and Fisheries and the Wildlife and Fisheries Commission do hereby provide notice of their intent to promulgate a Rule to add marking, setting, and tending requirements to saltwater recreational and commercial passive hooked gear (LAC 76:VII.389). The rule is intended to provide consistency with similar freshwater regulations under LAC 76:VII.116 as these passive gears can drift across the designated saltwater-freshwater line in Louisiana. The proposed regulations are further intended to reduce the abandonment of gear in the waters of Louisiana.

The secretary of the Department of Wildlife and Fisheries is authorized to take any and all necessary steps on behalf of the commission to promulgate and effectuate this notice of intent, including but not limited to, the filing of the fiscal and economic impact statement, the filing of the notice of intent, and compiling public comments and submissions for the commission's review and consideration. In the absence of any further action by the commission following an opportunity to consider all public comments regarding the proposed rule, the secretary is authorized and directed to prepare and transmit a summary report to the legislative oversight committees and promulgate the final rule.

**Title 76**

**WILDLIFE AND FISHERIES**

**Part VII. Fish and Other Aquatic life**

**Chapter 3. Saltwater Sport and Commercial Fishery §389. Passive Saltwater Hooked Fishing Gear Regulations**

A. The Wildlife and Fisheries Commission hereby adopts the following regulations applicable to the use of yo-yos, trigger devices, trotlines, limb lines, jugs, and all other passive fishing devices containing a hook or hooks in saltwater areas of the state.

1. No more than 50 recreational yo-yos, trigger devices, trotlines, limb lines, or floating devices containing a hook or hooks shall be allowed per person.

2. At any given time, no person shall set more than 150 hooks on all recreational trotlines, combined.

3. Each yo-yo, trigger device, trotline, limb line, jug, or other passive fishing device containing a hook or hooks, whether recreational or commercial, shall be clearly tagged with the fishing license number of the owner or user. Information must be attached with a waterproof tag or written directly on the device in indelible ink.

4. Each yo-yo, trigger device, trotline, limb line, jug, or other passive fishing device containing a hook or hooks, whether recreational or commercial, shall be rebaited at least once every 24 hours, and all fish and any other animal



caught, entangled, ensnared, or hooked, shall be immediately removed from the device.

5. Each yo-yo, trigger device, trotline, limb line, jug, or other passive fishing device containing a hook or hooks, whether recreational or commercial, shall be removed from the waterbody immediately by the owner or user once the device is not being used in accordance with the provisions of this Section, except for those devices that are attached to a privately owned pier, boathouse, seawall, or dock.

6. Where allowed, objects sourced from another location used to anchor yo-yos, trigger devices, trotlines, limb lines, jugs, or other passive fishing devices containing a hook or hooks, whether recreational or commercial, which are driven into or attached to the water bottom, a stump, tree, or the shoreline must be removed from the waterbody along with the passive devices by the user when not in use.

7. No driven or attached objects, where allowed, used to attach yo-yos, trigger devices, trotlines, limb lines, jugs, or other passive fishing devices containing a hook or hooks, whether recreational or commercial, shall be larger than two inches by two inches or two inches in diameter.

8. No metal object which is driven into or attached to the water bottom, a stump, a tree, or the shoreline shall be used to anchor yo-yos, trigger devices, trotlines, limb lines, jugs, or other passive fishing devices containing a hook or hooks. A metal object may be used to anchor yo-yos, trigger devices, trotlines, limb lines, jugs, or other passive fishing devices containing a hook or hooks if it is attached to a pier, boathouse, seawall, dock, or a retrievable anchor (that is not attached to the water bottom) as part of the typical construction of that structure or object.

B. A violation of any of the provisions of this Section shall be a class one violation, except there shall be no imprisonment. In addition, any device found in violation of this Section shall be immediately seized by and forfeited to the department.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:6, R.S. 56:8, and R.S. 56:320.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 50:

#### **Family Impact Statement**

In accordance with Act 1183 of 1999, the Department of Wildlife and Fisheries/Wildlife and Fisheries Commission hereby issue its Family Impact Statement in connection with the preceding Notice of Intent. This Notice of Intent will have no impact on the six criteria set out at R.S. 49:972(B).

#### **Poverty Impact Statement**

The proposed rulemaking will have no impact on poverty as described in R.S. 49:973.

#### **Small Business Analysis**

Because most of the commercial fishers who may be affected by the restrictions on passive fishing devices probably qualify as small businesses, the proposed rule change may have a minor negative impact on small businesses.

#### **Provider Impact Statement**

This proposed Rule has no known impact on providers as described in HCR 170 of 2014.

### **Public Comments**

Interested persons may submit written comments relative to the proposed rule to Jason Adriance, Department of Wildlife and Fisheries, P.O. Box 98000, Baton Rouge, LA 70898-9000, or via e-mail to jadriance@wlf.la.gov prior to July 31, 2024.

