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# Executive Orders

## EXECUTIVE ORDER JML 25-18

### State of Emergency—City of Tallulah Water System

WHEREAS, the Governor is responsible for meeting the dangers to the state and its citizens presented by emergencies and disasters;

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 address disasters resulting from natural or man-made events that cause or threaten loss of life, injury, or property damage, as well as emergencies, which include actual or potential conditions created by such disasters, in order to ensure that preparations by 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, La. R.S. 29:724(B)(1) empowers him to declare a state of emergency or disaster by executive order which has the force and effect of law;

WHEREAS, La. 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, a declaration of emergency activates the state's emergency response and recovery program under the command of the director of the Governor's Office of Homeland Security and Emergency Preparedness ("GOHSEP");

WHEREAS, the City of Tallulah has approximately 8,601 persons that depend on the Tallulah Water System;

WHEREAS, the Louisiana Department of Health has determined that the Tallulah Water System is continuously at risk of failure and unable to provide safe and accessible water to the residents of Tallulah on a consistent basis;

WHEREAS, the failure of the Tallulah Water System would impact the health and safety of the citizens of the City of Tallulah;

WHEREAS, the failure of the Tallulah Water System would greatly impact the operability and sustainability of critical infrastructure within the City;

WHEREAS, the State of Louisiana desires to avoid the failure of the Tallulah Water System and to protect the city's citizens and critical infrastructure.

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, La. R.S. 29:721 *et seq.*, and more specifically, La. R.S. 29:724, a state of emergency is hereby declared to exist within the City of Tallulah in the Parish of Madison.

Section 2: The Director of GOHSEP and the Louisiana Department of Health are hereby authorized to undertake any activity authorized by law deemed appropriate in response to this declaration;

Section 3: The Louisiana Department of Health shall identify and designate an experienced certified operator to serve as the operator for the Tallulah Water System within three days of the signing of this order.

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 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: 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 event.

Section 6: This Order is effective Thursday, February 13, 2025, and shall continue in effect until Saturday, March 15, 2025, 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 the State of Louisiana in the City of Baton Rouge, on this 13<sup>th</sup> day of February 2025.

Jeff Landry  
Governor

ATTEST BY  
THE GOVERNOR  
Nancy Landry  
Secretary of State  
2503#049

## EXECUTIVE ORDER JML 25-19

### 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 25-9, which is in effect through Sunday, February 16, 2025;

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, February 14, 2025 to Sunday, March 16, 2025, 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 14<sup>th</sup> day of February 2025.

Jeff Landry  
Governor

ATTEST BY  
THE GOVERNOR  
Nancy Landry  
Secretary of State  
2503#050

#### EXECUTIVE ORDER JML 25-20

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 25-10 which is in effect through Sunday, February 16, 2025;

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, February 14, 2025, to Sunday, March 16, 2025, 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 14<sup>th</sup> day of February 2025.

Jeff Landry  
Governor

ATTEST BY  
THE GOVERNOR  
Nancy Landry  
Secretary of State  
2503#051

#### EXECUTIVE ORDER JML 25-021

Renewal of State of Emergency  
Winter Weather—January 18, 2025

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

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 address disasters resulting from natural or man-made events that cause or threaten loss of life, injury, or property damage, as well as emergencies, which include actual or potential conditions created by such disasters, 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 or disaster by executive order, which has the force and effect of law;

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, a declaration of emergency or disaster activates the state's emergency response and recovery program under the command of the director of the Governor's Office of Homeland Security and Emergency Preparedness ("GOHSEP");

WHEREAS, GOHSEP is responsible for determining the requirements of the state and its political subdivisions for food, clothing, and other necessities and supplies in a designated emergency area;

WHEREAS, the State experienced winter weather which resulted in extreme cold temperatures, wind chills, and prolonged temperatures below freezing for much of the area from January 20, 2025, through January 24, 2025;

WHEREAS, the National Weather Service issued cold weather advisories and extreme cold warnings for the State beginning Monday, January 20, 2025, and advised people to minimize time outdoors and prepare for power outages;

WHEREAS, much of South Louisiana received 4 to 8 inches of snowfall with isolated areas reporting 12 inches or more making this the second-largest snow event on record and the biggest snow event since February of 1895;

WHEREAS, the winter weather brought below-freezing temperatures with temperatures in the single digits across southern Louisiana;

WHEREAS, the cold winter air persisted for seven days across northern Louisiana (January 19-January 25) with freezes recorded on five consecutive days as far south as New Iberia;

WHEREAS, the State of Louisiana recognizes the need for direct state assistance to supplement and support operational measures at the parish level, enabling more effective coordination, deployment of resources, and provision of essential services to mitigate the ongoing effects of the event;

NOW THEREFORE, I, JEFF LANDRY, Governor of the State of Louisiana, by virtue of the authority vested by

**EXECUTIVE ORDER JML 25-22**

**Renewal of State of Emergency—Cybersecurity Incidents**

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.

Section 2: Pursuant to R.S. 29:724 (A) (3) the designated emergency area, which is or may be affected shall include the entire State of Louisiana.

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, 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 remain in effect from Monday, February 17, 2025, until Wednesday, March 19, 2025, 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 17<sup>th</sup> day of February 2025.

Jeff Landry  
Governor

ATTEST BY  
THE GOVERNOR  
Nancy Landry  
Secretary of State  
2503#052

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 25-13, which is in effect through Sunday, February 23, 2025;

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, February 21, 2025 to Sunday, March 23, 2025, 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 21<sup>st</sup> day of February, 2025.

Jeff Landry  
Governor

ATTEST BY  
THE GOVERNOR  
Nancy Landry  
Secretary of State  
2503#053

### EXECUTIVE ORDER JML 25-23

Renewal of State of Emergency  
New Orleans and Mardi Gras Season

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

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 address disasters resulting from natural or man-made events that cause or threaten loss of life, injury, or property damage, as well as emergencies, which

include actual or potential conditions created by such disasters;

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 or disaster by executive order, which has the force and effect of law;

WHEREAS, a declaration of emergency or disaster activates the state's emergency response and recovery program under the command of the director of the Governor's Office of Homeland Security and Emergency Preparedness;

WHEREAS, the Governor's Office of Homeland Security and Emergency Preparedness is responsible for determining the requirements of the state and its political subdivisions for food, clothing, and other necessities and supplies in a designated emergency area;

WHEREAS, R.S. 29:724 authorizes the Governor during a declared state of emergency or disaster to direct and compel the evacuation of all or part of the population from any stricken or threatened area within the state, when he deems such evacuation necessary for the preservation of life, or other disaster mitigation, response, or recovery;

WHEREAS, the Governor may prescribe routes, modes of transportation, and destinations in connection with evacuation;

WHEREAS, the Governor may make provisions for the availability and use of temporary emergency housing;

WHEREAS, the Governor may regulate ingress and egress to and from a disaster area, control the movement of persons within a certain area, and manage the occupancy of premises therein;

WHEREAS, when the Governor determines that a disaster or emergency has occurred, the Louisiana Homeland Security and Emergency Assistance and Disaster Act confers upon the Governor the power to utilize all available resources of the state government and of each political subdivision of the state as reasonably necessary to cope with the disaster or emergency;

WHEREAS, the Governor may transfer the direction, personnel, or functions of state departments and agencies or units thereof for the purposes of performing or facilitating emergency services;

WHEREAS, at approximately 3:15 a.m. on January 1, 2025, an individual displaying an ISIS flag from the rear of his pickup truck drove into a crowd of people on Bourbon Street in New Orleans, in a targeted act of terrorism, resulting in a mass casualty incident;

WHEREAS, after hitting the crowd, the individual exited the vehicle and fired upon local law enforcement. Law enforcement returned fire, and the subject was neutralized and the threat eliminated;

WHEREAS, pursuant to further law enforcement investigative efforts, the perpetrator of this attack was found to have placed an improvised explosive device ("IED") in his vehicle, as well as two IEDs in personal coolers that the attacker transported to and placed in a high-density area of the French Quarter;

WHEREAS, the situation remains under further investigation;

WHEREAS, fourteen innocent people lost their lives in this terrorist attack, and dozens others were injured;

WHEREAS, the terrorist attack caused significant harm to our visitors and residents;

WHEREAS, the City of New Orleans hosted Super Bowl LIX on Sunday, February 9, 2025, at the Caesars Superdome, at a time that coincided with the Mardi Gras season;

WHEREAS, the U.S. Department of Homeland Security designated both Super Bowl LIX and Mardi Gras 2025 as a Special Event Assessment Rating (“SEAR”) Level 1;

WHEREAS, a SEAR Level 1 event is a significant event with national and/or international importance that requires extensive federal interagency support as well as state and local resources to detect and prevent potential weapons of mass destruction and/or chemical weapons; prevent the entry of contraband, such as narcotics, weapons, and explosives into the event; prevent civil disturbances; and prevent terrorism and targeted violence;

WHEREAS, the City of New Orleans is expected to see hundreds of thousands of visitors in the weeks leading up to Mardi Gras;

WHEREAS, extensive coordination and security measures are necessary to secure areas around the events and ensure public safety from the threats associated with these events, including but not limited to threats of terrorism, targeted violence, chemical warfare, civil disturbances, human trafficking, and sexual assault;

WHEREAS, it is necessary to secure high-density areas, including around the interstate, the parade routes, the Central Business District, and the French Quarter;

WHEREAS, it may be necessary to provide emergency temporary housing for those that are homeless and occupying the areas surrounding the Caesars Superdome, and high-density areas including around the interstate, the Downtown Development District, and the French Quarter;

WHEREAS, it is necessary to develop procedures, arrangements, and agreements to identify, acquire, and mobilize all the resources in and of the state in pursuit of preparedness of the State;

WHEREAS, it is necessary to develop and maintain information and liaison with agencies and organizations with local, parish, state, and federal government, private industry, and Non-Governmental Organizations (“NGO”) that can furnish assistance in an emergency or disaster;

WHEREAS, it is necessary to build, equip, organize, and maintain the State Emergency Operations Center as a control and coordination facility for state departments and agencies, private industry, and volunteer groups to come to work together;

WHEREAS, R.S. 29:724 authorizes the Governor during a declared state of emergency or disaster 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, 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;

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 and disaster 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.

Section 2: Pursuant to R.S. 29:724 (B) (3), the designated emergency area is the Parish of Orleans.

Section 3: The Director of the Governor’s Office of Homeland Security and Emergency Preparedness (“GOHSEP”) is hereby authorized to activate the State’s Emergency Operations Plan as needed and undertake any activity authorized by law that he deems appropriate in response to this declaration.

Section 4: The Director of GOHSEP shall take immediate and appropriate action to determine, direct, mobilize, and coordinate State resources as needed.

Section 5: GOHSEP, the Louisiana State Police (“LSP”), and the Louisiana National Guard (“LANG”) will coordinate with the necessary entities within the state and federal government to organize and collaborate on security measures and provide tactical support to the City of New Orleans. Consistent with prior years, the City of New Orleans, the Superintendent of Police and Fire, and the New Orleans Police Department, all acting under supervision of the Office of the Mayor, will provide security in and around the parade routes, including but not limited to prescribing routes and controlling ingress and egress. *See also* “Mayoral Proclamation of Emergency Due to Complex Coordinated Attack and Mass Casualty Event,” signed on January 1, 2025.

Section 6: In anticipation of significantly high-density crowds in the days leading up to and following Mardi Gras, the need for heightened security measures to ensure public safety, and the safety of residents, and visitors, there is a need to safely control the ingress and egress of vulnerable areas. Louisiana State Police (“LSP”) is ordered to institute and enforce an Enhanced Security Zone (“ESZ”) perimeter within certain areas of the French Quarter wherein heightened security measures and restrictions shall be enforced to ensure the protection of public safety and public and private property within the ESZ, as follows:

A. LSP shall develop and publish to the public the specific geographic boundaries of an Enhanced Security Zone (ESZ), which shall include the area clearly marked on the map below.





B. Checkpoints shall be set up at each entrance to the ESZ.

C. LSP shall develop and publish to the public a policy setting forth any and all specific standards, guidelines, restrictions, limitations, and other requirements to be enforced within the ESZ. To prevent and deter the introduction of any destructive, explosive materials, coolers or ice chests of any kind are prohibited within the ESZ, and the LSP policy shall include a notice that any bags or containers larger than 4.5" x 6.5" (or about the size of a small clutch bag) are subject to search by law enforcement prior to entering the ESZ. This policy shall also include a notice that any bags or containers left unattended within the ESZ may be subject to search and/or seizure by law enforcement. LSP shall also include a notice that special exceptions will be made for all medically necessary items after proper inspection has been made.

D. LSP shall post public notices at each entrance checkpoint to the ESZ, which shall include notice of the LSP policy on specific restrictions and prohibitions for bags or containers, as well as the potential for law enforcement to search bags or containers as described in the preceding paragraph.

E. This Enhanced Security Zone shall be in effect and enforced from at least Thursday,

February 27, 2025, through Wednesday, March 5, 2025.

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 their corresponding rules and regulations are hereby suspended for the State Departments and the City of New Orleans, 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 8: 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 9: Every State department, agency, and office is directed to provide any assistance and support requested by GOHSEP as needed to assist in response to this emergency.

Section 10: This Order is effective Thursday, February 27, 2025, and shall continue in effect until Saturday, March 29, 2025, 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 the State of Louisiana in the City of Baton Rouge, on this 27<sup>th</sup> day of February 2025.

Jeff Landry  
Governor

ATTEST BY  
THE GOVERNOR  
Nancy Landry  
Secretary of State  
2503#054

# Emergency Rules

## DECLARATION OF EMERGENCY

Office of the Governor  
Division of Administration  
Office of Broadband Development and Connectivity

Granting Unserved Municipalities Broadband Opportunities  
(GUMBO) (LAC 4:XXI.705)

In accordance with the emergency provisions of the Administrative Procedure Act, R.S. 49:962 et seq., and pursuant to the authority set forth in R.S. 51:2370-2370.16, the executive director of the Office of Broadband Connectivity (ConnectLA) declares an emergency to exist and adopts by emergency process the Emergency Rule relative to the administration of the Granting Unserved Municipalities Broadband Opportunities (GUMBO) grant program.

ConnectLA has made considerable progress toward the GUMBO program objective of funding eligible broadband infrastructure projects. These projects will deploy broadband internet service to unserved and underserved areas, improving Louisiana residents' health, educational opportunities and economic competitiveness in the digital world.

Currently, the final disbursement of funds to some broadband services providers is being delayed or denied until ConnectLA identifies locations within approved project areas that are ineligible to receive funding, because they were not or could not have been reasonably identified when applications for the GUMBO program were accepted.

The Emergency Rule authorizes ConnectLA to grant or deny the removal of locations from the approved project area included in a grant recipient's application if those locations are later determined to be ineligible for the GUMBO grant program and determine whether the amount of the grant is to be modified.

Failure to address this issue could result in significant undue financial strain on broadband services providers which could jeopardize their ability to provide broadband services to residents. Failure to connect the unconnected would prolong the substantial risk of hardship currently faced by hundreds of thousands of residents throughout the state. As demonstrated, this situation constitutes and creates an imminent peril to the public health, safety, and welfare of the residents of Louisiana, thereby making this Emergency Rule necessary.

This Emergency Rule is adopted and shall have the force and effect of law on February 12, 2025, and will remain in effect for the maximum period allowed by the Administrative Procedure Act, unless renewed by the executive director of ConnectLA or until permanent rules are promulgated in accordance with law.

## Title 4

### ADMINISTRATION

#### Part XXI. Granting Unserved Municipalities Broadband Opportunities (GUMBO)

##### Chapter 7. Compliance

##### §705. Disbursement and Reimbursement

A. - D. ...

E. The office may allow a grant recipient to request the removal of locations from the approved project area included in its application if those locations are later determined to be ineligible for the GUMBO grant program. The office may at its discretion approve or deny the removal of the requested locations and determine whether the amount of the grant needs to be modified.

AUTHORITY NOTE: Promulgated in accordance with R.S. 51:2370-2370.16

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, Office of Broadband Development and Connectivity, LR 48:1515 (June 2022), LR 51:

Veneeth Iyengar  
Executive Director

2503#001

## DECLARATION OF EMERGENCY

### Department of Transportation and Development Office of Multimodal Commerce

State Safety Oversight for Rail Fixed Guideway  
Public Transportation Systems  
(LAC 70:IX.Chapter 15)

In accordance with the emergency provisions of the Administrative Procedure Act, R.S. 49:962, and pursuant to the authority set forth, the secretary of the Department of Transportation and Development (DOTD) declares an urgent need to update existing *Louisiana Administrative Code* Title 70 Chapter 15 State Safety Oversight for Rail Fixed Guideway Public Transportation Systems (RFGPTS) to meet Federal Transit Administration requirements. On October 21, 2022, the Federal Transit Administration issued Special Directive No. 22-32 (required by 49 U.S.C. § 5329(k)) to the State of Louisiana with requirements to develop and implement a risk-based inspections (RBI) program. Special Directive 22-32 required the Department of Transportation and Development to develop and submit to FTA for approval by October 21, 2024, documents including changes to the *Louisiana Administrative Code*. The documents outlined the RBI program, which gives DOTD the responsibility and authority to review data, identify and prioritize risks and then conduct inspections to ensure that the New Orleans Regional Transit Authority is doing the work necessary to protect the safety of the traveling public.

DOTD developed and submitted the required documents in January 2024. Through an iterative process, FTA approved the DOTD RBI-related changes on September 20, 2024. DOTD must immediately begin implementation and provide proof of implementation to FTA by September 20, 2025. The emergency *Louisiana Administrative Code* updates will allow DOTD to begin implementing the RBI program quickly and comply with FTA Special Directive No. 22-32, while simultaneously beginning the typical Administrative Code update process. If DOTD does not show proof of implementation, FTA is authorized to enact sanctions for transit funding in Louisiana.

This Emergency Rule shall have the force and effect of law on February 26, 2025, and will remain in effect for 180 days, unless renewed by the secretary of the Department of Transportation and Development, or until revised rules are promulgated in accordance with the law.

## **Title 70**

### **TRANSPORTATION**

#### **Part IX. Intermodal Transportation**

#### **Chapter 15. State Safety Oversight for Rail Fixed**

##### **Guideway Public Transportation Systems**

##### **Subpart A. Intermodal**

##### **§1501. Introduction**

A. The Intermodal Surface Transportation Efficiency Act of 1991 (ISTEA), signed on December 18, 1991, required the Federal Transit Administration (FTA) to create a first-ever State-managed safety and security oversight program for rail fixed guideway public transportation systems (RFGPTS) not regulated by the Federal Railroad Administration. In each successive Act following ISTEA, including the Transportation Equity Act for the 21st Century (TEA-21), signed on June 9, 1998, and the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU), signed on August 10, 2005, the state safety oversight (SSO) program was continued, setting the stage for the safety and programmatic advances required under the Moving Ahead for Progress in the 21st Century Act (MAP-21) signed July 6, 2012 and continued under the Fixing America's Surface Transportation Act (FAST Act), signed on December 4, 2015.

B. On March 16, 2016, FTA issued the 49 CFR Part 674 final Rule. This Rule reflects the requirements of 49 U.S.C. section 5329(e) and directs states to strengthen their authorities to oversee and enforce safety requirements and to prevent and mitigate accidents on the RFGPTS in their jurisdictions.

AUTHORITY NOTE: Promulgated in accordance with R.S. 48:214; 49 C.F.R. Part 674; 49 U.S.C. § 5329.

HISTORICAL NOTE: Promulgated by the Department of Transportation and Development, Office of Multimodal Commerce, LR 44:922 (May 2018).

##### **§1503. Program Management**

A. Authority. The state of Louisiana re-designated the Louisiana Department of Transportation and Development (LADOTD) as the state safety oversight agency (SSOA) for Louisiana in 2014. This enabling authority is found at Louisiana Revised Statute 48:214. The SSOA authority applies to any Rail Transit Agency (RTA) operating a RFGPTS in Louisiana. References to the RTA or RFGPTS do not apply to one specific RTA, but to any RTA operating in Louisiana.

NOTE: The New Orleans Regional Transit Authority is the only RTA/RFGPTS currently subject to oversight in the State of Louisiana.

B. Policies That Govern SSOA Activities. The SSO program is administered by the state safety oversight program manager. The Program Manager is responsible for carrying out the policies enumerated in the State Safety Oversight Program Standard (SSOPS) and the specific activities and objectives provided in the SSO Procedures Manual. The SSO program is currently administered through the Office of Multimodal Commerce at the LADOTD and supported by the commissioner of Multimodal Commerce, the deputy commissioner of Multimodal Commerce, and the freight and passenger rail development statewide program manager. The SSO program manager and any staff or contractors will meet the training requirements of the Public Transportation Safety Certification Training Program.

C. SSOA Reporting Requirements. On or before March 15 of each year, the SSOA will submit the following material to the Louisiana Governor's Office, the RTA Board of Commissioners, and the FTA:

1. the SSOPS and the accompanying procedures manual, with an indication of any changes to those documents during the preceding 12 months;

2. evidence that each of its employees and contractors has completed the requirements of the public transportation safety certification training program, or, if in progress, the anticipated completion date of the training;

3. a publicly available report that summarizes its oversight activities for the preceding 12 months, describes the causal factors of accidents identified through investigation, and identifies the status of corrective actions, changes to the RTA safety plan, and the level of effort by the SSOA in carrying out its oversight activities;

4. a summary of the triennial audits completed during the preceding 12 months, and the RTA's progress in carrying out corrective action plans (CAP) arising from triennial audits (if conducted);

5. evidence that the SSOA has reviewed and approved any changes to the RTA safety plan during the preceding 12 months; and

6. a certification that the SSOA is in compliance with the requirements of 49 CFR Part 674.

D. RTA Reporting Requirements. On or before February 15 of each year, the RTA will submit the following material in a report to the SSOA:

1. the safety plan, with an indication of any changes to that document during the preceding 12 months;

2. a report on all internal safety audits performed during the preceding calendar year to include a listing of the internal safety audits conducted the previous calendar year, an updated schedule for audits that will be conducted in the current three-year cycle, and a status of all findings, recommendations and corrective actions resulting from the audits conducted the previous calendar year;

3. a report listing all reportable accidents and unacceptable hazards identified during the previous 12-month period that describes any causal factors identified through investigation and identifies the status of corrective actions;

4. a certification that the RTA is in compliance with this SSOPS and any federal rules applicable to its safety plan.

E. SSOA and RTA Communications. The SSOA will maintain on-going communications with the RTA regarding safety related aspects of the RFGPTS. To facilitate communications, the SSOA will attend monthly meetings to discuss the status of accident/incident/event investigations, open CAPs, identified unacceptable hazards, and other safety related topics. In addition, the SSOA will participate in safety-related training and other events and conduct on-site inspections. The inspections may include, but not be limited to: reviewing and approving accident investigation procedures and reports; reviewing monthly construction reports, as appropriate; and collecting and reviewing other data as leading indicators of safety-related events to identify mitigation measures.

AUTHORITY NOTE: Promulgated in accordance with R.S. 48:214; 49 C.F.R. Part 674; 49 U.S.C. § 5329.

HISTORICAL NOTE: Promulgated by the Department of Transportation and Development, Office of Multimodal Commerce, LR 44:922 (May 2018), LR 51:

#### **§1505. SSOPS Development**

A. This SSOPS was developed in compliance with 49 CFR Part 674 and aspects of the previous Louisiana State Standard developed under 49 CFR Part 659. This SSOPS, along with Louisiana Revised Statute 48:214, give the SSOA the necessary authority to administer the enhanced oversight of RFGPTS in Louisiana as envisioned in 49 CFR Part 674. An accompanying procedures manual has been created to address changes in industry standards, safety-related guidance from FTA, and general procedural or administrative changes to standard operating practices between the SSOA and RTA. The creation of the SSO Procedures Manual reduces the legislative and administrative burden on the SSOA.

B. Review and Revision. The SSOPS policy document and Procedures Manual are reviewed at least annually. Any changes to either document are submitted to FTA (and as appropriate to the RTA) for review with the annual report by March 15 of each year. Additionally, changes in procedures may be addressed at any time as needed.

C. Minimum Safety Standards. The SSOPS policy document, along with Louisiana Revised Statute 48:214, provides the SSOA the necessary authority to develop any rules and/or regulations necessary to enforce minimum safety standards of operation by RFGPTS operators in the state of Louisiana. Much like FTA's public transportation safety program does not outline those minimum standards but does so in the national public transportation safety plan, this policy document requires all Louisiana RTAs to meet or exceed any nationally recognized safety standards for operating rail fixed guideway public transportation systems. The SSOA Procedures Manual will contain any minimum safety standards deemed necessary beyond those developed by the RTA to facilitate safe operations or published by the FTA in the National Public Transportation Safety Plan or those developed by industry recognized leaders such as the American Public Transportation Association (APTA), etc. The SSOA will provide written notice of updates posted in the Procedures Manual and all Louisiana RTAs will be required to adhere to those rules and procedures.

AUTHORITY NOTE: Promulgated in accordance with R.S. 48:214; 49 C.F.R. Part 674; 49 U.S.C. § 5329.

HISTORICAL NOTE: Promulgated by the Department of Transportation and Development, Office of Multimodal Commerce, LR 44:923 (May 2018), LR 51:

#### **§1507. Program Policy and Objectives**

A. The SSOA provides oversight and technical assistance to the RTA and evaluates the effectiveness of the agency's safety plan implementation. Through participation in safety meetings, reviewing investigations of accidents/incidents/events, the SSOA will provide guidance and input to the RTA safety implementation program, which is wholly owned and implemented by the RTA. In addition to the SSOA program policy, the SSOA has specific objectives associated with the program's implementation that will be listed in the Procedures Manual. Those objectives may change based on specific oversight needs of an RTA, industry standards revisions, or guidance from FTA. The program objectives will be reviewed annually and updated as appropriate in the Procedures Manual. The SSOA is responsible for investigating any allegations of an RTA's non-compliance with its agency safety plan. To assist in the effectiveness of the SSOA mission, the RTA will grant full access to fixed guideway safety-related records, personnel, and facilities at the RTA. If, during the course of inspections, observations, analysis, interviews or other SSOA activities, potential unacceptable hazardous conditions are identified, the SSOA will discuss the concerns directly with the RTA safety staff and management and may require development of a corrective action plan. These risk-related concerns will typically find resolution at this level of discussion and interaction. If the situation is an immediate safety risk, the RTA is directed to implement any necessary action to mitigate that risk with proper and timely notification to the SSOA. In addition, the SSOA will work closely with the RTA to monitor issue resolution to assure the corrective action does not create unintended risks. If the SSOA identifies and communicates potential unacceptable hazardous conditions to the RTA staff as indicated above, and either the corrective action or the timeliness of the action is not acceptable to the SSOA, the following escalation protocols will be implemented.

1. Escalation Level I. If after an appropriate period of time, determined in writing by the SSOA, a similar pattern of risk-related activity, previously communicated to the RTA, is observed, a formal letter will be sent to the RTA safety management system (SMS) executive/lead. The letter will describe the risk concerns with a formal request to respond to the letter with an explanation of how the RTA plans to address the identified concerns. If the explanation from the RTA is reasonable/acceptable, the concerns and responses are documented and the SSOA will continue risk monitoring. If the RTA determines that the identified risk concern needs additional attention, the SSOA will require the RTA to develop an appropriate corrective action plan.

2. Escalation Level II. Louisiana Revised Statute 48:214 provides direction to each RTA regarding the requirement for a formal safety program and requires the SSOA to, "Direct the operator of a fixed guideway rail system to correct a safety hazard by a specified date and time." If the RTA does not comply with direction stemming from Escalation Level I, a formal letter from the commissioner of the Office of Multimodal Commerce to the

RTA accountable executive reiterating the risk concerns with a request to respond to the letter including an explanation of how the RTA plans to address the identified concerns. If the explanations from the RTA are reasonable/acceptable and a reasonable timetable is established, the concerns and responses are documented; and the SSOA will continue risk monitoring. If the RTA determines that the identified risk concern needs additional attention, the SSOA will require the RTA to develop an appropriate corrective action plan.

3. Escalation Level III. If at any time during Escalation Level II, the identified risk concerns cannot be resolved due to a lack of communication or responsiveness from the RTA, the statute requires that the SSOA, "Take legal action in a court of competent jurisdiction to compel an operator of a fixed guideway rail system to correct a safety hazard, or to prevent the operation of all or part of a fixed guideway rail system that the office has determined to be unsafe."

AUTHORITY NOTE: Promulgated in accordance with R.S. 48:214; 49 C.F.R. Part 674; 49 U.S.C. § 5329.

HISTORICAL NOTE: Promulgated by the Department of Transportation and Development, Office of Multimodal Commerce, LR 44:923 (May 2018), LR 51:

### **§1509. Oversight of RTA Safety Plans and Internal Safety Reviews**

A. RTA Safety Plan Review. The RTA is required to develop and submit a safety plan to the SSOA for its review and written approval. The safety plan must be compliant with the SSOPS, any federal rules (i.e., 49 C.F.R. Part 673 and 49 U.S.C. 5329(d)) specifically addressing RTA safety plans, any specific guidance found in the SSO Procedures Manual, and other guidance provided through FTA's National Public Transportation Safety Plan. The SSOA may require changes to a safety plan based on changes in federal or state requirements, audit results, inspections, investigations, or findings based on safety data analysis. After written notification from the SSOA for safety plan modifications, the RTA and SSOA will determine a reasonable timeline for completing the revision(s). The RTA must assess its safety plan annually and revise it as needed to reflect changes in the organization, procedures, equipment, facilities, and operating environment. The RTA must submit any revisions to the SSOA to ensure compliance with the SSOPS. The SSOA will complete a compliance review of the safety plan within 30 calendar days of receipt or notify the RTA if additional time is needed. If the RTA safety plan complies with the SSOPS and other guidance as necessary, the SSOA will issue a written approval of the safety plan (along with appropriate checklists) and request that the RTA send a final copy of the safety plan with appropriate signatures and other endorsements as required. Per changes to 49 USC 5329(d) introduced in the Bipartisan Infrastructure Law (BIL), recipients receiving Section 5307 assistance and serving an urbanized area of 200,000 or more must establish a safety committee which approves the safety plan and any revisions. This safety committee shall consist of an equal number of frontline employee representatives selected by a labor organization and management representatives as described in paragraph (5) of 5329(d). For recipients serving an urbanized area with a population under 200,000, agency safety plans must be developed in cooperation with frontline employee representatives. The safety plan and any revisions

to the safety plan must then be approved by the RTA Board of Commissioners and signed by a designee of the RTA Board of Commissioners. The approved RTA safety plan remains in effect until another such safety plan or revisions to the existing safety plan is/are submitted and approved in accordance with this SSOPS. If the SSOA determines that the submitted safety plan does not meet the requirements of the SSOPS or other appropriate guidance, a written rejection of the safety plan will be sent to the RTA along with a description (comments and appropriate checklists) of necessary changes to gain approval. The RTA will make such changes in an expeditious manner, unless otherwise specified in the rejection letter. The RTA may request a meeting with the SSOA to discuss the safety plan review comments. In the event the RTA objects to a noted deficiency or requested change from the SSOA, a written notice of the objections and suggested alternatives will be provided to the SSOA within 30 days. Both the SSOA and the RTA must agree on an appropriate course of action or the SSOA will follow the escalation procedures.

B. RTA Internal Reviews. The RTA must develop and document a process for the performance of on-going internal safety audits that assess the elements and implementation of the RTA safety plan. Each element of the safety plan must be audited at least once during a three-year cycle. The audit process must, at a minimum, describe a process used by the RTA to determine if all identified elements of the safety plan are performing as intended, determine if areas of non-compliance and hazards are being identified in a timely manner, ensure that all elements are being reviewed in an on-going manner and over a three-year cycle, and ensure that no unit leads its own internal audit. The RTA will notify the SSOA in writing at least 30 days prior to any internal audit and will provide audit checklists, procedures, and other documents as necessary. The RTA will coordinate any comments on the checklists and schedule with the SSOA. On or before February 15<sup>th</sup> of each year, the RTA will submit a report detailing all internal safety audits performed during the preceding calendar year. The report, signed by the RTA accountable executive, must contain at a minimum, a listing of the internal safety audits conducted the previous calendar year, an updated schedule for audits that will be conducted in the current three-year cycle, a status of all findings, and recommendations and corrective actions resulting from the audits conducted the previous calendar year. The SSOA will review and approve the internal audit report submitted by the RTA prior to submission to the FTA each year on or before March 15<sup>th</sup>.

AUTHORITY NOTE: Promulgated in accordance with R.S. 48:214; 49 C.F.R. Part 674; 49 U.S.C. § 5329.

HISTORICAL NOTE: Promulgated by the Department of Transportation and Development, Office of Multimodal Commerce, LR 44:924 (May 2018), LR 51:

### **§1511. Triennial SSOA Audits**

A. Audit Procedures. In addition to ongoing inspections, investigations, and examinations of RTA safety implementation procedures, the SSOA will conduct an on-site audit of the RTA's implementation of its safety program at least once during each three-year cycle. The SSOA and RTA may agree that the SSOA will conduct its audit on an ongoing basis over the three-year cycle. The three-year audit will be a comprehensive review and evaluation of the effectiveness of the RTA safety plan and other standard

operating procedures. The audit will generally be conducted prior to the FTA triennial audit of the SSOA Program. In anticipation of a three-year audit of the RTA safety program, the SSOA will establish an audit team and audit schedule, develop audit checklists for use during the audit, provide the RTA with written notification of the audit schedule 60 days in advance, and offer the RTA an opportunity to schedule a pre-audit meeting to ensure clarity of SSOA audit objectives. The SSOA will provide the RTA with the list of team members and audit checklists 30 days in advance of the audit. The audit is intended to be an open and collaborative process with the RTA with the primary goal of improving safety procedures documentation and implementation at the RTA.

B. Audit Findings. A list of audit findings will be incorporated into an audit-tracking matrix. The matrix will provide the findings and any comments developed by the SSOA necessary to clarify the intent of the finding. The matrix will be used to track any findings to resolution.

C. Audit Report. Any findings established during a triennial audit will be documented in a draft written report along with recommendations for improvements (including recommended CAPs) to the safety plan or other documentation related to the effectiveness of the RTA safety plan and safe operations of the RFGPTS. The RTA will have an opportunity to comment on the content of the report, including the findings and recommendations prior to the SSOA publishing the final audit report. If the RTA has alternative methods to address the recommendations provided by the SSOA in the draft audit report, the SSOA will consider those and initiate dialogue as appropriate. The SSOA review team will make revisions, if appropriate to the goals of the audit, and will distribute the final audit report. Corrective actions required, as a result of the audit, will be managed through the corrective action process. The SSOA will transmit final audit reports to the FTA.

AUTHORITY NOTE: Promulgated in accordance with R.S. 48:214; 49 C.F.R. Part 674; 49 U.S.C. § 5329.

HISTORICAL NOTE: Promulgated by the Department of Transportation and Development, Office of Multimodal Commerce, IR44:925 (May 2018), LR 51:

### **§1513 Accident Notification**

#### A. Requirements

1. The SSOA requires the RTA to report the following accidents (reportable accident):

a. fatality (occurring at the scene or within 30 days following the accident).

b. one or more persons suffering serious injury (Serious injury means any injury which:

i. requires hospitalization for more than 48 hours, commencing within 7 days from the date the injury was received;

ii. results in a fracture of any bone (except simple fractures of fingers, toes, or nose);

iii. causes severe hemorrhages, nerve, muscle, or tendon damage;

iv. involves any internal organ; or

v. involves second- or third-degree burns, or any burns affecting more than 5 percent of the body surface).

c. Substantial damage: Damage to any involved vehicles, facilities, equipment, rolling stock, or infrastructure that disrupts the operations of the rail transit agency and adversely affects the structural strength, performance, or

operating characteristics of the asset, such that it requires towing, rescue, on-site maintenance, or immediate removal prior to safe operation.

d. a collision involving a rail transit vehicle that:

i. meets an injury, fatality, substantial damage, or evacuation threshold;

ii. includes suicides or attempted suicides that involve contact with a transit vehicle;

iii. occurs at a rail grade crossing;

iv. involves an individual in the right-of-way;

v. involves a rail transit vehicle and a second rail transit vehicle; or

vi. includes collisions that do not involve a transit revenue vehicle but meet a threshold.

e. a runaway train.

f. an evacuation for life safety reasons.

g. any derailment of a rail transit vehicle, at any location, at any time, whatever the cause.

2. In any instance in which the RTA is required to notify the Federal Railroad Administration (FRA) of an accident as defined by 49 CFR §225.5 (i.e., shared use of the general railroad system trackage or corridors), the RTA must also notify the SSOA and FTA of the accident within the same timeframe as required by the FRA. The RTA will also be required to report any accident meeting the criteria and thresholds developed by the FTA and published as rule (i.e. 49 CFR Appendix to Part 674) or guidance under the national public transportation safety plan or other reporting guidelines. These will be published and communicated to the RTA through the SSO Procedures Manual.

B. Methodology and Content: Two-Hour Notification. The RTA shall notify the SSOA and FTA within two hours of a reportable accident. Notification shall be transmitted via email (or if unavailable, via telephone with follow-up email) or other electronic notification method described in the Procedures Manual. The two-hour notification will contain the following information:

1. unique accident identification number (if more than one crash occurs on one day, the time will be added in 24-hour format and the operator badge number will be included as shown: YYMMDD HHMM operator badge number. All follow up information associated with a reportable accident will contain the unique accident identification number.);

2. sender (caller) name;

3. transit system name;

4. type of accident (e.g., which accident criteria prompted the accident report to the SSOA);

5. time and date of the accident;

6. the location of the accident;

7. transit vehicle identifying information, including route, direction, vehicle number, block number, etc.;

8. information about any other vehicles involved;

9. number of injuries (persons requiring immediate medical attention away from the scene);

10. number of fatalities;

11. estimated property damage, if available;

12. a brief description of the accident;

13. a description of accident investigation activities completed and anticipated in the short term;

14. available; and

15. NTSB determination, if available.

AUTHORITY NOTE: Promulgated in accordance with R.S. 48:214; 49 C.F.R. Part 674; 49 U.S.C. § 5329.

HISTORICAL NOTE: Promulgated by the Department of Transportation and Development, Office of Multimodal Commerce, LR 44:925 (May 2018), LR 51:

### **§1515. Investigations**

A. The SSOA must investigate or require an investigation of any reportable accident and is ultimately responsible for the sufficiency and thoroughness of all investigation reports, whether conducted by the SSOA, the RTA, or a third party. Investigations can be conducted by the SSOA, be delegated to the RTA by the SSOA, or conducted jointly by the SSOA and RTA.

1. RTA Investigations. In most cases, the SSOA requires the RTA to investigate its own accidents and the SSOA will conduct an independent review of the RTA's findings of causation. When conducting an accident investigation on behalf of the SSOA, investigations are performed in accordance with accident investigation procedures developed by the RTA and approved by the SSOA. The RTA will develop accident investigation procedures that meet or exceed all rules, guidance or industry standards associated with investigation procedures, including this SSOPS. Accident investigation procedures will be reviewed annually by the RTA against industry standards and updated as appropriate and necessary. During accident investigations conducted by the RTA, the SSOA will provide any technical assistance or guidance requested by the RTA in support of the accident investigation.

2. SSOA Investigations. If the SSOA determines that it will conduct its own investigation, the SSOA will inform the RTA of its decision to conduct or participate in an investigation, will use investigation personnel other than those employed or utilized by the RTA, and will use the RTA's approved investigation procedures. SSOA investigation personnel will have the proper investigation training and expertise as outlined in the public transportation certification training program. The RTA will be provided with a list of SSOA investigation team members. The SSOA investigation team will arrive at the RTA as soon as practicable. The SSOA investigation team will wait until the RTA and/or other emergency response personnel have secured the scene before commencing its investigation. The SSOA reserves the right to request that the RTA preserve the scene to the maximum extent feasible until arrival and start of the investigation. All SSOA investigation personnel will be granted authority to access records, materials, data, analysis, and other information, which is pertinent to the investigation. The RTA is expected to provide the SSOA investigation team with the resources and information necessary to conduct the investigation in an effective and efficient manner.

3. Joint Investigations. The SSOA may request joint participation in an investigation. In such cases, the RTA will cooperate, to the extent practicable, in preserving the scene until SSOA investigation team members arrive. The SSOA investigation team will observe or participate in field analysis, operational surveys, interviews, record checks, data analysis, and other on-site and off-site tasks that may be necessary for a comprehensive investigation. The SSOA investigation team will observe or participate in assessing physical evidence of the scene and document the environmental and physical factors of the scene through measurements, diagrams, and photographs. As part of the

investigation, the SSOA investigation team will observe or participate in assessing compliance with operating rules and procedures; conducting follow-up interviews (if required); analyzing employee records and the results of post-accident drug and alcohol tests; and conducting vehicle and equipment inspections. If the SSOA investigation team requires information or analysis which is not readily available, or which may require additional resources by the RTA, it will request this information or analysis in a written request to the RTA.

4. National Transportation Safety Board (NTSB) Investigations. In any instance in which a safety event on the RTA's RFGPTS is the subject of an investigation by the NTSB, the SSOA will participate in the investigation and will evaluate whether the findings or recommendations by the NTSB require CAP development by the RTA, and if so, the SSOA will order the RTA to develop and carry out the CAP.