Brandon J. DeCuir  
Chairman

## **FISCAL AND ECONOMIC IMPACT STATEMENT FOR ADMINISTRATIVE RULES RULE TITLE: **Passive Saltwater Hooked Fishing Gear Regulations****

### **I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENT UNITS (Summary)**

The proposed rule change will have no expenditure impact on state or local governmental units.

The proposed rule change does the following:

(1) Places restrictions on recreational and commercial saltwater passive fishing devices containing hooks, such as yo-yos, trigger devices, trotlines, limb lines, and jugs, in all saltwater Louisiana water bodies, complementing regulations currently in place in freshwater areas of the state;

(2) Requires the attachment of waterproof tags to all recreational or commercial passive fishing devices. Tags may be written in indelible ink directly on the devices;

(3) Requires that all recreational or commercial devices be rebaited every 24 hours. It requires the removal of all animals caught, entangled, ensnared, or hooked from the devices;

(4) Limits the number of passive recreational fishing devices to 50 devices per person. It limits the number of recreational trotline hooks to 150 hooks per angler for all trotlines combined;

(5) Prohibits the attachment of recreational or commercial passive hook devices to any metal object except for metal objects above the water that are affixed to private piers, docks, houseboats, or other manufactured objects, except for retrievable anchors attached to the bottom. It prohibits the attachment of passive fishing devices to metal objects driven into or attached to water bottoms, stumps, or shorelines. It limits the size of driven or attached non-metal objects used to attach passive fishing devices to two-inches by two-inches in diameter;

(6) Requires the removal of all recreational or commercial passive fishing devices and all related material when the devices are not in use.

### **II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS (Summary)**

The proposed rule change is anticipated to have no effect on revenue collections of state or local governmental units.

### **III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS, SMALL BUSINESSES, OR NONGOVERNMENTAL GROUPS (Summary)**

The proposed rule change is expected to benefit anglers, waterfowl hunters, boaters, and others who participate in waterborne activities in saltwater areas where passive fishing devices are used. The prohibition on metal objects driven into water bottoms and shoreline objects is expected to remove potential physical hazards to persons operating or riding in vessels on saltwater bodies across the state.

The prohibition on leaving gear deployed while not in use is intended to remove potential hazards, improve safety, and reduce harm to fish and wildlife.

The proposed rule change may negatively affect some anglers and commercial fishers who use passive fishing devices, especially those who have installed devices attached to metal objects. The limitation on the number of hooks per device may reduce harvests for anglers and commercial fishers whose devices currently feature more than 50 hooks. The requirement to check devices daily and the requirement to remove devices that are not actively being used may increase labor requirements and thus operating costs for some anglers and commercial fishers. The number of anglers and commercial

fishers who may be affected by these proposed restrictions cannot be assessed with the available information.

The proposed requirement to attach waterproof tags to passive fishing devices may result in a minor increase in costs for anglers and commercial fishers.

#### IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

The proposed rule change is anticipated to have no impact on competition and employment in Louisiana.

Bryan McClinton  
Undersecretary  
2406#024

Patrice Thomas  
Deputy Fiscal Officer  
Legislative Fiscal Office

# Potpourri

**POTPOURRI**  
**Department of Natural Resources**  
**Office of Conservation**

Orphaned Oilfield Sites

Office of Conservation records indicate that the Oilfield Sites listed in the table below have met the requirements as set forth by Section 91 of Act 404, R.S. 30:80 et seq., and as such are being declared Orphaned Oilfield Sites.

Operator	Field	District	Well Name	Well Number	Serial Number
Forman Petroleum Corporation	Calcasieu Pass	L	Stine Heirs	001	187333 (29) casing stub
Houston Oil & Minerals Corp.	Calcasieu Pass	L	Stine Sub; Stine Heirs	001	062234 (30) casing stub
Lynal, Inc.	Calcasieu Pass	L	Stine Heirs	001	126051 (29) casing stub
Mannon L. Walters, Inc.	Andrepoint	L	sp ra sua;OSLSC	001	166830
Mannon L. Walters, Inc.	Lapeyrouse	L	10400 rc sua;Lirette	001	229476
Mannon L. Walters, Inc.	Andrepoint	L	wx ra sua;Sebastien	001	233154
Mannon L. Walters, Inc.	Lapeyrouse	L	7450 rb sua;Darsey et al.	001	240493
Mannon L. Walters, Inc.	Lapeyrouse	L	7450 rb sua;Elton Darsey et al.	001-ALT	242669
Maurine B. Pyle	Caddo Pine Island	S	Dickson Hiers	002	73229
Maurine B. Pyle	Caddo Pine Island	S	Dickson Hiers	001	73230
Midsouth Oil & Gas Of Louisiana, LLC	Rodessa	S	Vue; Stokes	001	219527
Midsouth Oil & Gas Of Louisiana, LLC	Rodessa	S	Vug; Payne	002	222838
Monroe Well Service	Caddo Pine Island	S	Crystal Oil Company	019-A	42944
Monroe Well Service	Caddo Pine Island	S	Wilkerson Swd	001	202026
Muslow And Parker	Caddo Pine Island	S	E K Smith	031	51150 (30)
Muslow And Parker	Caddo Pine Island	S	E K Smith	038	55847 (30)
Muslow And Parker	Caddo Pine Island	S	E K Smith	053	76564 (30)