5. Reporting. All accident investigations will result in a formal investigation report. Accident reports will describe the investigation activities; identify the factors that caused or contributed to the accident; and set forth a CAP, as necessary or appropriate. In most cases, the RTA will conduct investigations of its own accidents and will be required to produce a final accident investigation report within 30 days of the accident, unless delayed by circumstances (e.g. unresolved medical reports) or missing information (e.g. incomplete police reports). The RTA will provide a monthly accident log update detailing the status of all investigations through closure and adoption by the SSOA. Upon submission of a final accident investigation report by the RTA, the SSOA will conduct an independent review of the findings of causation and either provide acceptance and adoption of the report in a timely manner or ask for additional information or analysis. In cases where the SSOA does not believe that adequate investigation into the cause of an accident has been performed, it may conduct its own investigation. In cases where the SSOA decides to conduct its own investigation, the SSOA will produce an accident investigation report within 30 days of the accident, unless delayed by circumstances (e.g. unresolved medical reports) or missing information (e.g. incomplete police reports). The final accident report will be provided to the RTA for review and concurrence. If the RTA does not concur with the SSOA's report, the RTA may submit a written dissent of the report, which the SSOA may include in the final report. In cases where the SSOA and RTA conduct a joint accident investigation, both agencies will collaborate on investigation, analysis, and determination of causal or contributing factors. Both agencies will also collaborate on developing the final accident investigation report. Upon completion, the SSOA will adopt the final report. In special circumstances, the FTA may conduct an independent investigation of an accident or review the findings of causation contained in an accident report. The SSOA and RTA will cooperate, to the extent practicable, with the FTA's investigation and provide support for findings and recommendations.

6. Corrective Actions. If a final investigation report contains findings and/or recommendations for addressing deficiencies or unsafe conditions identified during the investigation process, the RTA will be responsible for



developing appropriate CAPs. The SSOA will review and approve or ask for revisions to CAPs as appropriate. If, after reviewing an investigation report not resulting in a CAP and the SSOA determines that a CAP was necessary or appropriate, the SSOA will communicate the need to develop the CAP to the RTA.

7. **Records Confidentiality.** The Louisiana Public Records Act, also known as Louisiana's Sunshine Law, was enacted by the State Legislature in 1940, and is currently provided for in R.S. 44:1, et seq. Under Louisiana's Sunshine Law, the SSOA generally cannot legally protect the confidentiality of accident investigation reports from discovery except when the report contains sensitive security information, or when otherwise exempted for in law, jurisprudence, and/or R.S. 44:1, et seq. Anyone can request public records; and no purpose is required. There are no restrictions on what can be done with the public documents once a records requester has them in hand. The custodian of the records must respond to requests within three business days.

Exemptions: Pending criminal litigation; juvenile status offenders; sexual offense victims; security procedures; trade secrets; and some public employee information.

**AUTHORITY NOTE:** Promulgated in accordance with R.S. 48:214; 49 C.F.R. Part 674; 49 U.S.C. § 5329.

**HISTORICAL NOTE:** Promulgated by the Department of Transportation and Development, Office of Multimodal Commerce, LR 44:926 (May 2018), LR 51:

#### **§1517. Corrective Action Plans**

A. The SSOA's primary concern is the safety of the traveling public using an RFGPTS. Corrective action plans are an integral part of ensuring safety. The SSOA will work with the RTA to ensure that corrective actions are implemented in a timely fashion and corrective actions are commensurate to the severity of the potential safety-related hazard.

##### **1. Development**

a. CAPs may be identified and developed through a number of processes and procedures including accident investigation reports developed by the RTA, SSOA, FTA or NTSB; internal safety audits conducted by the RTA; three-year audits conducted by the SSOA or FTA; or the RTA hazard management program. CAPs may be identified by other activities as well, and may be initiated by RTA or required by the SSOA. In any instance where the RTA must develop and carry out a CAP, the SSOA will review and approve the CAP before the RTA carries out the plan; however, an exception may be made for immediate or emergency corrective actions that must be taken to ensure immediate safety, provided that the SSOA has been given timely notification, and the SSOA provides subsequent review and approval. A CAP must describe, specifically, the actions the RTA will take to minimize, control, correct, or eliminate the risks and hazards identified by the CAP, the schedule for taking those actions, and the individuals responsible for taking those actions.

b. The SSOA will notify RTA of its approval or rejection of a corrective action plan within 15 calendar days of receiving the CAP. In the event the SSOA rejects a CAP, the reasons and recommended revisions will be stated in writing. RTA shall submit a revised CAP to the SSOA no later than 15 calendar days following the rejection. If the RTA does not agree with the proposed revisions, the SSOA

and RTA shall meet to resolve differences regarding the CAP. In any instance in which a safety event on the RTA's RFGPTS is the subject of an investigation by the NTSB, the SSOA will evaluate whether the findings or recommendations by the NTSB require CAP development by the RTA, and if so, the SSOA will order the RTA to develop and carry out the CAP.

2. **Tracking.** The RTA must periodically report to the SSOA on its progress in carrying out the CAP. The SSOA will monitor the RTA's progress in carrying out the CAP through unannounced, on-site inspections, or any other means the SSOA deems necessary or appropriate. CAPs shall be tracked by using the following naming convention. Each CAP name shall begin with: YY-##. The first CAP for a year shall be 01, and the numbers shall increase one-by-one through the year. The following year, the numbers shall begin again at 01. CAPs shall be entered into the RTA CAP log upon creation and remain on the log the entire calendar year, even after closure. CAP progress is tracked during monthly meetings.

3. **Closure.** Implementation of CAPs may require timeline adjustments. The SSOA should be informed of any implementation schedule changes and review the reasons for those changes. CAPs will be acknowledged as closed by the SSOA once supporting documentation is provided by the RTA and review and/or inspection is conducted by the SSOA. The SSOA will provide the RTA with timely written acceptance of a CAP closure.

**AUTHORITY NOTE:** Promulgated in accordance with R.S. 48:214; 49 C.F.R. Part 674; 49 U.S.C. § 5329.

**HISTORICAL NOTE:** Promulgated by the Department of Transportation and Development, Office of Multimodal Commerce, LR 44:927 (May 2018), LR 51:

#### **§1519. Annual Reporting to FTA: SSOA Reporting Requirements**

A. On or before March 15 of each year, the SSOA will submit the following material to the Louisiana Governor's Office, the RTA Board of Commissioners, and the FTA (submitted electronically through a specified reporting system):

1. the SSOPS and the accompanying Procedures Manual, with an indication of any changes to those documents during the preceding 12 months;

2. evidence that each of its employees and contractors has completed the requirements of the public transportation safety certification training program, or, if in progress, the anticipated completion date of the training;

3. a publicly available report that summarizes its oversight activities for the preceding 12 months, describes the causal factors of accidents identified through investigation, and identifies the status of corrective actions, changes to the RTA safety plan, and the level of effort by the SSOA in carrying out its oversight activities;

4. a summary of the triennial audits completed during the preceding 12 months, and the RTA's progress in carrying out corrective action plans arising from triennial audits (if conducted);

5. evidence that the SSOA has reviewed and approved any changes to the RTA safety plans during the preceding 12 months; and

6. a certification that the SSOA is in compliance with the requirements of 49 CFR Part 674.



AUTHORITY NOTE: Promulgated in accordance with R.S. 48:214; 49 C.F.R. Part 674; 49 U.S.C. § 5329.

HISTORICAL NOTE: Promulgated by the Department of Transportation and Development, Office of Multimodal Commerce, LR 44:928 (May 2018), LR 51:

#### **§1521. State Safety Oversight Risk-Based Inspection**

A. Introduction. In November 2021, the Bipartisan Infrastructure Law amended 49 U.S.C. § 5329 to require that SSOAs conduct risk-based inspections (RBI) of the RTAs that they oversee. In October 2022, FTA issued Special Directive 22-32, under authority of 49 U.S.C. § 5329(k) and 49 CFR Part 670, requiring LADOTD, as the Louisiana SSOA, to develop and implement a risk-based inspection program. According to the Special Directive, a risk-based inspection program uses qualitative and quantitative data analysis to perform ongoing inspection activities. Risk-based inspection programs are designed to prioritize inspections to address safety concerns and hazards associated with the highest levels of safety risk. As described in 49 U.S.C. § 5329(k), the SSOA must develop policies and procedures for inspection access and data collection in consultation with each RTA that it oversees. LADOTD's RBI Program is added to this SSOPS, and it addresses the SSOA's authority to conduct inspections, collect data from the RTA to support risk-based inspection monitoring and prioritization activities, implement inspection activities in a way that is commensurate with the size and complexity of the RTA the SSOA oversees, and train employees for RBI program implementation. Additional details about how LADOTD implements its RBI program are in its accompanying State Safety Oversight Procedures Manual.

B. SSO Authority. R.S. 48:214 re-designated the LADOTD as the SSOA in 2014, providing it with the authority to establish and enforce minimum standards for the safety of all RTAs within its oversight. R.S. 48:214(B)(1) includes the SSOA's authority to enter onto and inspect the property of fixed guideway rail transit operators without prior notice. R.S. 48:214(B)(7) provides the SSOA the authority to implement rules and regulations as necessary to fulfill its obligations under federal law. In 2018, the Legislature added the SSOPS into this Chapter of *Louisiana Administrative Code*, which provides the SSOA the authority to develop rules and procedures needed to enforce minimum safety standards of operation by the agency. In 2024, this Section was added to the SSOPS and LAC 70:IX. Chapter 15 to include the authorities necessary to implement an effective RBI program, per 49 U.S.C. § 5329(k)(1)(A) and § 5329(k)(1)(B). These additions include the authority to collect and analyze data regarding safety program implementation at RTAs and to access each RTA property, with and without advanced notice, for the purposes of conducting inspections into RTA activities regarding the implementation of their safety programs. The authority to access RTA property includes access to infrastructure, equipment, records, personnel, and data. These authorities extend to contractors acting on behalf of the SSOA, who are required to have the capability to physically access the RTA the SSOA oversees as well as have the training necessary to safely access facilities.

C. Risk-Based Inspection Policies and Procedures. Per 49 U.S.C. § 5329(k)(1)(B) and § 5329(k)(3), the SSOA will access RTA facilities for risk-based inspections, both with and without advanced notice. Policies and procedures for

these inspections were developed in close consultation between LADOTD and the RTA it oversees. The LADOTD SSOA will, at a minimum, conduct inspections at the RTA four times per year, though it has the authority to conduct as many as are needed depending on observed system risk. The LADOTD SSOA defines unannounced inspections as those in which the SSOA notifies the RTA when inspectors arrive onsite for inspection. Whether an announced or unannounced inspection, LADOTD SSO staff and contractors will not enter publicly inaccessible areas without an agency escort, though the RTA must provide one when requested. The SSOA must ensure all personnel leading inspections have been trained and certified according to 49 CFR Part 672, PTSCTP, TSSP, and RTA specifications to safely access RTA properties and rights-of-way. The SSOA will conduct inspections on the various procedures used to maintain RTA equipment, infrastructure, and practices of each RTA, with the areas and locations for inspection determined through the RBI prioritization process. As part of the RBI process, the LADOTD SSOA will monitor not only the physical aspects of RTA facilities and equipment, but also the conduct and performance of ongoing personnel involved in day-to-day operations. The RBI process will use the data and analysis to generate a prioritized list of operational aspects that should be monitored to ensure conformance with RTA procedures and processes. This will include monitoring operations centers, maintenance facilities, and training activities. Risk-based inspections do not replace other regularly scheduled inspections of infrastructure, equipment, records, personnel, and data.

D. Data Sources and Collection. Per 49 U.S.C. § 5329(k)(2)(A), § 5329(k)(2)(B), and § 5329(k)(4)(B), LADOTD SSO Program staff, including support contractors, will require all safety, inspection, and maintenance data elements be submitted from the RTA quarterly as part of the RBI process, with the exception of capital projects and financial data being submitted annually; the SSO has the authority to increase this frequency if it deems it necessary to evaluate system-wide safety risk. Data submitted is used by the SSO to substantiate conditions and conduct analyses of trends, remedies, and remediations, then prioritize inspections accordingly. Category 3 of the RTA specific Procedures Manual contains details on the policies and secure processes used for data sharing and data management between the RTA and the SSOA. Data management policies in the Procedures Manual include agency specific details on data storage, organization, retention, maintenance, and accuracy. The Procedures Manual also identifies which records will be shared across safety, maintenance, and inspection data, detailing the components and formats for each data item. For safety program data, records include but are not limited to records of events, hazards, safety risk mitigations, corrective action plans (CAPs), and near misses. Safety data must also include that which the RTA collects when identifying hazards and assessing and mitigating safety risk. Maintenance data shared include but are not limited to maintenance records and report forms, work orders, records of failures and defects, records of revenue vehicles out of service, major maintenance activity schedules and progress, and adherence to maintenance schedules. Inspection data include but are not limited to inspection records and report forms, records of failures and defects, records of speed

restrictions, incident and safety risk mitigation verification, adherence to inspection schedules, capital project schedules and progress, and financial data. LADOTD SSOA requests for data may also include items not identified as part of the previous three categories but identified as critical to completion of the RBI process. These additional requests may include but are not limited to records on internal audits, National Transit Database (NTD) reporting elements, security data and more.

E. Inspection Prioritization. The SSOA will prioritize inspection activity through analysis of maintenance, safety, and past inspection data, as is required in 49 U.S.C. § 5329(k)(4)(B). The SSOA will use qualitative and quantitative data to evaluate potential safety risks related to the equipment, infrastructure, and practices specific to each RTA it oversees, identifying concerns to be prioritized for inspection. This ongoing analysis will inform inspection planning so that the highest risk conditions are addressed first. To evaluate relative risk of system equipment, infrastructure, and practices, the SSOA will use metrics in its safety analysis to determine priorities for inspection across each of the records described in Category 3 of the Procedures Manual. Category 4 of the Procedures Manual includes the comprehensive list of metrics used to evaluate risk across safety, maintenance, inspection, and other data sources requested by the SSOA. To prioritize relative safety risk, the SSOA will use its safety risk matrix based on the industry standard (MIL-STD-882E) that includes probability and severity ratings, with equipment, facilities, or procedures whose potential failures intersect at higher levels of probability and severity receiving higher overall risk ratings. The highest scoring equipment, infrastructure, and practices will be prioritized for inspection first, and the SSOA will include clear documentation showing how safety concern ratings inform inspection prioritization. The SSOA's data analysis and prioritization process is ongoing, will be updated to reflect changing safety conditions, and is independent from the RTA's own safety risk assessment practices for hazard mitigation. When system conditions change, the SSOA will analyze new data and develop new prioritization ratings, and these will inform potential revisions to inspection priorities. Unless required by activities or changes in system safety, the SSOA will schedule and perform an updated safety analysis and inspection prioritization quarterly at a minimum. The Procedures Manual details how the SSOA follows with each RTA before, during, and after inspection prioritization.

F. RBI Program Commensurate with RTA Number, Size, and Complexity. As is authorized in 49 U.S.C. § 5329(k)(4)(A), the SSOA conducts risk-based inspections commensurate with the number, size, and complexity of RFGPTS in the state. Inspection policies and procedures are tailored to an RTA's risk profile based on its size and complexity, which are described in Category 5 of the Procedures Manual. Currently, the SSOA only oversees one agency's RFGPTS (New Orleans Regional Transit Authority's streetcar system), so policies and procedures are tailored for this RTA specifically. The size and complexity of an RFGPTS are measured by its mode, physical characteristics, and operational characteristics. Because

these physical and operational characteristics can change over time, the SSOA will use data reported to and verified by NTD to determine system size and complexity for a given year. Physical characteristics may include but are not limited to system vehicles and facilities, and operational characteristics may include but are not limited to operating expenses, ridership, and revenue mileage. 49 U.S.C. § 5329(k)(4)(A) requires consistent and ongoing site inspections of a transit system associated with the highest levels of safety risk. At a minimum, the SSOA will conduct at least four onsite risk-based inspections per RFGPTS per year no matter the risk profile or distance between the SSOA and RFGPTS it oversees. If an agency's size or complexity changes in a way that affects its risk profile, the SSOA will update inspection policies to account for this change. Inspections must cover the full spectrum of activities at the RTA, including infrastructure, equipment, records, personnel, and data, including the data the RTA collects when identifying and evaluating safety risks. Inspections will be prioritized based on relevant data including safety program, maintenance, and inspection data collected by the SSOA.

G. SSO Staffing, Qualification, and Training. In accordance with 49 U.S.C. § 5329(k)(4)(C), the LADOTD SSO program will need sufficient personnel and skill sets to effectively implement and manage a risk-based inspection program. To ensure adequate staffing, training, and resources, three elements will be reviewed and updated annually: the SSO Workload Assessment, inspection personnel qualifications, and a Technical Training Plan (TTP). These three elements are detailed in Category 6 of the Procedures Manual. The SSO Workload Assessment determines the staffing levels needed based on the requirements of the SSO oversight program. The LADOTD SSOA will also develop a training matrix that corresponds to the various technical training elements of the SSO program and will identify personnel and training needs. The matrix will track each technical training requirement, and it will be specific to the RTA based on its size, complexity, and the number of personnel that should be trained in each skill set. The TTP identifies both the general technical training requirements of the SSOA program and the specific skill sets and knowledge necessary to carry out the SSOA program at the RTA overseen by the program.

AUTHORITY NOTE: Promulgated in accordance with R.S. 48:214; 49 C.F.R. Part 674; 49 U.S.C. § 5329.

HISTORICAL NOTE: Promulgated by the Department of Transportation and Development, Office of Multimodal Commerce, LR 44:928 (May 2018), LR 51:

### **§1523. Procedures Manual Content**

#### **A. Program Policies and Objectives**

1. The policy statement of the Louisiana SSO program. The Louisiana Department of Transportation and Development's State Safety Oversight Program is responsible for the development and implementation of an effective and comprehensive state safety oversight program to ensure that all rail fixed guideway public transportation systems in its jurisdiction fully define and implement a safety program that is compliant with all applicable state and federal rules and regulations.

2. The objectives for the SSO program include the following:

- a. developing and maintaining an SSO program meeting the federal and state requirements, including but not limited to 49 CFR Parts 674.11(f), 674.13(a)(1-3) and 674.41(c);
- b. assuring that SSO program staff and contractors meet training and qualification requirements outlined in the Public Transportation Safety Certification Training Program final rule per 49 CFR Part 672;
- c. providing oversight and technical assistance to the RTA in developing, maintaining, evaluating, and implementing a safety program wholly owned by the RTA, not the state of Louisiana;
- d. working cooperatively with the RTA and FTA SSO program to improve system safety performance and reduce system safety risk to as low as reasonably practical;
- e. ensuring RTA conducts investigations and internal audits as required, and participating as appropriate (SSOA may choose to lead, participate in, or conduct independent investigations, audits, or inspections);
- f. ensuring RTA executive staff fully support the safety principles and methods of safety management systems (SMS) as the basis for enhancing the safety of public transportation;
- g. ensuring RTA safety staff and contractors meet training and qualifications requirements outlined in the Public Transportation Safety Certification Training Program;
- h. participating in safety meetings;
- i. ensuring that investigations are conducted to determine causality, and reviewing investigations of accidents/incidents/events as appropriate;
- j. providing guidance and input to the RTA safety implementation program;
- k. investigating any allegations of an RTA’s non-compliance with their safety plan.

B. Minimum Safety Standards. The SSOA reviews RTA documents to ensure minimum safety standards are met. These include but are not limited to the types of documents shown in the table below, in effect as of January 2024. Each control document, including plans, policies, and procedures, is listed in the Procedures Manual with the date of its most recent update.

1. Types and Examples of RTA Minimum System Safety and Security Related Documents:

Document Type	Examples
Overarching Safety Plan	Agency Safety Plan (ASP)
Emergency Preparedness	All Hazards Plan (including Annex B: Infectious Disease); Continuity of Operations Plan (COOP)
Operations	Streetcar Operator Manual
Maintenance	Transit Asset Management (TAM) Plan, Rail Maintenance Plan
Administration	Employee Onboarding Handbook, Employee Code of Conduct, Procurement Manual, RTA Employee Safety and Health Handbook
Safety Policies	RTA Distracted Driving Policy (SAF2), RTA Safety Management Policy (SAF3)
Safety-Related SOPs	Safety Assurance of Safety Critical Areas (004-006), Working in Hot Weather (004-009), Accident/Incident Investigation Procedures

C. State Safety Oversight Program Standard.

1. Annual Review. The Procedures Manual includes provisions for the annual review and update of the SSOPS and all its supporting documents. An annual review schedule outlines the recurring tasks the SSOA will undertake to prepare for and execute this process, including reviewing changes to federal policy and industry safety standards, reviewing the agency’s updates to safety standards, incorporating revisions, verifying updates comply with federal rules, and submitting SSOPS revisions for adoption to the *Louisiana Administrative Code*.

2. Adoption and Distribution of Program Standard. The SSOA follows the *Louisiana Administrative Code* rule making SOP to formalize the updates to the SSOPS, which is included in the Appendix of the Procedures Manual. This process includes the review of any changes by DOTD’s Legal Department. The updated Program Standard is then submitted to FTA with the SSO’s Annual Report on or before March 15 of each year. The SSOA’s completed Program Standard review checklist is included in the Appendix of the Procedures Manual.

D. Safety Plan Review. RTA system safety program plan must be compliant with 49 CFR Part 673 and 49 USC § 5329(d). The SSOA reviews the safety plan for compliance with federal regulations within 30 calendar days of receipt. The SSOA’s completed ASP review checklist is included in the Appendix of the Procedures Manual.

E. Security and Emergency Preparedness Plan. 49 CFR Part 674 does not require the SSOA to oversee the development, revision or implementation of a Security and Emergency Preparedness Plan for the RTA. However, 49 CFR Part 673.11(a)(6) requires an agency to have an emergency preparedness plan. The SSOA supports the RTA in all aspects of its Security and Emergency Preparedness planning as it relates to the safety of the system, its employees, and passengers.

F. RTA Internal Audits. The Procedures Manual describes the timeline, materials, and communication to be used by the SSOA when conducting its review of the RTA’s internal audits. The SSOA reviews and approves the internal audit report submitted by the RTA each year on or before March 15.

G. Triennial Audits of RTA. The SSOA will conduct an onsite audit of the RTA’s implementation of its safety program at least once during each three-year cycle, and the SSOA and RTA may agree that the SSOA will conduct its audit on an ongoing basis over the three-year cycle. The Procedures Manual includes details on the timeline for scheduling and conducting a triennial audit, the development and use of audit checklists, the tracking of findings, and the writing and distribution of the audit report.

H. Notification of Accidents

1. Requirements. The RTA is required to report any accident meeting the criteria and thresholds developed by the FTA and published as rule (i.e., 49 CFR 674 Appendix A, also included in the Appendix of the Procedures Manual) or guidance under the National Public Transportation Safety Plan or other reporting guidelines. These guidelines for reportable accidents are communicated to the RTA through the Procedures Manual.

2. Two-hour Notification. In addition to the content described in SSOPS §1513, the Procedures Manual includes details about the notification form to be used by the RTA. The Manual's Appendix includes the most recent version of the form, which will be updated as needed and when requirements for accident reporting change as directed by FTA.

#### I. Investigations

1. Accident Investigations. The SSOA must investigate or require an investigation of any reportable accident and is ultimately responsible for the sufficiency and thoroughness of all investigation reports. Investigations can be conducted by the SSOA, be delegated to the RTA by the SSOA, be conducted jointly by the SSOA and RTA, or be conducted by a third party. The RTA's Accident/Incident Investigation procedures are developed by the RTA, approved by the SSOA, and reviewed annually against industry standard.

2. Reviewing Findings of Causation. For each RTA investigation, the SSOA will conduct an independent review of the RTA's findings of causation. This review is primarily based on the RTA's Accident Investigation SOP and communication between the SSOA and the RTA's Chief Safety, Security & Emergency Management Officer (CSSEM). In cases where the SSOA does not believe that adequate investigation into the cause of an accident has been performed, it may conduct its own investigation.

3. Reporting. The Procedures Manual details the required contents of all final accident reports produced by the RTA for the SSOA. The Procedures Manual's Appendix includes the RTA's current Investigation Report template, which includes all required components.

4. Other Incidents that Warrant Investigation. In certain cases, the SSOA or the RTA may determine that a formal investigation is necessary for events occurring at the RTA, even though such events may not meet accident reporting regulation criteria. These events may include hazards, significant operational incidents, significant failures of SMS, and other events that might, under other circumstances, lead to significant adverse events. RTA will use its established investigation procedures and comply with all SSO requirements and requests for participation in such an investigation.

J. Confidentiality of Information. The SSOA will handle all reportable information in accordance with all federal and state laws.

K. Corrective Action Plans. The Procedures Manual details the process by which CAPs are identified, developed, approved by the SSOA, implemented, tracked, and closed. The Procedures Manual also describes CAP log procedures the RTA must follow, including the requirement for an updated log to be shared with the SSOA every thirty days. A CAP log example is included in the Appendix of the Procedures Manual.

#### L. Annual Reporting to FTA

1. SSOA Reporting Requirements. The Procedures Manual details each of the documents that must be submitted by the SSOA to the Louisiana Governor's Office, the RTA Board of Commissioners, and the FTA (through its State Safety Oversight Reporting Tool) on or before March 15 of each year.

2. RTA Reporting Requirements. The Procedures Manual describes the contents of the Annual Report the RTA will submit to the SSOA on or before February 15 of each year.

#### M. Risk-Based Inspection

1. Category 1: Authority to Perform Risk-Based Inspections. Category 1 includes the SSO's authority to access the RTA, capability to access the RTA, inspection frequencies, and SSO enforcement actions.

2. Category 2: Risk-Based Inspection Policies and Procedures. Category 2 of the Procedures Manual includes procedures for SSO staff and contractors to notify the RTA for inspections, conduct inspections with notice, and conduct inspections without notice. It also details inspection practices of publicly accessible areas, inspection practices for access and RTA escorts for non-publicly accessible areas, inspection safety certification and training, scheduling inspections, the contents of inspection reports, and procedures for immediate safety concerns. In addition, it includes procedures for event verification, ongoing monitoring, defects and corrective or remedial actions, and CAP and safety risk mitigation verification. All inspection policies and procedures pertain to the inspections of equipment, infrastructure, and practices specific to each RTA.

3. Category 3: Data Sources and Collection. Procedures in Category 3 include those for the RTA's data sharing of safety program data, maintenance data, inspection data, and additional safety data with the SSOA as required. It also includes data management policies for how data sets will be stored and used for analysis, where data sets will be stored, how the data will be organized, how long records must be retained, how and when records are disposed, how the SSOA will ensure the system accurately stores records, and how the SSOA will protect security sensitive information.

4. Category 4: Inspection Prioritization. Procedures included are those that describe the prioritization of safety concerns to inform inspections, metrics used for inspection prioritization, safety concern prioritization rating procedures, inspection prioritization processes, and the continuous process for RBI prioritization.

5. Category 5: Risk-Based Inspection Commensurate with Number, Size, and Complexity of the RFGPTS. The SSOA conducts RBI tailored to the RTA's risk profile based on its size and complexity, as the SSOA oversees only one rail transit agency. This category includes procedures for evaluating the rail system's size and complexity, performing consistent and ongoing risk-based inspections, and inspecting the full spectrum of activities at the RTA.

6. Category 6: SSO Staffing, Qualifications, and Training. To ensure adequate staffing and resources for the effective implementation and management of the RBI program, three elements will be reviewed and updated annually: the SSO Workload Assessment, Inspection Personnel Qualification Verification, and the SSOA's Technical Training Plan. Procedures for the use and update of these elements are included in Category 6 of the Procedures Manual.

AUTHORITY NOTE: Promulgated in accordance with R.S. 48:214; 49 C.F.R. Part 674; 49 U.S.C. § 5329.

HISTORICAL NOTE: Promulgated by the Department of Transportation and Development, Office of Multimodal Commerce, LR 44:928 (May 2018), LR 51:

Terrence J. Donahue, Jr.  
Secretary

2503#048

## **DECLARATION OF EMERGENCY**

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

#### **2025 Private Recreational and State Charter Red Snapper Season**

Under the provisions of state management, the National Oceanic and Atmospheric Administration (NOAA) Fisheries has delegated season and bag limit authority and an allocated quota to the Department of Wildlife and Fisheries for the management of private recreational and state charter harvest of red snapper. Louisiana's private recreational and state charter season for the harvest of red snapper in Louisiana and federal waters is currently scheduled to open on Friday, May 23, 2025, on weekends only (Friday, Saturday, and Sunday), including Memorial Day, Labor Day, and July 4. In order to maximize opportunity for Louisiana anglers to harvest the allotted portion of the private recreational and state charter red snapper quota, the department is modifying the 2025 red snapper season to allow for daily harvest beginning on May 1, 2025, with a bag limit of four fish at the current 16 inch minimum total length limit.

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, and R.S. 56:326.3, which provides that the Wildlife and Fisheries Commission may set seasons for saltwater finfish, the commission hereby declares:

The season for the private recreational and state charter harvest of red snapper in state waters and federal waters off the coast of Louisiana shall be open daily beginning on Thursday, May 1, 2025. The bag and possession limit for private recreational and state charter anglers harvesting red snapper shall be four fish per day per person. Size limits shall remain at the currently established minimum size limit in LAC 76:VII.335 of 16 inches total length. The season shall remain open as described until further notice or December 31, 2025, at which time it shall close. This modification does not apply to federally permitted charter boats operating under federal law during federally established seasons and under federally established rules for those vessels.

The commission further authorizes the secretary of the department to modify the recreational season for the harvest of red snapper when monitoring data warrant a modification to ensure compliance with the allocation of red snapper for Louisiana or as necessary as authorized in LAC 76:VII.335(G)(5).

Kevin Sagrera  
Chairman

2503#014

# Rules

## RULE

### Department of Culture, Recreation and Tourism Office of State Parks

#### Cultural Resources

(LAC 25:IX.101, Chapter 3, and Chapter 5)

The Department of Culture, Recreation and Tourism, Office of State Parks, amends LAC 25:IX.101, 303, 305, 307, 308, 309, 313, 321, 331, 500, 501, 502, 503, 504, 505, 506, and 507 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. 36:204, which gives the secretary of Culture, Recreation and Tourism the authority to make, alter, amend, and promulgate rules and regulations necessary for the administration of the functions of the department in accordance with the Administrative Procedure Act. This Rule is written in plain language in an effort to increase transparency.

The Rule abbreviates the terms "office of state parks" to "OSP" and "Department of Culture, Recreation and Tourism" to "DCRT" and makes numerous spelling, grammar, and re-numbering/re-lettering revisions throughout LAC 25:IX.101, 303, 305, 307, 308, 309, 313, 321, 331, 500, 501, 502, 503, 504, 505, 506, and 507. The Rule adds language for certain items that may be included as "Property" of OSP or another person that may not be intentionally removed, damaged, disturbed, or destroyed. The Rule adds language prohibiting the display, possession, and/or use of metal detectors or similar devices on OSP property. The Rule adds language prohibiting visitors to state historic sites "and recreation sites" from leaving designated trails. The Rule revises the period of time that vehicles will be considered abandoned if left unattended from 7 consecutive days to twenty-four hours. The Rule revises the term "should" to "shall" in requiring OHV riders to wear appropriate protective clothing. The Rule removes "Hodges Gardens Lake" as a location where personal watercrafts are prohibited. The Rule revises the title of LAC 25:IX.307 to state "Watercraft" instead of "Water Craft." The Rule revises the term "pet(s)" to "dog(s)" and clarifies the locations on OSP property where dogs are allowed. The Rule adds language that "OSP follows all rules, guidelines, and enforcements from the Department of Wildlife and Fisheries (LDWF)" and removes language restricting the "taking of flounder by gigs, crabbing at Grand Isle SP and the taking of fish by means of a yo-yo or trigger device (as defined in R.S. 56:8) in Chicot Lake at Chicot State Park." The Rule adds language prohibiting fishing in all designated swimming areas. The Rule adds language requiring site visitors "without a reservation" to provide photo identification and other basic contact information. The Rule adds language that "higher value items (Ex: Flat Screen TVs, appliances, etc.) are subject to market value replacement fee" if an item not reported as missing or damaged upon occupancy, becomes missing or damaged when the structure is vacated. The Rule

removes the term "Hodges Gardens SP" and all general admission fees for Hodges Gardens SP. The Rule adds language that allows "seniors 62 and older" to receive free admission to St. Bernard State Park and requires proof of residency for St. Bernard and Plaquemines Parish residents to receive free admission to St. Bernard State Park on Sundays. The Rule removes language specifying that an annual vehicle permit for St. Bernard State Park will be in the form of a windshield decal and replaces the word "decal" with "permit." The Rule revises the replacement fee for an annual vehicle permit to \$10 instead of free "if a windshield or vehicle has been replaced." The Rule adds language increasing and/or modifying the general admission fees for all state historic sites and Poverty Point World Heritage Site, establishing charges for guided site, house, or tram tours, and clarifying that guided site, house, or tram tour fees include all grounds, gardens, and structures open to the public. The Rule revises general admission charges and guided house tour charges for Rosedown Plantation State Historic Site and clarifies that guided house tour fees include all grounds and gardens of Rosedown Plantation State Historic Site. The Rule removes all site-specific admission charges for Audubon State Historic Site. The Rule adds language exempting admission fees at "state historic sites and Poverty Point World Heritage Site as defined in §502.C" for all students and chaperones on a field trip. The Rule removes language giving example locations of all type I, II, and III meeting rooms. The Rule adds language authorizing the assistant secretary to set day-use facility rental rates at his/her discretion and lists factors to be considered in pricing the day-use facility rental rates. The Rule revises the title of LAC 25:IX.502 to state "Fees and Exemptions; Entrance Discounts." The Rule removes duplicative language regarding annual day-use permits and the ability for the permit holder to obtain a permit in the form of a vehicle decal. The Rule revises the cost of an annual day-use permit from \$80 to \$100 per year. The Rule adds language instructing the annual day-use permit holder on what actions to take if their permit needs to be replaced and that a \$10 fee will be charged for a replacement permit. The Rule revises the maximum campsite fee not to exceed \$75 per night and the group camp rental fee not to exceed \$2,500 per night. The Rule removes summer weekday, winter weekend, and winter weekday campsite rental rates and revises the summer weekend campsite rental rate to the standard "Overnight Rate" for all visitors. The Rule removes the standard weekday cabin rental rate and revises the standard weekend cabin rental rate to the "Overnight Rate" for all visitors. The Rule removes the provision that the "rental fee for all cabins at Hodges Gardens S.P. and modular cabins at Sam Houston Jones S.P. will be the standard weekday rate year-round." The Rule removes the standard weekday lodge rental rate, the standard lodge classification rental rates, revises the standard weekend lodge rental rate to the "Overnight Rate" for all visitors, and revises the new Overnight Rate from \$225 to \$250. The Rule removes the Class I, II, and III classification, maximum capacity, and

overnight rate schedule for group camps and replaces it with a new site-specific group camp overnight rate schedule with site-specific group camp sleeping capacity limitations. The Rule adds language requiring that group camp reservation guests be charged a one-time fee of \$5 in addition to paying the new site-specific group camp overnight rates. The Rule adds language that “[g]roup camps with multiple structures will provide facilities based on the number of guests on a reservation.” The Rule revises Poverty Point “SHS” to Poverty Point “World Heritage Site.” The Rule adds language requiring requests for use of the special research dormitory facility at Poverty Point World Heritage Site to be made in writing via letter “or email.” The Rule adds language requiring requests for all programs and activities conducted by groups or individuals using the special research dormitory facility at Poverty Point World Heritage Site to be made in writing “via letter or email.” The Rule adds language authorizing the assistant secretary to set overnight rates for all campsites, camping areas, cabins, lodges, group camps, and dormitory facilities at his/her discretion and lists factors to be considered in pricing the overnight rates. The Rule removes the specific telephone number to make a reservation for all OSP facilities and replaces the telephone number with the phrase “the currently contracted reservation center customer service line.” The Rule revises the time that overnight and day-use facilities, including cabins, lodges, group camps, camping sites, rally shelters, meeting rooms and pavilions may be reserved in advance from 11 months to 13 months. The Rule revises the terms “he” with “they” and “August” with “June”, and removes the language “, or the first business day after August 2,” in an example given to illustrate the timeframe for when a reservation may be made for all OSP facilities. The Rule removes the language “Deposit in f” in the first line of LAC 25:IX.505.A.4., so that the first line now just states “Full deposit.” The Rule adds language implementing a one night charge at the reserved facility’s rate if a guest is a no-show for a reservation, but allows the assistant secretary or their designee to grant an exception to that charge in writing. The Rule removes all two and three night minimum reservation requirements for weekend and weekday reservations at all OSP facilities and the specifications for which rate would apply in a situation where a weekend and weekday reservation overlapped. The Rule adds language clarifying that exceptions “to the reservation policy” may be granted by the assistant secretary or his designee. The Rule removes the provision that “up to five” campsites may be designated for long-term stays during the winter season. The Rule removes the provision that “[t]emporary visitors passes are available for the purpose of inspecting the site facilities prior to an anticipated visit.” The Rule revises the title of LAC 25:IX.507 to state “Special Uses and Use Restrictions.” The Rule also revises the title of LAC 25:IX.507.A. to state “Special Use.” Lastly, the Rule adds language so that the title to LAC 25:IX.507.D. is now “Commercial Media” and adds subsections 1., a., and b. to LAC 25:IX.507.D. This Rule is hereby adopted on the day of promulgation.

**Title 25**  
**CULTURAL RESOURCES**  
**Part IX. Office of State Parks**

**Chapter 1. Definitions**

**§101. Definitions**

A.

*Assistant Secretary*—the assistant secretary of the OSP is executive head of the office and is appointed by the lieutenant governor with consent of the Senate. This officer is subject to the overall direction and control of the secretary of the Department of Culture, Recreation and Tourism (DCRT) while having direct responsibility for the policies of the OSP, and for the administration, control and operation of the functions, programs and affairs of the office.

*Classification System*—the method of categorizing OSP sites based on purpose, selection, development and management criteria. The categories established by this system are state park, state historic site, and state preservation area. Use of these classification terms in any official name, public or private lands, or holdings is prohibited except when approved by the secretary of DCRT, and when such areas meet the classification criteria as identified in R.S. 56:1684.

\* \* \*

*Secretary*—the secretary of DCRT serves as the executive head and chief administrative officer of the department and is appointed by the lieutenant governor with consent of the Senate. This officer has responsibility for the policies of the department and for the administration, control and operation of the functions, programs and affairs of the department.

*Site*—any holding of the OSP including, but not limited to, state historic sites, state parks, state preservation areas, and special holdings.

\* \* \*

*State Park (SP)*—an official designation within the classification system of the OSP. State parks are natural areas, which when evaluated on a statewide basis, possess outstanding scenic and natural qualities, as well as exceptional potential for recreation utilization.

\* \* \*

**AUTHORITY NOTE:** Promulgated in accordance with R.S. 56:1681-1690, R.S. 56:1801-1809 and R.S. 36:204.

**HISTORICAL NOTE:** Promulgated by the Department of Culture, Recreation and Tourism, Office of State Parks, LR 12:90 (February 1986), amended LR 19:308 (March 1993), LR 31:1979 (August 2005), LR 36:1225 (June 2010), LR 43:290 (February 2017), LR 51:361 (March 2025).

**Chapter 3. General Provisions**

**§303. Park Property and Environment**

A. ...

B. No person shall intentionally remove, damage, disturb, or destroy any OSP property or the property of another person, without the consent of the owner. "Property" shall include but is not limited to structures, watercraft, movables, signs, markers, natural features, cultural features wildlife, plants, and overnight supplies for rental facilities (pots, pans, pillows, blankets, etc.).

C. - G. ...

H. The display, possession, and/or use of metal detectors or similar devices is prohibited on OSP property. It is strictly forbidden to dig for or otherwise remove any historical feature, relic or artifact. Persons wishing to excavate and remove historical features by professional archaeological means for research purposes must request a permit from the Louisiana Archaeological Survey and Antiquities Commission. Applications for such permits must be made through the assistant secretary.

I. ...

J. Visitors to state historic sites and recreation sites are prohibited from leaving designated trails and may not walk on historic earthworks, fortifications, mounds or like features without specific permission of the site manager.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:1681-1690 and R.S. 36:204.

HISTORICAL NOTE: Promulgated by the Department of Culture, Recreation and Tourism, Office of State Parks, LR 8:634 (December 1982), amended LR 12:89 (February 1986), LR 16:1052 (December 1990), LR 19:308 (March 1993), LR 26:25 (January 2000), LR 27:1673 (October 2001), LR 31:1980 (August 2005), LR 36:1226 (June 2010), LR 43:290 (February 2017), LR 51:361 (March 2025).

### **§305. Vehicle Use**

A. - F. ...

G. Vehicles will be considered abandoned if left unattended for more than twenty-four hours unless the proper permit or advanced written approval is granted by the site manager.

H. ...

I. Off-highway vehicles (OHV) are prohibited on OSP sites, including back country trails, except as set forth in this section.

I.1. - I.1.b. ...

c. OHV riders shall wear appropriate personal protective clothing such as eye protection, gloves, boots, long-sleeve shirt, and long pants.

I.1.d. - I.2. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:1681-1690 and R.S. 36:204.