Operator	Field	District	Well Name	Well Number	Serial Number
Muslow And Parker	Caddo Pine Island	S	E K Smith	079	114525 (30)
Prayer Oil & Gas Production, LLC	Maurice	L	Mt ra sua;I B Bendel Heirs	001	103041
Prayer Oil & Gas Production, LLC	Maurice	L	X-2 ra vub;Bendel Heirs	001	121319
Prayer Oil & Gas Production, LLC	Kings Bayou	L	J M Meaux Swd	002	129412
Prayer Oil & Gas Production, LLC	Lake Arthur, South	L	Cam 4 ra sua;SL 7712	001	168414
Prayer Oil & Gas Production, LLC	Lake Arthur, South	L	W D Evans swd	001	168506
Prayer Oil & Gas Production, LLC	Lake Arthur, South	L	SL 7712	003	178859
Prayer Oil & Gas Production, LLC	Lake Arthur, South	L	Price	001	193746
Prayer Oil & Gas Production, LLC	Lake Arthur, South	L	Bol P ra sua;SL 7712	005	195988
Prayer Oil & Gas Production, LLC	Lake Arthur, South	L	SL 7712	006	198141
Prayer Oil & Gas Production, LLC	Lake Arthur, South	L	Midd Miogyp ra suc;Price	002-ALT	203792
Prayer Oil & Gas Production, LLC	Lake Arthur, South	L	U Miogyp ra suc;Price	003	204802
Prayer Oil & Gas Production, LLC	Lake Arthur, South	L	Midd Miogyp ra suc;Price Heirs	001-ALT	205412
Prayer Oil & Gas Production, LLC	Lake Arthur, South	L	L Miogyp ra sua;SL 7584	001	206091
Prayer Oil & Gas Production, LLC	Lake Arthur, South	L	Midd Miogyp ra sui;Fritz Lang	001	206858
Prayer Oil & Gas Production, LLC	Lake Arthur, South	L	U Miogyp ra sua;SL 7712	007	207125
Prayer Oil & Gas Production, LLC	Lake Arthur, South	L	U Miogyp ra suc;SL 5419	001-ALT	208000

Operator	Field	District	Well Name	Well Number	Serial Number
Prayer Oil & Gas Production, LLC	Lake Arthur, South	L	U Miogyp ra sud;Byler	001	208026
Prayer Oil & Gas Production, LLC	Kings Bayou	L	F ra sua;M Boudreaux A	002	212810
Prayer Oil & Gas Production, LLC	Lake Arthur, South	L	U Miogyp ra sua;Price Heirs	1-D-ALT	217047
Prayer Oil & Gas Production, LLC	Kings Bayou	L	Plan I ra sua;Theriot	001	218433
Prayer Oil & Gas Production, LLC	Kings Bayou	L	Plan A ra sua;J M Meaux	005	218437
Prayer Oil & Gas Production, LLC	Kings Bayou	L	Q ra sua;R Theriot	003	218787
Prayer Oil & Gas Production, LLC	Lake Arthur, South	L	Cam 4 rc sua;Fritz Lang	002	219164
Prayer Oil & Gas Production, LLC	Kings Bayou	L	O ra sua;B C Welch Sr et al.	001	219174

Operator	Field	District	Well Name	Well Number	Serial Number
Prayer Oil & Gas Production, LLC	Kings Bayou	L	12200 ra sua; M Reina et al.	001	219413
Prayer Oil & Gas Production, LLC	Kings Bayou	L	Plan A Rc Sua; Theriot A	001	219459
Prayer Oil & Gas Production, LLC	Kings Bayou	L	O ra sua; Mermentau Minerals	001-ALT	220242
Prayer Oil & Gas Production, LLC	Ridge	L	Mt ra sua; W S Thompson et al.	001	226148
Prayer Oil & Gas Production, LLC	Maurice	L	I B Bendel Heirs Swd	001	972081
Prayer Oil & Gas Production, LLC	Kings Bayou	L	Claude Fawvor Swd	001	973212
Prayer Oil & Gas Production, LLC	Ridge	L	Wanda Smith Thompson et al. swd	001	973279
Roxana Petroleum Corp	Wildcat - So La Lafayette Dist	L	Watkins Est	001	11532 (29) casing stub

Benjamin C. Bienvenu  
Commissioner

2104#034

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