HISTORICAL NOTE: Promulgated by the Department of Culture, Recreation and Tourism, Office of State Parks, LR 8:634 (December 1982), amended LR 12:89 (February 1986), LR 14:772 (November 1988), LR 26:25 (January 2000), LR 31:1980 (August 2005), LR 39:1264 (May 2013), LR 43:290 (February 2017), LR 51:362 (March 2025).

### **§307. Watercraft**

A. - J. ...

K. Personal watercrafts (defined as any one or more person jet propelled craft such as a Jet Ski or Sea-Doo) are prohibited at Poverty Point Reservoir, Chicot Lake and in any portion of any site posted as a "no ski zone."

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:1681-1690 and R.S. 36:204.

HISTORICAL NOTE: Promulgated by the Department of Culture, Recreation and Tourism, Office of State Parks, LR 8:634 (December 1982), amended LR 12:89 (February 1986), LR 16:1052 (December 1990), LR 26:26 (January 2000), LR 31:1981 (August 2005), LR 36:1226 (June 2010), LR 39:1265 (May 2013), LR 43:291 (February 2017), LR 51:362 (March 2025).

### **§308. Poverty Point Reservoir State Park**

A. All of the restrictions on and requirements for operating watercraft in Poverty Point Reservoir State Park listed in this section are in addition to those restrictions and requirements found elsewhere in these OSP rules and

regulations. These section rules apply only to Poverty Point Reservoir State Park's visitors. No part of this section however, shall be construed so as to nullify, in whole or in part, any other section of the OSP rules and regulations as they exist.

B. - C.3. ...

4. operating a watercraft without a current day-use receipt or "resident boat permit."

D. - J. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:1681-1690 and R.S. 36:204.

HISTORICAL NOTE: Promulgated by the Department of Culture, Recreation and Tourism, Office of State Parks, LR 31:1981 (August 2005), amended LR 36:1226 (June 2010), LR 43:291 (February 2017), LR 51:362 (March 2025).

### **§309. Horseback Riding, Livestock, Animals and Pets**

A. ...

B. Any dog brought on OSP property must be leashed, caged or crated. Leashes shall not exceed 6 feet in length. With the exception of service animals, dogs are only permitted in designated cabins. Dogs are not permitted within any other buildings or other enclosed structures on site, nor are they allowed near designated swimming areas and in other overnight facilities. Owners shall be fully responsible for any injury and/or damage caused by their dog.

C. - D. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:1681-1690 and R.S. 36:204.

HISTORICAL NOTE: Promulgated by the Department of Culture, Recreation and Tourism, Office of State Parks in LR 8:635 (December 1982), amended LR 12:89 (February 1986), LR 14:773 (November 1988), LR 26:26 (January 2000), LR 31:1982 (August 2005), LR 36:1226 (June 2010), LR 43:292 (February 2017), LR 51:362 (March 2025).

### **§313. Fishing, Hunting, Trapping and the Use of Firearms or Fireworks**

A. - D. ...

E. OSP follows all rules, guidelines, and enforcements from the Louisiana Department of Wildlife and Fisheries (LDWF). A person fishing on OSP property must adhere to all state and federal laws and criteria regarding fresh and/or salt water fishing. The taking of fish by nets, traps or any means other than hook or line is prohibited at any and all sites, except for management purposes as authorized by special permit.

F. ...

G. Fishing is prohibited in all designated swimming areas.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:1681-1690 and R.S. 36:204.

HISTORICAL NOTE: Promulgated by the Department of Culture, Recreation and Tourism, Office of State Parks, LR 8:633 (December 1982), amended LR 12:89 (February 1986), LR 14:773 (November 1988), LR 16:1052 (December 1990), LR 19:308 (March 1993), LR 31:1982 (August 2005), LR 36:1227 (June 2010), LR 39:1265 (May 2013), LR 43:292 (February 2017), LR 51:362 (March 2025).

### **§321. Fines and Enforcement**

A. - B. ...

C. Site visitors without a reservation are required to provide photo identification and basic contact information including phone number, mailing address and email address. Site visitors may also be required to furnish specific



information upon admission or registration, including but not limited to, vehicle license plate number and a driver's license number.

**AUTHORITY NOTE:** Promulgated in accordance with R.S. 56:1681-1690 and R.S. 36:204.

**HISTORICAL NOTE:** Promulgated by the Department of Culture, Recreation and Tourism, Office of State Parks, LR 8:636 (December 1982), amended LR 12:89 (February 1986), LR 26:27 (January 2000), LR 27:1673 (October 2001), LR 31:1983 (August 2005), LR 36:1227 (June 2010), LR 39:1266 (May 2013), LR 43:293 (February 2017), LR 51:362 (March 2025).

**§331. Overnight-Use Facilities**

A. - B.6. ...

C. Cabins, Lodges, Other Overnight Facilities

1. A written inventory of movable equipment and furnishings is posted in each overnight structure or will be furnished to the visitor. It is the visitor's responsibility to check the inventory immediately upon occupancy. The visitor must report to the site manager or his designee any discrepancy between the actual inventory and the printed inventory. The visitor may be assessed the cost of items which, if not reported as missing or damaged upon occupancy, are missing or damaged when the structure is vacated. Higher value items (Ex: Flat Screen TVs, appliances, etc.) are subject to market value replacement fee. Failure to reimburse the OSP for any missing property or damage to property may result in denial of future use of OSP facilities.

C.2. - C.6. ...

**AUTHORITY NOTE:** Promulgated in accordance with R.S. 56:1681-1690 and R.S. 36:204.

**HISTORICAL NOTE:** Promulgated by the Department of Culture, Recreation and Tourism, Office of State Parks, LR 8:634 (December 1982), amended LR 12:89 (February 1986), LR 14:772 (November 1988), LR 16:1053 (December 1990), LR 19:308 (March 1993), LR 26:28 (January 2000), LR 27:1673 (October 2001), LR 31:1984 (August 2005), LR 36:1227 (June 2010), LR 39:1266 (May 2013), LR 43:293 (February 2017), LR 51:363 (March 2025).

**Chapter 5. Procedures and Fees**

**§500. Admission Fees and Exemptions**

A. State Parks—General Admission Fees

1. Except as otherwise provided in this Chapter, a general admission fee is charged at all state parks as follows.

	State Parks
Visitors (age 4-61) in non-commercial vehicles, walk-in visitors, visitors on bicycles	\$3 per person, per day
Children 3 and under	Free
Seniors 62 and older	Free
Persons, regardless of age, arriving by bus	\$75 per bus, per day

\* \* \*

2. St. Bernard State Park General Admission Fees

a. The general admission fee at St. Bernard State Park is \$2 per person 16 years of age and older and \$1 per person under 16 years of age with a maximum of \$5 per vehicle for all passengers in that vehicle. Seniors 62 and older receive admission free of charge.

b. Except there shall be no admission fee for St. Bernard and Plaquemines Parish residents on Sundays. Proof of residency will be required for admission on Sundays.

c. An annual vehicle permit may be obtained from the park office by St. Bernard and Plaquemines Parish residents only. The annual vehicle permit fee is \$25. There will be no admission charge at any time for anyone entering the park as a passenger or driver of a vehicle with a permit.

d. OSP will replace an annual vehicle permit for \$10.

B. State Historic Sites General Admission Fees

1. General Admission Fees for State Historic Sites

a. Except as otherwise provided in this Chapter, the following general admission fee structure is charged at all state historic sites and Poverty Point World Heritage Site:

- i. \$6 per person (ages 7 to 61);
- ii. \$4 per senior citizen (ages 62 and over);
- iii. free for children (ages 6 and under).

b. Charges for guided site, house or tram tours are as follows:

- i. \$10 per person (ages 7 to 61);
- ii. \$8 per senior citizen (ages 62 and over);
- iii. free for children (ages 6 and under).

c. Guided site, house, or tram tour fees include all grounds, gardens and structures open to the public.

2. ...

3. Rosedown Plantation State Historic Site

a. Charges for admission to the plantation house and the gardens surrounding the house at the following rates:

- i. \$7 per person (ages 7 to 61);
- ii. \$5 per senior citizen (ages 62 and over);
- iii. free for children (ages 6 and under).

b. Charges for guided house tours are as follows:

- i. \$12 per person (ages 7 to 61);
- ii. \$10 per senior citizen (ages 62 and over);
- iii. free for children (ages 6 and under).

c. Guided house tour fees include all grounds and gardens.

d. Organized groups of 20 or more are requested to notify the site manager in advance of their arrival. Special entry rates may apply to organized groups, set by the assistant secretary or his designee.

4. Organized groups of 10 or more are requested to notify the site manager in advance of their arrival. Except as otherwise provided in this Chapter, there is no additional fee for SHS visitors arriving by bus.

5. Special programs and events may include special admission rates.

C. - F. ...

G. Students and chaperones on a field trip are exempt from admission fees at state historic sites and Poverty Point World Heritage Site as defined in §502.C.

**AUTHORITY NOTE:** Promulgated in accordance with R.S. 56:1681-1690 and R.S. 36:204.

**HISTORICAL NOTE:** Promulgated by the Department of Culture, Recreation and Tourism, Office of State Parks, LR 8:636 (December 1982), amended LR 12:89 (February 1986), LR 14:774 (November 1988), LR 16:1053 (December 1990), LR 19:309 (March 1993), LR 26:29 (January 2000), LR 27:1673 (October 2001), LR 31:1986 (August 2005), LR 36:1228 (June 2010), LR 39:1266 (May 2013), LR 43:294 (February 2017), LR 48:28 (January 2022), LR 51:363 (March 2025).

**§501. Day-Use Fees; Miscellaneous Services, Privileges, and Facility Fees**

A. - F.7.b. ...

c. type III pavilion—\$120 per day.

G. Meeting Rooms

1. Meeting rooms used to accommodate meetings and functions of private groups, clubs and other organizations are available during normal park operating hours. Kitchen facilities may be used, if available. Meeting room rates are as follows:

- a. type I—\$100;
- b. type II—\$160;
- c. type III—\$220.

H. Fees for pavilion and meeting room rentals are subject to applicable state and local taxes. Fees for general admission and miscellaneous day-use services, permits, and privileges include applicable state and local sales taxes.

I. Day-use facility rental rates will be at the discretion of the assistant secretary or their designee. Factors considered in pricing will include a facility’s amenities and condition (i.e. age of facility, remodel, new construction, access to boat launch, electricity, water, etc.).

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:1681-1690 and R.S. 36:204.

HISTORICAL NOTE: Promulgated by the Department of Culture, Recreation and Tourism, Office of State Parks, LR 8:637 (December 1982), amended LR 12:89 (February 1986), LR 14:774 (November 1988), LR 16:1052 (December 1990), LR 26:29 (January 2000), LR 27:1673 (October 2001), LR 31:1986 (August 2005), LR 36:1228 (June 2010), LR 39:1266 (May 2013), LR 43:295 (February 2017), LR 51:363 (March 2025).

**§502. Fees and Exemptions; Entrance Discounts**

A. Disabled Veterans. A special veteran entrance permit allows any disabled Louisiana resident who is a veteran of the armed forces of the United States and any person(s) accompanying him in a single, private, non-commercial vehicle exemption from the day-use entrance fees to any Louisiana state park. Applications for a veteran permit may be made to the Louisiana Department of Veterans' Affairs service office serving the parish in which the applicant resides. After certification of eligibility has been established by the Department of Veterans' Affairs, the assistant secretary of the OSP will issue a permit directly to the applicant.

B. Active-Duty Military. Active-duty military personnel and one immediate family member shall receive a 50 percent discount for general admission to a state park or state historical site by presenting a current, valid military photo ID.

C. - D. ...

E. Non-Profit Community Home-Based Organization. Any child age 18 or under who is retained in the legal custody of the state through a bona fide contractual service agreement with a public, non-profit community home-based organization or provider shall be exempt from paying the general admission fees or any other day-use fee at any site. Such use must be in conjunction with an organized group outing or event sponsored and supervised by the public, non-profit organization or provider.

F. Annual Day-Use Permits

1. Permits are available at a cost of \$100 per year. This permit, in the form of a wallet I.D. card, allows the holder individually or as a passenger in a single, private non-commercial vehicle entry to all sites in lieu of the normal admission fee. All people accompanying a permit holder as occupants in a single, private non-commercial vehicle in

which the permit holder is a passenger or driver are also admitted without charge.

a. The annual day-use permits are valid for a period of one year from the date of purchase. Permits may be obtained at any site.

b. Price does not include applicable state and local taxes.

c. Holder of the annual day-use permit should record the original number. If the original number is lost, they must notify the site office where the permit was purchased and provide the permittee’s name and permit number. A \$10 fee will be charged for a replacement permit.

F.2. - H. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:1681-1690 and R.S. 36:204.

HISTORICAL NOTE: Promulgated by the Department of Culture, Recreation and Tourism, Office of State Parks, LR 8:637 (December 1982), amended LR 12:89 (February 1986), LR 14:774 (November 1988), LR 16:1053 (December 1990), LR 19:309 (March 1993), LR 26:29 (January 2000), LR 27:1673 (October 2001), LR 31:1987 (August 2005), LR 36:1229 (June 2010), LR 39:1267 (May 2013), LR 43:296 (February 2017), LR 51:364 (March 2025).

**§503. Fees and Exemptions; Special Promotions**

A. ...

B. As approved by the assistant secretary and subject to the limits set forth herein, overnight use rates may be subject to a surcharge based on demand. In no event shall campsite rental fees exceed \$75 per night, cabin rental fees exceed \$350 per night, lodge rental fees exceed \$400 per night, nor group camp rental fees exceed \$2,500 per night.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:1681-1690 and R.S. 36:204.

HISTORICAL NOTE: Promulgated by the Department of Culture, Recreation and Tourism, Office of State Parks, LR 8:637 (December 1982), amended LR 12:89 (February 1986), LR 14:774 (November 1988), LR 16:1053 (December 1990), LR 26:29 (January 2000), LR 27:1673 (October 2001), LR 31:1988 (August 2005), LR 43:296 (February 2017), LR 51:364 (March 2025).

**§504. Fees and Exemptions; Overnight Accommodations**

A. - A.1.f. ...

g. Campsite Fees

Classification	Overnight Rate
Premium	\$33
Improved	\$28
Unimproved	\$18
Backcountry	\$9

2. Primitive Group Camping Areas

a. Designated primitive areas accommodating organized groups (Boy Scouts, Girl Scouts, etc.) are available for camping at \$35 to \$60 per night based on capacity. Capacity will be set by the site manager.

3. Rally Camping

a. Areas designated and reserved for use by organized groups of overnight campers. These areas differ from the normal state park campgrounds since they are available for group use only.

b. Fees

i. A fee of \$60 per night is assessed to the group for the exclusive use of the area, and each individual camper rig is also charged the improved campsite rate.

ii. The day-use fee for a rally campground is \$60 per day for the group, in addition to the standard general admission fees per person.

c. Carrying Capacity

i. Maximum carrying capacity for rally areas is established by individual site managers, and information concerning these capacities is available through the individual site offices.

4. Long-Term Stays

a. No fee exemption or discount provided for by rule may be applied to a long-term stay.

B. Cabins, Lodges and Group Camps—Fees and Exemptions

1. Cabins

a. Except as otherwise set forth in this Chapter, cabins may be rented in accordance with the following rates.

Classification	Overnight Rate	Bedding Accommodations	Maximum Capacity
Deluxe	\$175	6-8	8
Standard	\$95	4-6	6-8

2. Lodges

a. Lodges are large overnight structures equipped with kitchen, bath and sleeping facilities and can accommodate a large family or several family groups. Except as otherwise set forth in this Chapter, lodges may be rented at the following rates.

Overnight Rate	Bedding Accommodations	Maximum Capacity
\$250	14	16

3. Group Camps

a. Group camps are available at certain parks for organized group use, for day- or overnight use. The capacity and rates are as follows:

State Park	Overnight Rate	Sleeping Capacity
Bayou Segnette	\$700	80
Bogue Chitto	\$600	52
Chemin-A-Haut	\$400	38
Chicot	\$600	112
Fontainebleau	\$700	100
Fontainebleau	\$400	65
Jimmie Davis	\$700	124
Lake Bistineau	\$400	160
Lake D'Arbonne	\$600	50
North Toledo Bend	\$600	150
Tickfaw	\$400	52

b. Group camp reservation guests will be charged a one-time \$5 per person fee in addition to the overnight rate listed above.

c. Group camps with multiple structures will provide facilities based on the number of guests on a reservation.

4. Special Research Dormitory Facilities at Poverty Point World Heritage Site

4.a. - 4.b.i. ...

c. Application Process. Requests for use of the dormitory must be made in writing via letter or email addressed to the site manager. The site manager and the

assistant secretary will review the request and respond in writing to the applicant.

4.d. - 4.f.iv. ...

g. Special Conditions. All programs and activities conducted by groups or individuals using the dormitory must be approved in writing via letter or email by the site manager.

h. ...

5. Prices for the facilities listed in this section do not include applicable state and local taxes.

6. ...

7. Overnight rates will be at the discretion of the assistant secretary or their designee. Factors considered in pricing will include a facility's amenities and condition (i.e. age of facility, remodel, new construction, location on park, etc.).

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:1681-1690 and R.S. 36:204.

HISTORICAL NOTE: Promulgated by the Department of Culture, Recreation and Tourism, Office of State Parks, LR 8:638 (December 1982), amended LR 12:89 (February 1986), LR 12:828 (December 1986), LR 26:30 (January 2000), LR 27:1674 (October 2001), LR 31:1988 (August 2005), LR 36:1229 (June 2010), LR 39:1267 (May 2013), LR 43:297 (February 2017), LR 51:364 (March 2025).

**§505. Reservation Policy**

A. General Provisions

1. Reservations may be made for all OSP facilities that are subject to reservation by calling the currently contracted reservation center customer service line. Overnight and day-use facilities, including cabins, lodges, group camps, camping sites, rally shelters, meeting rooms and pavilions may be reserved 13 months in advance. For example, if a park user wants to use a facility on July 2, they may make the reservation no earlier than June 2 of the prior year. Reservations may also be made online 24 hours a day by accessing the OSP web site, [www.lastateparks.com](http://www.lastateparks.com). A non-refundable service fee is charged for all reservations.

A.2. - A.3. ...

4. Full deposit amount must be received within 10 days of the date the reservation is made; otherwise, the reservation is canceled. Payment may be made by credit card, in-state personal check or money order. A \$35 NSF fee will be charged for checks written on accounts with insufficient funds. If the reservation is made within 14 days or fewer of the usage date, payment shall be by credit card only.

A.5. - A.6.d. ...

7. In the event a guest is a no-show for a reservation, the guest will be charged for one night at the reserved facility's rate. Exceptions can be granted in writing by the assistant secretary or their designee.

8. In the event reservations must be canceled by OSP staff (e.g., for maintenance or emergency reasons) the rental fee will be refunded in full.

9. Weekday nights are considered Sunday through Thursday and weekends are Friday through Saturday.

10. If facilities are not reserved in advance, they may be rented on weekends or weekdays for one night to walk-up users using the facilities that day.

11. Exceptions to the reservation policy may be granted by the assistant secretary or his designee. Minimum night reservation terms may be adjusted site-by-site or periodically

by the assistant secretary or his designee in order to encourage visitation or to correlate with special events.

12. Campsites in a park may be designated for long-term stays during the winter season, October 1 through March 31, with assistant secretary approval. A long-term stay shall not exceed 60 consecutive nights.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:1681-1693 and R.S. 36:204.

HISTORICAL NOTE: Promulgated by the Department of Culture, Recreation and Tourism, Office of State Parks, LR 8:640 (December 1982), amended LR 12:89 (February 1986), LR 14:777 (November 1988), LR 16:1051 (December 1990), LR 26:32 (January 2000), LR 27:1674 (October 2001), LR 31:1989 (August 2005), LR 36:1230 (June 2010), LR 39:1267 (May 2013), LR 43:298 (February 2017), LR 51:365 (March 2025).

#### **§506. Refunds**

A. - D. ...

E. Refunds of day-use fees are not granted when a visitor, by his own choosing, leaves the site due to inclement weather.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:1681-1690 and R.S. 36:204.

HISTORICAL NOTE: Promulgated by the Department of Culture, Recreation and Tourism, Office of State Parks, LR 8:633 (December 1982), amended LR 12:89 (February 1986), LR 12:828 (December 1986), LR 26:32 (January 2000), LR 31:1989 (August 2005), LR 36:1230 (June 2010), LR 51:366 (March 2025).

#### **§507. Special Uses and Use Restrictions**

A. Special Uses

1. Any function requiring special or restricted use of any facility or area within an OSP site must be approved by the assistant secretary and the fee for such will be computed on a negotiated rate unless otherwise established. Special use for an organized group event (e.g. weddings, tournaments, fundraiser, runs/walks, etc.) will typically require a facility use agreement (FUA). The determination for the requirement of a FUA will be made by the assistant secretary. Written request for special use of a facility must be received at the Office of State Parks, P.O. Box 44426, Baton Rouge, LA 70804-4426 at least 30 days prior to the scheduled event. No telephone requests are accepted.

B. - C.2. ...

D. Commercial Media

1. Use of OSP sites for commercial film-making, videography, or commercial still photography including but not limited to the production of motion picture, television programs, video or print advertising commercials, or commercial video tapings, any of which involves the exclusive use and occupancy of OSP property and/or facilities must be arranged and negotiated with the Office of State Parks' administrative office, public information officer for location agreement.

a. Such use shall only be permitted in accordance with a signed location agreement. Each location agreement is unique depending on the site, the proposed use, and other relevant factors and is negotiated accordingly. Contact the Office of State Parks' administrative office, public information officer for location agreement.

b. Exempt from this rule and policy are photographers and videographers who enter OSP property at the request of the DCRT, in response to a press release, or otherwise; to cover an event, conduct interviews, capture footage of the OSP site or program, or else to gather information for a news or feature story or DCRT project.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:1681-1690 and R.S. 36:204.

HISTORICAL NOTE: Promulgated by the Department of Culture, Recreation and Tourism, Office of State Parks, LR 8:633 (December 1982), amended LR 12:89 (February 1986), LR 14:779 (November 1988), LR 19:313 (March 1993), LR 26:32 (January 2000), LR 27:1674 (October 2001), LR 31:1989 (August 2005), LR 36:1230 (June 2010), LR 43:298 (February 2017), LR 51:366 (March 2025).

H. Brandon Burriss  
Assistant Secretary

2503#002

#### **RULE**

#### **Louisiana Economic Development Board of Commerce and Industry**

#### **Industrial Ad Valorem Tax Exemption Program (LAC 13:I.Chapter 5)**

Louisiana Economic Development (LED) and the Board of Commerce and Industry, as authorized by and pursuant to the provisions of the Administrative Procedure Act, R.S. 49:950 et seq., and R.S. 36:104 hereby amends the Rules of the Industrial Tax Exemption Program to set forth the criteria the Board of Commerce and Industry will consider for purposes of determining what is in the best interests of the state for consideration of ITEP contracts, and also to implement procedural revisions for more effective program administration. This Rule is hereby adopted on the day of promulgation.

#### **Title 13**

#### **ECONOMIC DEVELOPMENT**

#### **Part I. Financial Incentive Programs**

#### **Chapter 5. Industrial Ad Valorem Tax Exemption Program**

#### **Subchapter A. ITEP Rules for Projects with Advances Filed Prior to February 21, 2024**

#### **§529. Renewal of Tax Exemption Contract; Amendment of Tax Exemption Contract**

A. Application for renewal of the exemption must be filed with LED through its online Fastlane portal not more than six months before, and not later than, the expiration of the initial contract. A renewal fee, and late filing fee if applicable, shall be filed with the renewal application, in accordance with LED's fee schedule, as defined in R.S. 36:104. The document shall not be considered officially received and accepted until the appropriate fee is submitted. Upon proper showing of compliance with the initial contract of exemption, a renewal contract of exemption may be approved by the board for an additional period of no more than five years and provide for an ad valorem exemption of up to 80 percent.

B. - D. ...

E. Companies with ITEP contracts existing under 2017 and 2018 Rules may "opt out" of the jobs, payroll and compliance components by amending Exhibit A's to reflect zero jobs and zero payroll regardless of whether the contract is up for renewal. Because the amendment of jobs and payroll will have no impact on the local tax exemption, the amendment will not require approval by the local governmental entities.

F. Application for a contract amendment, including but not limited to an Exhibit A amendment, must be filed with LED through its online Fastlane portal and shall include a filing fee, in accordance with LED's fee schedule, as defined in R.S. 36:104.

**AUTHORITY NOTE:** Promulgated in accordance with Article VII, Part 2, Section 21(F) of the Louisiana Constitution of 1974.

**HISTORICAL NOTE:** Adopted by the State Board of Commerce and Industry, December 9, 1946, amended and promulgated by the Department of Economic Development, Office of Commerce and Industry, LR 20:867 (August 1994), amended by the Department of Economic Development, Office of Business Development, LR 37:2379 (August 2011), LR 41:2319 (November 2015), LR 43:1137 (June 2017), LR 44:1423 (August 2018), amended by the Louisiana Economic Development and Board of Commerce and Industry, LR 51:366 (March 2025).

#### **§537. Reporting to the Parish Assessor**

A. The applicant shall file annually with the assessor of the parish in which the manufacturing establishment is located, a complete taxpayer's report on forms approved by the Tax Commission, in order that the exempted property may be separately listed on the assessment rolls.

B. All property exempted shall be listed on the assessment rolls and submitted to the Tax Commission or its successor, and taxes shall not be collected for the portion of taxes deemed exempt during the period of exemption.

**AUTHORITY NOTE:** Promulgated in accordance with Article VII, Part 2, Section 21(F) of the Louisiana Constitution of 1974.

**HISTORICAL NOTE:** Adopted by the Department of Commerce, Office of Commerce and Industry, Division of Financial Programs Administration, September 1974, amended by the Department of Economic Development, Office of Business Development, LR 37:2380 (August 2011), LR 43:1138 (June 2017), LR 44:1424 (August 2018), amended by the Louisiana Economic Development and Board of Commerce and Industry, LR 51:367 (March 2025).

### **Subchapter B. ITEP Rules for Projects with Advances Filed on or after February 21, 2024**

#### **§539. Statement of Purpose**

##### **A. Purpose**

1. Louisiana values its manufacturers and their contributions to its economy.

2. Article VII, Section 21 (F) of the Louisiana Constitution of 1974 provides that the Board of Commerce and Industry ("Board"), with the approval of the Governor, may enter into contracts for the exemption from ad valorem taxes of a new manufacturing establishment or an addition to an existing manufacturing establishment on such terms and conditions as the Board, with the approval of the Governor, deems is in the best interest of the state.

##### **B. Best Interest of the State**

1. The provisions set forth in this Subchapter establish the criteria that the governor and the board will consider for purposes of deciding what is in the best interest of the state.

##### **C. Applicability**

1. The provisions set forth in this Subchapter shall apply to projects with advances filed on or after February 21, 2024.

2. The provisions set forth in this Subchapter shall not apply to projects with advances filed prior to February 21, 2024, or ITEP projects approved by the board prior to February 21, 2024.

##### **D. Property Exemption rates**

1. As a general rule, approved projects may be eligible for an ad valorem tax exemption rate of 80 percent;

2. In exceptional circumstances, mega projects may be eligible for an increased ad valorem tax exemption rate range beginning at 93 percent up to 100 percent, if so recommended by the local ITEP Committee, or as otherwise approved by the governor.

**AUTHORITY NOTE:** Promulgated in accordance with Article VII, Part 2, Section 21(F) of the Louisiana Constitution of 1974.

**HISTORICAL NOTE:** Promulgated by the Board of Commerce and Industry and Louisiana Economic Development, LR 51:367 (March 2025).

#### **§541. Definitions**

##### *Addition to a Manufacturing Establishment—*

1.a. a capital expenditure for property that would meet the standard of a new manufacturing establishment if the addition were treated as a stand-alone establishment;

b. a capital expenditure for property that is directly related to the manufacturing operations of an existing manufacturing establishment; or

c. an installation or physical change made to a manufacturing establishment that increases its value, utility or competitiveness;

2. Sustaining capital expenditure, proactive environmental capital upgrades, and replacement parts shall qualify as an addition to a manufacturing establishment only if required in the rehabilitation or restoration of an establishment, to conserve as nearly, and as long as possible, original condition, and described in the project application.

3. a capital expenditure associated with the rehabilitation or restoration of an establishment as provided for in §545 shall be included as an addition to a manufacturing establishment.

4. a capital expenditure associated with the expansion of an existing manufacturing establishment may be considered an addition, if the expansion project is a planned initiative to increase the size, capacity, scope, or reach of an existing establishment, or adds new components or features to accommodate growth.

*Annual Project Property Report*—the required annual filing submitted to LED by the company which may include but not be limited to: a description of the project progress over the last year and a listing of any asset or group of assets being placed in service, within the scope of the approved project, as required by §559.

*Beginning of Construction*—the first day on which foundations are started or, where foundations are unnecessary, the first day on which installations of the manufacturing establishment begins.

*Board*—Board of Commerce and Industry, or BCI.

*Capital Expenditure*—the cost associated with a new manufacturing establishment or an addition to an existing manufacturing establishment, including purchasing or improving real property and tangible personal property, whose useful life exceeds one year and which is used in the conduct of business.

*Committee*—Local ITEP Committee

*Contiguous*—Property that is adjoining. Rights of way do not prevent property from being considered contiguous. Two or more parcels of land with a common boundary or separated solely by a roadway or other right of way.

*Department*—Louisiana Department of Economic Development.

*Exemption Period*—the period of the exemption for an asset or group of assets, which shall begin when placed in service, as set forth in company's annual project property report (APPR) annual filings submitted to LED.

*Integral*—equipment, structures or materials needed to make the product in accordance with applicable environmental, health and safety requirements, and associated activities supporting operations at the Site, as approved by LED.

*ITEP Contract*—a contract for exemption between applicant company, BCI, and the Governor, setting forth the project period, the exemption percentage and the general terms and conditions of the contract deemed in the best interest of the state.

*LDR*—Louisiana Department of Revenue.

*LED*—Louisiana Economic Development, formerly known as the Department or the Louisiana Department of Economic Development.

*Local Governmental Entity*—the parish governing authority, school board, sheriff, or any municipality in which the manufacturing establishment is or will be located.

*LWC*—Louisiana Workforce Commission.

*Maintenance Capital*—expenditures made for routine maintenance, turnarounds, and for the repair of existing equipment.

*Manufacturer*—a person or business who engages in manufacturing at a manufacturing establishment.

*Manufacturing*—working raw materials by means of mass or custom production, including fabrication, applying manual labor or machinery into wares suitable for use or which gives new shapes, qualities or combinations to matter which already has gone through some artificial process. The resulting products must be suitable for use as manufactured products that are placed into commerce for sale or sold for use as a component of another product to be placed, and placed into commerce for sale.

*Manufacturing Establishment*—a new plant or establishment or an addition or additions to any existing plant or establishment which engages in the business of working raw materials into wares suitable for use or which gives new shapes, qualities or combinations to matter which already has gone through some artificial process.

*Mega-Project*—a manufacturing establishment expansion or addition project, with capital expenditures meeting or exceeding the following benchmarks, in accordance with statewide data posted on LED's website, to be updated annually:

1. 200 percent of the 10 year parish average for capital expenditures by completed ITEP Projects; if none,
2. 200 percent of the 10 year regional average for capital expenditures by completed ITEP Projects;
  - a. In accordance with the geographic boundaries of the 8 regional economic development organizations; if none,
3. 200 percent of the 10 year statewide average for capital expenditures by completed ITEP Projects.

*Miscellaneous Capital Additions*—capital expenditures that are not part of the project.

*Obsolescence*—the inadequacy, disuse, outdated or non-functionality of facilities, infrastructure, equipment or product technologies due to the effects of time, decay,

changing market conditions, invention and adoption of new product technologies or changing consumer demands.

*Place in Service and Placed in Service*—the date when an asset is substantially complete and ready for its intended use, as reflected in a company's fixed asset register, books or records.

*Proactive Environmental Capital Upgrades*—voluntary improvements or modifications to infrastructure or equipment that go beyond legal or regulatory compliance to reduce environmental impact and enhance sustainability, efficiency, and environmental performance.

*Project*—a brief but adequate description of the general scope of work intended by the company at a single site, for which ITEP benefits are being pursued, and as stated by the company on the project application. This should include what is planned to be constructed, added, the purpose of the project, and the calendar years in which assets or groups of assets will be placed in service within the project period. If a project spans two or more parishes, one project application may be submitted, however, separate annual filings with a breakdown of assets by parish will be required.

*Project Period*—the designated project period during which the applicant company may place in service new assets or spend capital expenditures on assets within the scope of the approved project.

*Qualified Disaster*—

1. a disaster which results from:
  - a. an act of terror directed against the United States or any of its allies; or
  - b. any military action involving the Armed Forces of the United States and resulting from violence or aggression against the United States or any of its allies (or threat thereof), but not including training exercises;
2. any disaster which, with respect to the area in which the manufacturing establishment is located, resulted in a subsequent determination by the president of the United States that such area warrants assistance by the federal government under the Robert T. Stafford Disaster Relief and Emergency Assistance Act;
3. a disaster which is determined by an applicable federal, state, or local authority (as determined by the secretary) to warrant assistance from the federal, state, or local government, or agency or instrumentality thereof; or
4. any other extraordinary event that destroys or renders all or a portion of the manufacturing establishment inoperable.

*Regional Economic Development Organization*—any of the following eight organizations: the Baton Rouge Area Chamber; the Central Louisiana Economic Development Alliance; Greater New Orleans, Inc.; the Northeast Louisiana Economic Alliance; the North Louisiana Economic Partnership; One Acadiana; the South Louisiana Economic Council; the Southwest Louisiana Economic Development Alliance, or any of their successors. Abbreviated and also known as "REDO".

*Rehabilitation*—the extensive renovation of a building or project that is intended to cure obsolescence or to repurpose a facility.

*Required Environmental Capital Upgrades*—upgrades required by any state or federal governmental agency, as a result of an enforcement action by said agency.

*Restoration*—repairs to bring a building or structure to at least its original form or an improved condition.

*Secretary*—secretary of the Louisiana Economic Development.

*Site*—one or more contiguous parcels of land which are under the control of the manufacturing establishment or which contains certain assets of the manufacturing establishment. Assets leading to and from the project boundary, such as pipelines, rail lines, or other forms of transporting goods to and from the site or between sites that reside on easements or right of ways shall not be included as the contiguous area of the entire manufacturing operation.

*Sustaining Capital Expenditure*—investments in new equipment, property, or plant to replace existing outmoded assets without necessarily increasing the business's output capacity.

AUTHORITY NOTE: Promulgated in accordance with Article VII, Part 2, Section 21(F) of the Louisiana Constitution of 1974.

HISTORICAL NOTE: Promulgated by the Board of Commerce and Industry and Louisiana Economic Development, LR 51:367 (March 2025).

### **§543. Ineligible Property**

A. Notwithstanding any provision to the contrary, the following property is ineligible for the tax exemption:

1. Property
  - a. Miscellaneous capital additions;
  - b. Maintenance capital; required environmental capital upgrades; and replacement parts, except those replacements required in the rehabilitation or restoration of an establishment, to conserve as nearly, and as long as possible, original condition, are not eligible for the tax exemption.
  - c. If the establishment or addition is on the taxable rolls and property taxes have been paid at more than 20 percent, the establishment or addition is not eligible for the exemption, unless one or more of the following conditions are met:
    - i. if the applicant paid the taxes under protest, then the property may be eligible for exemption once the protest and appeals process concludes and concludes in favor of the tax payer;
    - ii. if the applicant has a change order approved by the Louisiana Tax Commission and the change order results in a reimbursement of property taxes paid on eligible property, then such property, or the proportional value thereof, may be considered by exemption.
  - d. The board shall not consider for tax exemption any property previously subject to an ad valorem tax exemption that has expired or otherwise been terminated.
2. Land. The land on which a manufacturing establishment is located is not eligible for tax exemption.
3. Inventories of the following items:
  - a. inventories of raw materials used in the course of manufacturing;
  - b. inventories of work-in-progress or finished products;
  - c. any other consumable items.
4. Maintenance and repair costs not eligible for capitalization shall not qualify.
5. Moveable, non-permanent property, such as mobile computers, phones, cameras, vehicles licensed for highway use, or other non-manufacturing equipment that is not permanently located at the manufacturing establishment.

AUTHORITY NOTE: Promulgated in accordance with Article VII, Part 2, Section 21(F) of the Louisiana Constitution of 1974.

HISTORICAL NOTE: Promulgated by Louisiana Economic Development, Board of Commerce and Industry, LR 51:369 (March 2025).

### **§545. Illustrative Examples of Eligible Items.**

A. The following items may be eligible for the tax exemption:

1. Buildings and Facilities Used in Manufacturing. The board shall consider for tax exemption buildings and facilities used in the operation of new manufacturing establishments located within the state of Louisiana (subject to the limitations stated in §543) and additions to manufacturing establishments within the state of Louisiana. exemptions are granted to the owners of buildings that house a manufacturing establishment and facilities that are operated specifically in the manufacturing of a product. The board recognizes two categories of ownership:

a. owners who engage in manufacturing at said facilities; and

b. owners who are not engaged in manufacturing at said manufacturing establishment, but who have provided either or both of the following for a predetermined manufacturing establishment:

i. buildings to house a manufacturing establishment;

ii. facilities that consist of manufacturing equipment operated specifically in the manufacturing process;

c. owners who are not engaged in manufacturing at the manufacturing establishment are eligible for the exemption only if the manufacturer at the site is obligated to pay the property taxes if the exemption were not granted.

2. Leased Property. Leased property is eligible for the exemption, if the property is used in the manufacturing process, is and remains on the plant site, and the manufacturer is obligated under the lease agreement to pay the property taxes if the exemption were not granted.

3. Capitalized Materials. Capitalized materials which are an essential and integral part of a manufacturing process, but do not form part of the finished product, may be exempted along with the manufacturing establishment. Some examples of these are:

a. ammonia in a freezing plant;

b. solvent in an extraction plant; and

c. catalyst in a manufacturing process.

i. To be eligible for exemption, a manufacturing establishment must be in an operational status and engaged in manufacturing. An owner of a new manufacturing establishment under construction may apply for an exemption with the expectation that the manufacturing establishment will become operational. If the manufacturing establishment fails to become operational or ceases operations without a reasonable expectation of recommencing operations, the facility shall no longer be eligible for exemption and its contract shall be subject to termination under §563.

4. Integral Parts of the Manufacturing Operation. The following may be considered an integral part of the manufacturing operation:

a. quality control/quality assurance;

b. packaging;



- c. transportation of goods on the Site during the manufacturing process;
- d. portable equipment that is necessary to the operation of the manufacturing process, and permanently located at the manufacturing establishment.
- e. other on site essential activities as approved by the secretary and the board.

5. Rehabilitation and Restoration of Property.

a. Capital expenditures for the rehabilitation or restoration of an existing establishment may be exempted if replacements or upgrades are made as part of a rehabilitation or restoration to an establishment, only the capital expenditures in excess of original cost shall be eligible for tax exemption. A deduction for the original cost of property to be replaced shall not be made if the project will result in capital additions that exceed \$50,000,000.

b. Exemption may be granted on the costs of rehabilitation or restoration of a partially or completely damaged facility, but only on the amount in excess of the original cost.

c. Original costs deducted from rehabilitation or restoration made or rebuilding shall be clearly documented.

d. A deduction for the original cost of property to be replaced as part of a rehabilitation or restoration, as provided by sections a or b above, shall not be made if the project is related to the replacement or reconstruction of property after the destruction of or damage to such property, as a result of a qualified disaster.

6. Relocations

a. A manufacturing establishment moved from one location in the state to another place within the state shall be eligible for the unexpired consecutive years, if any, of the tax exemption contract granted at the original location.

b. If a manufacturing establishment moves from one location in the state to another location within the state, the company shall be required to seek approval of the local ITEP Committee in which the manufacturing establishment will be located if this is a different entity than that which approved the exemption at the original Site.

7. Used Equipment. Used equipment is eligible for tax exemption provided no more than 20 percent of ad valorem property taxes have been paid in Louisiana on said property.

AUTHORITY NOTE: Promulgated in accordance with Article VII, Part 2, Section 21(F) of the Louisiana Constitution of 1974.

HISTORICAL NOTE: Promulgated by the Board of Commerce and Industry and Louisiana Economic Development, LR 51:369 (March 2025).

**§547. Project Application**

A. A project application for tax exemption may be filed with LED through its online Fastlane portal, subject to the following conditions:

1. the filing shall be prior to the beginning of construction or installation of facilities on all projects for tax exemption;

2. an application fee shall be submitted with the application, in accordance with LED's fee schedule, as defined in R.S. 36:104.

B. Project applications shall include but not be limited to the following information: a project description, legal description of the project site, NAICS code, project start and end dates.

1. Documents that further define and show the boundaries of a project site, such as surveys or boundary maps, may be submitted to LED.

C. LED reserves the right to request additional information necessary to make an eligibility determination, or if the correct fee is not submitted. Such information or fees shall be provided to LED within 90 days of written request.

D. Project applications with insufficient fees or inadequate information after this time frame may result in a determination of ineligibility of the project, and subsequent cancellation of the application.

a. Project applications with insufficient fees or inadequate information shall not be cancelled unless the deficiency is more than 90 days delinquent with no bi-lateral communications between LED and the company during these 90 days.

E. Project applications shall be made available for review by the local ITEP Committee as soon as practicable after LED has completed its review.

AUTHORITY NOTE: Promulgated in accordance with Article VII, Part 2, Section 21(F) of the Louisiana Constitution of 1974.

HISTORICAL NOTE: Promulgated by the Board of Commerce and Industry and Louisiana Economic Development, LR 51:370 (March 2025).

**§549. Local ITEP Committee**

A. Establishment

1. If local governmental entities wish to provide input to the Governor or BCI on pending ITEP Project Applications, local officials or employees, collectively comprising an ad hoc Local ITEP Committee ( the Committee) shall follow the procedures outlined in this Section.

2. If a Local ITEP Committee is to be established, it shall be composed of one voting member representative from each of the following local governmental entities; the parish or police jury, as applicable; the school board; the sheriff; and the mayor, if applicable;

a. Representatives shall be elected by each local governmental entity, by a majority vote at a public meeting conducted in accordance with Open Meetings Laws;

b. Each local ITEP Committee shall submit to LED within 45 calendar days of the promulgation of these rules, or prior to consideration of an ITEP Project in any given jurisdiction, whichever is later, the following information: each designated representative's name, provision for a designee if desired, and one centralized point of contact information for receipt of ITEP related communications. Thereafter, updated information may be submitted annually to LED by January 31 of any calendar year.

i. LED shall make the Local ITEP Committee contact information available to the public via a posting on its website and upon written request.

c. If a local ITEP Committee does not take action or provide information as required herein, then the ITEP project application shall be deemed accepted by each such entity.

3. Additional, ex-officio non-voting members may include:

- a. the assessor;



- b. the parish's highest-ranking economic development staff;
- c. representatives of the local economic development organization; or
- i. if no local economic development organization exists, a representative from the regional economic development organization.

4. One representative of the local economic development organization can serve as coordinator for the Committee, to provide administrative capacity and project management expertise.

**B. Consideration of ITEP Applications**

1. Project applications shall be made available for review by the local ITEP Committee as soon as practicable after LED has completed its review.

**C. Meetings**

1. Upon receipt of notice, a 45 calendar day notice period begins.

a. in exceptional circumstances a notice of project application may be submitted to the Local ITEP Committee for consideration within the standard 45 day notice time frame.

b. Therefore, in order for a project application to be placed on an upcoming BCI Meeting Agenda, the company must provide evidence to LED of either:

- i. written recommendation from the Committee,
- or
- ii. 45 calendar days' notice to the committee.

2. The committee is not required to hold a meeting, however, any such meeting held to consider an ITEP application shall be considered public business and conducted by officials in accordance with open meetings laws.

**D. Recommendation**

1. The committee shall submit notice of the issuance of a resolution to LED with its recommendation for issuance of industrial ad valorem tax exemption applications within its jurisdiction, except that Committees composed of four voting members may also indicate a tie vote.

2. When considering mega project applications, any resolution by the committee shall indicate a recommended applicable ad valorem tax exemption amount rate, at either the base rate of 80 percent, or an increased rate range from 93 percent up to 100 percent.

3. If the committee does not take action or provide a resolution as required herein, then the application will be deemed accepted by such entity.

E. Recommendations by the committee are not dispositive and do not bind the governor or the board.

**AUTHORITY NOTE:** Promulgated in accordance with Article VII, Part 2, Section 21(F) of the Louisiana Constitution of 1974.

**HISTORICAL NOTE:** Promulgated by the Board of Commerce and Industry and Louisiana Economic Development, LR 51:370 (March 2025).

**§551. Consultation with the LDR and LWC**

A. LED will provide a copy of the project application and all relative information to the Louisiana Department of Revenue (LDR) for review. LDR may require additional information from the applicant. LED must receive a letter-of-no-objection or a letter-of-approval from the LDR, prior to submitting the project application to the board for action.

B. If a company has no employees at the time of project application, LED may elect to provide a copy of the project application and all relative information to the Louisiana Workforce Commission (LWC) for review to verify assigned or anticipated NAICS codes and appropriate industry sector classification. LWC may require additional information from the applicant. LWC may submit a letter of objection to LED within 14 calendar days of receipt of project application. If LWC does not take action or provide information as required herein, then the ITEP project application shall be deemed approved.

**AUTHORITY NOTE:** Promulgated in accordance with Article VII, Part 2, Section 21(F) of the Louisiana Constitution of 1974.

**HISTORICAL NOTE:** Promulgated by the Board of Commerce and Industry and Louisiana Economic Development, LR 51:371 (March 2025).

**§553. Presentation to the Board**

A. After its review and determination of eligibility, LED will prepare the project application information in a format suitable for presentation to the board.

B. The board must approve the project application prior to a contract being issued.

C. Applicant or its representatives will be notified of the board meeting date at which their project application will be considered. The applicant should have someone present who is able to answer any questions the board may have regarding the information contained in the project application, otherwise the project application may be deferred or denied.

**AUTHORITY NOTE:** Promulgated in accordance with Article VII, Part 2, Section 21(F) of the Louisiana Constitution of 1974.

**HISTORICAL NOTE:** Promulgated by the Board of Commerce and Industry and Louisiana Economic Development, LR 51:371 (March 2025).

**§555. Board Consideration of Project Application**

A. Eligibility of the applicant and the property for the exemption, including whether the activities at the site meet the definition of manufacturing, will be reviewed by the board based upon the facts and circumstances existing at the time the project application is considered by the board.

1. Applications which provide for a new manufacturing establishment or which provide for an expansion of, or an addition to an existing manufacturing establishment, shall be favored by the board.

2. The board will receive all public comment given at the board meeting, or any written comments filed with LED prior to the board meeting date.

**AUTHORITY NOTE:** Promulgated in accordance with Article VII, Part 2, Section 21(F) of the Louisiana Constitution of 1974.

**HISTORICAL NOTE:** Promulgated by the Board of Commerce and Industry and Louisiana Economic Development, LR 51:371 (March 2025).

**§557. The Contract**

A. Upon board approval of a project application and receipt of the Local ITEP Committee's recommendation, if any, LED shall draft an ITEP contract setting forth the terms and conditions, which may include but not be limited to the following:

- 1. an initial term of no more than five calendar years;
- 2. a term of renewal for an additional time period of up to five years;
- 3. the applicable ad valorem exemption percentage; and

4. contract holder business name; and if applicable, a list of any contract holder affiliates that may seek tax exemption for assets related to the approved project, which shall be included as Schedule I to the contract.

B. The ITEP contract effective date shall be the project start date, as specified in the project application, but no earlier than the project application submission date.

1. The beginning of construction for the ITEP contract project must occur prior to the completion of the initial five-year ITEP contract term.

2. If company is compliant with the terms of its ITEP Contract, including but not limited to its annual APPR filings, then company may request the Board to consider a change of its ITEP contract effective date.

C. During the initial five-year ITEP contract term, the company may place in service an asset or group assets that are eligible for the exemption and that are related to the project.

1. The exemption period of any asset or group of assets shall be established through the company's annual project property report (APPR) submitted to LED.

D. The ITEP contract shall be submitted to the company electronically via LED's electronic document signing system, or other method as may otherwise be approved by all parties.

E. The company must execute its portion of the contract within 90 days of receipt of notification from LED's electronic document signing system. If the ITEP contract is not executed and submitted to LED within 90 days, the company shall submit documentation of continued eligibility prior to reissuance for company signature and further processing. Documentation may include but not be limited information from the applicable taxing authority verifying that either property taxes have not been paid at more than 20 percent, or as otherwise authorized pursuant to §543.

F. Once the ITEP contract has been executed by the company and the board, the ITEP contract, including any Local ITEP Committee recommendation, included as an exhibit to the ITEP contract, shall be submitted to the governor for review and consideration.

G. The governor may approve or deny the ITEP contract, and an ITEP contract shall not be considered effective or binding upon the state until signed by the governor.

H. Any occurrence that operates to change, suspend, or breach the terms of the contract shall render the approval of the governor null and void.

I. The exemption period of certain assets placed in service during the term of the ITEP Contract and associated tax exemption benefits may extend beyond the ITEP contract term.

AUTHORITY NOTE: Promulgated in accordance with Article VII, Part 2, Section 21(F) of the Louisiana Constitution of 1974.

HISTORICAL NOTE: Promulgated by the Board of Commerce and Industry and Louisiana Economic Development, LR 51:371 (March 2025).

#### **§559. Annual Project Property Reports**

A. Company or its named affiliates listed on Schedule I shall file an annual project property report (APPR) with LED on or before March 31 of each calendar year (or before October 31 for assets located in Orleans Parish) following Board approval of the project application and shall continue annually during the term of the ITEP contract until the project is complete.

1. Provided company requests an extension to file its APPR in writing on or before March 31 of each calendar year, LED shall grant an extension to file the APPR to April 30.

2. Late APPR filings shall be subject to penalties. The penalty shall be the loss of one year of exemption from the exemption period of the related late APPR filing for each calendar year or portion thereof, that the filing is late.

a. Companies may make a special request of the board for reconsideration of the above late filing penalties. Board shall consider each request and make a determination based on the merits of the request and on the board's judgement as to what is in the best interest of the state.

B. The APPR shall include but may not be limited to the following:

1. An ITEP contract project status update;

2. A list of assets, if any, directly related to the project that were placed into service during the prior calendar year and eligible for the exemption.

C. The APPR shall establish the Exemption Period for assets eligible for the exemption.

1. For assets physically located in parishes other than Orleans Parish, the exemption period for each asset or group of assets listed on the APPR, and approved by LED, shall begin December 31 of the calendar year in which the asset or group of assets were placed in service or construction was completed.

a. The exemption period shall be for 10 consecutive years and subject to the provisions of the ITEP contract and surviving provisions thereof;

2. For property located in Orleans Parish, the exemption period for each asset or group of assets listed on the APPR, and approved by LED, shall begin July 31 of the calendar year in which the asset or group of assets were placed in service or construction was completed.

a. The exemption period shall be reflected on the APPR.

D. The company may submit an amended APPR.

E. Processing fee(s) shall be submitted with the APPR or amended APPR, in accordance with LED's fee schedule, as defined in R.S. 36:104.

F. LED shall review the APPR filing to ensure the placed in service date for the asset or group of assets and the completion of construction date includes the proper calendar year, and to ensure the asset or group of assets are in accordance with the terms and conditions of the fully-executed ITEP contract.

G. LED may perform a detailed examination of at least 10 percent of all APPR's received, to ensure that only qualifying assets, within the scope of the approved project, are submitted for exemption.

1. Upon notice that their application has been selected for detailed examination, the applicant shall provide all applicable supporting documentation requested by LED.

AUTHORITY NOTE: Promulgated in accordance with Article VII, Part 2, Section 21(F) of the Louisiana Constitution of 1974.

HISTORICAL NOTE: Promulgated by the Board of Commerce and Industry and Louisiana Economic Development, LR 51:372 (March 2025).

#### **§561. Renewal of Tax Exemption Contract**

A. Application for renewal of the exemption must be filed with LED through its online Fastlane portal within the final year of the initial contract term but prior to expiration

of the initial contract. A renewal fee shall be filed with the renewal application, in accordance with LED's fee schedule, as defined in R.S. 36:104. The document shall not be considered officially received and accepted until the appropriate fee is submitted. Upon proper showing of compliance with the initial contract of exemption, including but not limited to filing of all required annual project property reports, a renewal contract of exemption may be approved by the board for an additional period of no more than five years and provide for an applicable ad valorem exemption percentage.

B. Eligibility of the applicant and the property for renewal of the exemption will be reviewed by the board using the same criteria that was used for the initial contract, and based upon the facts and circumstances existing at the time the renewal application is considered. ITEP contracts shall be renewed unless the particular circumstances indicate bad faith on the part of the company.

C. The term of the renewal contract shall be reduced by one year for each calendar month, or portion thereof, that the renewal application is filed late. The board may impose any other penalty for late renewal submission that it deems appropriate.

AUTHORITY NOTE: Promulgated in accordance with Article VII, Part 2, Section 21(F) of the Louisiana Constitution of 1974.

HISTORICAL NOTE: Promulgated by the Board of Commerce and Industry and Louisiana Economic Development, LR 51:372 (March 2025).

#### **§563. Violation of Rules or Documents; Inspection**

A. The board reserves the right, on its own initiative or upon written complaint of an alleged violation of terms of tax exemption rules or documents, to conduct an inspection. During the inspection, LED may cause to be made a full investigation on behalf of the board and shall have full authority for such investigation including authority to demand reports or pertinent records and information from the applicant and complainants. Results of the investigation will be presented to the board.

B. All contracts of exemption shall be subject to inspection. If an inspection indicates that the applicant has violated any terms of the contract or rules, or that the exempt facility is not engaged in manufacturing, the board may conduct a hearing to reconsider the contract of exemption, after giving the applicant not less than 60 days' notice.

C. If the board determines that there has been a violation of the terms of the contract or the rules, that the property exempted by the contract is not eligible because it is not used in a manufacturing process, or that the facility has not commenced or has ceased manufacturing operations, the board may terminate or otherwise modify the contract.

AUTHORITY NOTE: Promulgated in accordance with Article VII, Part 2, Section 21(F) of the Louisiana Constitution of 1974.

HISTORICAL NOTE: Promulgated by the Board of Commerce and Industry and Louisiana Economic Development, LR 51:373 (March 2025).

#### **§565. Reporting Requirements for Changes in Operations or Contract Amendment**

A. LED shall be notified in writing on or before December 31 of any proposed amendments to company's ITEP contract.

1. ITEP Contract amendments that do not require Board approval include:

a. A physical change of the manufacturing location occurring in the same Parish.

i. A physical change of the manufacturing location to a different Parish than originally indicated on the project application shall require a new project application that shall include an exemption term no longer than the remaining term of the current ITEP contract.

b. A change in the manufacturing site boundaries, but within the bounds of the project site indicated on the project application.

c. Project start date amendments, provided the amendment request is received in writing by LED prior to the listed start date.

2. ITEP contract amendments that require Board approval include:

a. any changes in the ownership or operational name of a legal entity holding an ITEP contract.

b. any change to affiliates listed on Schedule I, only as required for the sale or transfer of property between contract holder and named affiliates, in accordance with §567.

3. Changes in operations that require board approval include:

a. a cessation in whole or in part of the manufacturing operations at the ITEP contract site.

b. the board may consider restrictions or cancellation of a contract for cessation of the manufacturing operation.

B. The board shall consider all such ITEP contract amendments strictly on the merits of the request.

C. Failure by company to report any of the changes listed above constitutes a breach of the ITEP contract and could result in a restriction or the termination of the ITEP contract or a reduction of an exemption term for an APPR.

D. A filing fee shall be submitted with a request for any contract amendment, in accordance with LED's fee schedule, as defined in R.S. 36:104.

AUTHORITY NOTE: Promulgated in accordance with Article VII, Part 2, Section 21(F) of the Louisiana Constitution of 1974.

HISTORICAL NOTE: Promulgated by the Board of Commerce and Industry and Louisiana Economic Development, LR 51:373 (March 2025).

#### **§567. Sale or Transfer of Exempted Manufacturing Establishment**

A. In the event a named contract holder should sell or otherwise dispose of all property covered by a contract of exemption, to an unrelated third party, the purchaser of the said plant or property may, within three months of the date of such act of sale, apply to the board for a transfer of the contract. A transfer fee shall be filed with a request to transfer the contract, in accordance with LED's fee schedule, as defined in R.S. 36:104. The board shall consider all such applications for transfer of contracts of exemption strictly on the merits of the application for such transfer. No such transfer shall in any way impair or amend any of the provisions of the contract so transferred other than to change the name of the contracting applicant. Failure to request or apply for a transfer within the stipulated time period shall constitute a violation of the contract.

B. In the event a named contract holder should sell or otherwise dispose of some but not all property covered by a contract of exemption, to a named affiliate listed on Schedule I to the ITEP contract, no board approval or transfer fee shall be required.

AUTHORITY NOTE: Promulgated in accordance with Article VII, Part 2, Section 21(F) of the Louisiana Constitution of 1974.

HISTORICAL NOTE: Promulgated by the Board of Commerce and Industry and Louisiana Economic Development, LR 51:373 (March 2025).

**§569. Reporting to the Assessor**

A. The applicant shall file annually with the appropriate taxing authority of the parish in which the manufacturing establishment is located, a complete taxpayer's report on forms approved by the Tax Commission, in order that the exempted property may be separately listed on the assessment rolls.

B. All property exempted shall be listed on the assessment rolls and submitted to the Tax Commission or its successor and up the applicable percentage of the taxes shall not be collected thereon during the period of exemption.

C. Taxes shall be exempted in accordance with the provisions of the contract, which are available to Parish Assessors through LED's online Fastlane portal.

D. All property for which an ITEP contract has been approved by the board, but awaiting a final determination by the governor. Shall be reported by the company to the appropriate taxing authority as "pending exemption".

1. Any property identified as "pending exemption" that fails to receive final approval from the governor by August 31 shall be subject to taxation for that year.

2. Applicant company may follow the proper guidelines as outlined by the Louisiana Tax Commission to have taxes paid under protest and prevail or have a change order approved and the paid taxes refunded to have such property reconsidered and eligible for exemption.

E. Any new asset shall be subject to property tax unless the item is included on the applicable annual project property report and attached to a fully executed ITEP contract as of August 31 following the January 1 in which the items are first subject to tax assessment.

AUTHORITY NOTE: Promulgated in accordance with Article VII, Part 2, Section 21(F) of the Louisiana Constitution of 1974.

HISTORICAL NOTE: Promulgated by the Board of Commerce and Industry and Louisiana Economic Development, LR 51:374 (March 2025).

Susan B. Bourgeois  
Secretary

2503#027

**RULE**

**Department of Energy and Natural Resources  
Office of Conservation  
Injection and Mining Division**

**Class VI Injection Well Supplemental Rules—Fee Schedule  
(LAC 43:XVII.Chapter 38)**

In accordance with the provisions of the Administrative Procedure Act, R.S. 49:950 et seq., and through the power delegated under the laws of the state of Louisiana, notice is hereby given that the Department of Energy and Natural

Resources, Office of Conservation, Injection and Mining Division amends Statewide Order No. 29-N-7 (LAC 43:XVII.Subpart 8, Chapter 38), to facilitate the fee issuance and collections relative to the Class VI geologic sequestration well permitting program.

The Department of Energy and Natural Resources, Office of Conservation, Injection and Mining Division amends provisions governing the oversight of the Class VI carbon sequestration application fee standards within the Underground Injection Control (UIC) Program located within the Office of Conservation. Class VI wells are a federally-designated well class for wells that inject carbon dioxide gas underground for long-term containment or sequestration, ultimately limiting net emissions for this greenhouse gas. The UIC Program received primary enforcement authority (primacy) from the United States Environmental Protection Agency on February 5, 2024, modifying the UIC Program oversight to include Class VI wells in addition to current oversight authority for Class I, II, III, IV, and V wells. Modification of Statewide Order No. 29-N-7 clarifies the application filing fees for this new program. This Rule is hereby adopted on the day of promulgation.

**Title 43**

**NATURAL RESOURCES**

**Part XVII. Injection and Mining**

**Subpart 8. Statewide Order No. 29-N-7**

**Chapter 38. Class VI Injection Well Supplemental  
Rules—Fee Schedule**

**§3801. Definitions.**

\* \* \*

*Escrow Account*—an account held by the Office of Conservation within the Carbon Dioxide Geologic Storage Trust Fund in favor of each Class VI applicant into which funds paid by the applicant are deposited and from which funds are drawn in order to provide for the review of a Class VI permit application.

\* \* \*

*Residual Escrow Funds*—any remaining funds on deposit with the Office of Conservation in favor of an applicant or permittee after a final decision on a Class VI permit application is rendered by the commissioner and all qualified expenses have been deducted from the escrow account. Residual escrow funds do not include any interest accrued on an escrow account.

\* \* \*

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:1101 et seq.

HISTORICAL NOTE: Promulgated by the Department of Energy and Natural Resources, Office of Conservation, Injection and Mining Division, LR 50:683 (May 2024), amended LR 51:374 (March 2025).

**§3803. General Provisions.**

A - B.2. ...

C. Expedited Permit Review

1. An expedited permit review pursuant to LAC 43:XIX.4701 et seq. by Office of Conservation staff is separate from the reviews pursuant to this Chapter. An applicant may request an expedited permit review, which, if granted, shall require the applicant to pay additional fees.

D - D.2.c. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:1101 et seq.

HISTORICAL NOTE: Promulgated by the Department of Energy and Natural Resources, Office of Conservation, Injection and Mining Division, LR 50:683 (May 2024), amended LR 51:374 (March 2025).

**§3805. Filing and Application Fees**

A - A.2. ...

3. For all Class VI permit applications, additional funds not to exceed the total, actual cost of review may be required to be paid by the applicant pursuant to La R.S. 30:1110.C(3). Accordingly, the application fee for a Class VI permit application may exceed \$200,000.

B - B.1. ...

C. Payment, Deposit, and Withdrawal of Fees

1. An applicant must pay the filing fee to the Office of Conservation upon submission of its Class VI permit application.

2. An applicant must pay any other funds comprising the application fee to the Office of Conservation within 30 days after the issuance to the applicant of a notice and invoice for such amounts. The Office of Conservation shall withdraw funds from each filing fee account upon expenditures associated with incurred costs described in Subsection B of this Section. Upon request by an applicant, the Office of Conservation shall provide a detailed, itemized list of any costs incurred in the review of the applicant's Class VI permit application.

3. The Office of Conservation shall deposit the fees collected under this Chapter into a separate escrow account for each applicant. If an applicant has multiple Class VI permit applications pending before the Office of Conservation, the escrow account for such applicant may be divided into separate accounts for each application. The Office of Conservation may draw upon the escrow account whenever the office determines a draft to be necessary in order to pay for any cost incurred in the review of a permit application.

4. Any interest accrued on an escrow account shall be the property of the Office of Conservation and shall be deposited in the Geologic Storage Trust Fund.

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:1101 et seq.

HISTORICAL NOTE: Promulgated by the Department of Energy and Natural Resources, Office of Conservation, Injection and Mining Division, LR 50:683 (May 2024), amended LR 51:375 (March 2025).

**§3807. Residual Escrow Funds.**

A. Reimbursement

1. Within 30 days after the commissioner renders a final decision on a Class VI permit application and once all qualified expenses have been deducted from an escrow account, the Office of Conservation shall determine whether residual escrow funds for an applicant or permit application exist.

2. If the Office of Conservation determines that residual escrow funds exist, it shall reimburse the applicant that paid the funds within 30 days after such determination.

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:1101 et seq.

HISTORICAL NOTE: Promulgated by the Department of Natural Resources, Office of Conservation, Injection and Mining Division, LR 51:375 (March 2025).

**§3811. Failure to Comply**

A. Upon failure to comply after notice, operators who have violated any requirement of this Chapter may be liable for a civil penalty or liable for appropriate relief granted in a civil action pursuant to R.S. 30:1106.

B. The operator must comply with all requirements of this Chapter. Any noncompliance may result in enforcement action; permit termination, revocation and reissuance, or modification; suspension of a permit application review; or denial of a permit application.

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:1101 et seq.

HISTORICAL NOTE: Promulgated by the Department of Energy and Natural Resources, Office of Conservation, Injection and Mining Division, LR 50:683 (May 2024), amended LR 51:375 (March 2025).

Steven M. Giambrone  
Interim Director

2503#045

**RULE**

**Department of Energy and Natural Resources  
Office of Conservation  
Injection and Mining Division**

Class VI Injection Wells  
(LAC 43:XVII.Chapter 36)

In accordance with the provisions of the Administrative Procedure Act, R.S. 49:950 et seq., and through the power delegated under the laws of the state of Louisiana, notice is hereby given that the Department of Energy and Natural Resources, Office of Conservation, Injection and Mining Division amends Statewide Order No. 29-N-6 (LAC 43:XVII. Subpart 6. Chapter 36) to facilitate the permitting, siting, construction, operation, monitoring, and site closure of Class VI injection wells, which are used to injection carbon dioxide for the purposes of geologic sequestration.

The Department of Energy and Natural Resources, Office of Conservation, Injection and Mining Division amends provisions governing the oversight of the Class VI carbon sequestration program within the Underground Injection Control (UIC) Program located within the Office of Conservation. Class VI wells are a federally-designated well class for wells that inject carbon dioxide gas underground for long-term containment or sequestration, ultimately limiting net emissions for this greenhouse gas. The UIC Program received primary enforcement authority (primacy) from the United States Environmental Protection Agency on February 5, 2024, modifying the UIC Program oversight to include Class VI wells in addition to current oversight authority for Class I, II, III, IV, and V wells. This Rule is hereby adopted on the day of promulgation.

**Title 43**

**NATURAL RESOURCES**

**Part XVII. Injection and Mining**

**Subpart 6. Statewide Order No. 29-N-6**

**Chapter 36. Class VI Injection Wells**

**§3601. Definitions**

A. ...

\* \* \*

*Administratively Complete Application*—the complete electronic submission of the Form UIC-60 CCS, or successor form, geologic narrative/site characterization, planned well operations, area or review, corrective action plan, testing and monitoring plan, injection well plugging plan, post-injection site care and site closure plan, emergency and remedial response plan, injection well construction plan, pre-operational testing, and financial responsibility demonstration.

\* \* \*

*Carbon Dioxide Stream*—the carbon dioxide that has been captured from an emission source (e.g., a power plant), plus incidental associated substances derived from the source materials and the capture process, and any substances added to the stream to enable or improve the injection process.

\* \* \*

*Technically Complete Application*—an application that has been fully reviewed, meets all requirements under this Chapter, and can proceed to the draft permit process.

\* \* \*

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:4 et seq., 30:22 et seq., and 30:1101 et seq.

HISTORICAL NOTE: Promulgated by the Department of Energy and Natural Resources, Office of Conservation, LR 47:53 (January 2021), amended by the Department of Energy and Natural Resources, Office of Conservation, Injection and Mining Division, LR 51:375 (March 2025).

### §3603. General Provisions

A. - E.1.a. ...

F. Identification of Underground Sources of Drinking Water and Exempted Aquifers

1. The commissioner may identify (by narrative description, illustrations, maps, or other means) and shall protect as an underground source of drinking water, all aquifers or parts of aquifers which meet the definition of an underground source of drinking water. Aquifer exemptions shall not be issued for Class VI injection wells. Even if an aquifer has not been specifically identified by the commissioner, it is an underground source of drinking water if it meets the definition.

G - H.4. ...

5. In order to protect the health, safety, and welfare of the public, the commissioner shall establish and may, from time to time, amend restrictions on incidental constituents in the carbon dioxide stream of any well permitted pursuant to this Chapter.

I - I.2. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:4 et seq., 30:22 et seq., and 30:1101 et seq.

HISTORICAL NOTE: Promulgated by the Department of Energy and Natural Resources, Office of Conservation, LR 47:56 (January 2021), amended by the Department of Energy and Natural Resources, Office of Conservation, Injection and Mining Division, LR 51:376 (March 2025).

### §3605. Permit Requirements, Application, Signatories

A - C.1. ...

a. the applicant shall submit the application in an electronic format approved by the commissioner. The commissioner may request paper copies of the application, either in its entirety or in part, as needed.

b. any paper copies of the application shall contain the following certification statement:

This document is a paper copy of the application titled (*Insert Document Title*) dated (*Insert Application Date*). This paper copy is an exact duplicate of the electronic version submitted to the Louisiana Office of Conservation.

C.1.c - G. ...

\* \* \*

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:4 et seq., 30:22 et seq., and 30:1101 et seq.

HISTORICAL NOTE: Promulgated by the Department of Energy and Natural Resources, Office of Conservation, LR 47:59 (January 2021), amended by the Department of Energy and Natural Resources, Office of Conservation, Injection and Mining Division, LR 51:376 (March 2025).

### §3607. Application Content

A - C.1.a.ii. ...

iii. the applicant is required to make a diligent search to locate all wells not listed in the public record.

iv - v. ...

vi. the location and extent of geophysical data used to evaluate the subsurface geology within the boundaries of the map.

C.1.b - C.1.b.iv. ...

v. the commissioner may require the applicant to provide geophysical data of the project area.

c. any other maps required by the commissioner to evaluate the proposed project.

d. The commissioner may require revisions to the formatting, scale, and display of map information as needed.

C.2 - C.3. ...

D. Environmental Analysis

1. The applicant for a permit for a Class VI injection well shall submit an environmental analysis as part of the permit application.

2. The environmental analysis required by this Section shall be used to satisfy the public trustee requirements of Article IX, Section 1 of the Constitution of Louisiana and shall address the following questions regarding the proposed permit activity:

a. Have the potential and real adverse environmental effects of the proposed permit activity been avoided to the maximum extent possible?

b. Does a cost-benefit analysis of the environmental impact costs versus the social and economic benefits of the proposed activities demonstrate that the latter outweighs the former?

c. Are there alternative activities which would offer more protection to the environment than the proposed activity without unduly curtailing nonenvironmental benefits?

d. Are there alternative sites which would offer more protection to the environment than the proposed site without unduly curtailing nonenvironmental benefits?

e. Are there mitigating measures which would offer more protection to the environment than the proposed activity without unduly curtailing nonenvironmental benefits?

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:4 et seq., 30:22 et seq., and 30:1101 et seq.

HISTORICAL NOTE: Promulgated by the Department of Energy and Natural Resources, Office of Conservation, LR 47:60

(January 2021), amended by the Department of Energy and Natural Resources, Office of Conservation, Injection and Mining Division, LR 51:376 (March 2025).

### §3609. Legal Permit Conditions

A - C.1. ...

a. a performance bond (surety bond) in sole favor of the Office of Conservation in a form prescribed by the commissioner;

b. a letter-of-credit in sole favor of the Office of Conservation in a form prescribed by the commissioner;

c. site-specific trust account, or

d. any other instrument of financial assurance acceptable to the commissioner.

C.2 - C.4.e. ...

i. in the event that the owner or operator combines more than one instrument for a specific geologic sequestration phase (e.g., well plugging), such combination must be limited to instruments that are not based on financial strength or performance, for example trust funds, surety bonds guaranteeing payment into a trust fund, and letters of credit. In this case, it is the combination of mechanisms, rather than the single mechanism, which must provide financial responsibility for an amount at least equal to the current cost estimate.

C.4.f - T. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:4 et seq., 30:22 et seq., and 30:1101 et seq.

HISTORICAL NOTE: Promulgated by the Department of Energy and Natural Resources, Office of Conservation, LR 47:61 (January 2021), amended by the Department of Energy and Natural Resources, Office of Conservation, Injection and Mining Division, LR 51:377 (March 2025).

### §3611. Permitting Process

A - B.1. ...

#### 2. Administrative Completeness:

a. the commissioner shall not issue a permit before receiving an application form and any required supplemental information which are completed to his satisfaction. The completeness of any application for a permit shall be judged independently of the status of any other permit application or permit for the same facility or activity;

b. each application for a permit submitted for a new UIC injection well will be reviewed for administrative completeness by the commissioner and the applicant will be notified of the commissioner's decision in writing within 30 days of its receipt.

c. If the application is not administratively complete, the commissioner shall list in the notification in §3611.B.2.b above, the information necessary to make the application administratively complete. When the application is for an existing UIC injection well, the commissioner shall specify in the notice a date for submitting the necessary information. The commissioner shall notify the applicant that the application is complete upon receiving this information. The commissioner may request additional information from an applicant only when necessary to clarify, modify, or supplement previously submitted material. Requests for such additional information will not render an application incomplete.

d. If an applicant fails or refuses to correct deficiencies found in the application, the permit may be denied and, for existing wells, appropriate enforcement

actions may be taken under the applicable statutory provision.

e. Within 30 days of receiving notice of the application being deemed administratively complete, the applicant shall make a good faith effort to provide notice of the submission of the application via United States mail to all of the following:

i. the last operator of record for any oil and gas well located within the area of review; and

ii. any person known to the applicant after reasonable search, including owners and operators, acting on behalf of that person, that presently has the right to drill into and produce from a pool and to appropriate production either for himself or others within the predicted or modeled carbon dioxide plume.

f. The designation of administratively complete only confirms the submission of elements required to begin the technical review process. It does not imply or confirm the presence of adequate technical content nor limit requirements for additional submittals or actions required for permitting.

#### 3. Technical Completeness

a. After an application is deemed administratively complete, it will be reviewed for technical completeness by the commissioner. The commissioner may request additional information from an applicant only when necessary to clarify, modify, or supplement previously submitted material. Requests for such additional information will not render an application administratively incomplete.

b. If an applicant fails or refuses to correct deficiencies found in the application, the permit may be denied and, for existing wells, appropriate enforcement actions may be taken under the applicable statutory provision.

4. If the commissioner decides that a site visit is necessary for any reason in conjunction with the processing of an application, he shall notify the applicant, state the reason for the visit, and a date shall be scheduled.

#### C. Draft Permits

1. Once an application is deemed technically complete, the commissioner shall prepare a draft permit or deny the application.

C.2 - E.1.c. ...

#### 2. Timing

a. Public notice of the preparation of a draft permit required under §3611.E.1 shall allow at least 30 days for public comment.

b. Public notice of a public hearing shall be given at least 30 days before the hearing. (Public notice of the hearing may be given at the same time as public notice of the draft permit and the two notices may be combined).

E.3 - F. ...

#### G. Public Hearings

1. The commissioner shall hold a public hearing whenever he finds, on the basis of requests, a significant degree of public interest in (a) draft permit(s). The commissioner also may hold a public hearing at his discretion, whenever, for instance, such a hearing might clarify one or more issues involved in the permit decision. Public notice of the hearing shall be given as specified in §3611.E.

G.2 - H.2. ...

I. Permit Issuance and Effective Date

1. After closure of the public comment period, including any public hearing, under §3611.G on a draft permit, the commissioner shall issue a final permit decision as soon as practicable. The commissioner shall notify the applicant, each person who has submitted written comments or requested notice of the final permit decision, and the governing authority for any parish within the area of review. This notice shall include reference to the procedure for appealing a decision on a UIC permit under La. Title 30 R.S. §30:15. For the purposes of this section, a final permit decision means a final decision to issue, deny, modify, revoke and reissue, or terminate a permit.

2 - 3. ...

J. Additional Notifications

1. Within 30 days after approval or granting of a permit to construct a Class VI well, the owner or operator shall record in the conveyance records of the clerk of court's office for any parish within the area of review:

a. a notice of the permit which includes the Office of Conservation permit number and the serial number of the Class VI well; and

b. a map or maps bearing the Office of Conservation permit number containing the location or proposed location for the following items, but only to the extent that this information is also required under §3607.C.1:

- i. injection wells;
- ii. monitoring wells;
- iii. producing wells;
- iv. abandoned and orphan wells;
- v. plugged wells and dry holes;
- vi. known and suspected faults;
- vii. water wells;
- viii. surface bodies of water;
- ix. natural springs;
- x. aquifers;
- xi. structures intended for human occupancy;
- xii. roads; and
- xiii. state and parish boundaries.

2. The owner or operator shall notify the governing authority of each parish in which the maps are recorded within 30 days after recordation. Notice may be made by electronic mail to the parish president, police jury president, or mayor-president, depending on the form of parish government.

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:4 et seq., 30:22 et seq., and 30:1101 et seq.

HISTORICAL NOTE: Promulgated by the Department of Energy and Natural Resources, Office of Conservation, LR 47:65 (January 2021), amended by the Department of Energy and Natural Resources, Office of Conservation, Injection and Mining Division, LR 51:377 (March 2025).

**§3615. Siting Criteria, AOR, and Corrective Action**

A - C.4. ...

D. Additional Siting Requirements

1. The wellhead of a Class VI well shall not be located within five hundred feet of the following:

a. inhabited dwellings not owned by the storage operator or any owner in interest bound by a contract with the storage operator that allows for location of a Class VI injection well within five hundred feet of an inhabited dwellings;

b. schools; and

c. healthcare facilities.

2. Class VI injection operations may not adversely affect any Class I waste plume existing at the time of permitting.

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:4 et seq., 30:22 et seq., and 30:1101 et seq.

HISTORICAL NOTE: Promulgated by the Department of Energy and Natural Resources, Office of Conservation, LR 47:69 (January 2021), amended by the Department of Energy and Natural Resources, Office of Conservation, Injection and Mining Division, LR 51:378 (March 2025).

**§3617. Well Construction and Completion**

A - A.3.a.i. ...

b. Casing Seat. The casing seat and cement of any intermediate and injection casings shall be hydrostatically pressure tested after drilling out the casing shoe. At least 10 feet of formation below the respective casing shoes shall be drilled before the test. The test pressure shall be maintained for one hour after pressure stabilization. Allowable pressure loss is limited to five percent of the test pressure over the stabilized test duration.

A.3.b.i - B.1. ...

a. gyroscopic surveys or any other deviation surveys acceptable to the commissioner;;

B.1.b - B.6. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:4 et seq., 30:22 et seq., and 30:1101 et seq.

HISTORICAL NOTE: Promulgated by the Department of Energy and Natural Resources, Office of Conservation, LR 47:70 (January 2021), amended by the Department of Energy and Natural Resources, Office of Conservation, Injection and Mining Division, LR 51:378 (March 2025).

**§3621. Operations**

A - A.6.a. ...

i. surface injection and bottom-hole pressure;

A.6.a.ii - A.10. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:4 et seq., 30:22 et seq., and 30:1101 et seq.

HISTORICAL NOTE: Promulgated by the Department of Energy and Natural Resources, Office of Conservation, LR 47:73 (January 2021), amended by the Department of Energy and Natural Resources, Office of Conservation, Injection and Mining Division, LR 51:378 (March 2025).

**§3623. Emergency Response**

A - A.4.c. ...

5. In addition to any other requirements imposed by the commissioner, the emergency and remedial response plan shall provide for continuing training programs for operating and maintenance personnel regarding potential hazards, risk scenarios, and response activities.

6. Prior to the commencement of carbon dioxide injection, the owner or operator shall provide a copy of the approved emergency and remedial plan to the parish president, police jury president, or mayor-president, depending on the form of parish government, for each parish within the area of review for dissemination to the office of homeland security, local emergency preparedness committee, or other emergency preparedness or response agencies.

7. The owner or operator shall conduct at least one tabletop exercise for each storage facility prior to the commencement of injection to simulate emergency situation and responses thereto in coordination with the appropriate



emergency preparedness and response agencies, as designated by the governing authority for each parish within the area of review

**AUTHORITY NOTE:** Promulgated in accordance with R.S. 30:4 et seq., 30:22 et seq., and 30:1101 et seq.

**HISTORICAL NOTE:** Promulgated by the Department of Energy and Natural Resources, Office of Conservation, LR 47:74 (January 2021), amended by the Department of Energy and Natural Resources, Office of Conservation, Injection and Mining Division, LR 51:378 (March 2025).

### **§3625. Testing and Monitoring**

A - A.3.c. ...

4. quarterly monitoring of the ground water quality and geochemical changes above the confining zone(s) that may be a result of carbon dioxide movement through the confining zone(s) or additional identified zones including:

A.4.a - B.4. ...

**AUTHORITY NOTE:** Promulgated in accordance with R.S. 30:4 et seq., 30:22 et seq., and 30:1101 et seq.

**HISTORICAL NOTE:** Promulgated by the Department of Energy and Natural Resources, Office of Conservation, LR 47:74 (January 2021), amended by the Department of Energy and Natural Resources, Office of Conservation, Injection and Mining Division, LR 51:379 (March 2025).

### **§3629. Reporting**

A. Reporting Requirements

1. The owner or operator must provide, at a minimum, the following reports to the commissioner, and the USEPA as specified in §3629.A.3, for each permitted Class VI well:

a. quarterly reports containing:

i - v. ...

vi. monthly annulus fluid volumes gained or lost;

and

vii. the results of monitoring prescribed under

§3625.

A.1.b - A.2. ...

3. Owners or operators of Class VI wells, or applicants for Class VI wells must submit all required submittals, reports, and notifications under §§3605, 3607, 3615, 3617, 3619, 3621, 3623, 3625, 3627, 3629, 3631, and 3633 to the USEPA in an electronic format approved by the USEPA.

A.4 - A.4.b. ...

c. raw operating data from the continuous recording devices prescribed by §3621.A.6 shall be retained in digital format at least 10 years after collection.

d. monitoring data collected under §§3625.A.2 through 3625.A.9 shall be retained at least 10 years after site closure.

e. well plugging reports, post-injection site care data, including, if appropriate, data and information used to develop the demonstration of the alternative post-injection site care timeframe, and the site closure report collected pursuant to requirements at §§3633.A.6 and 3633.A.8 shall be retained at least 10 years following site closure.

f. The commissioner may require the owner or operator to retain any records required under these regulations for longer than 10 years after site closure. The commissioner may require the owner or operator to deliver the records to the commissioner at any time prior to or at the conclusion of the retention period.

B. Recordkeeping. Owners or operators of Class VI wells shall retain records as specified in §§3615.C.4, 3629.A.4, 3631.A.5, 3633.A.6, and 3633.A.8.

**AUTHORITY NOTE:** Promulgated in accordance with R.S. 30:4 et seq., 30:22 et seq., and 30:1101 et seq.

**HISTORICAL NOTE:** Promulgated by the Department of Energy and Natural Resources, Office of Conservation, LR 47:76 (January 2021), amended by the Department of Energy and Natural Resources, Office of Conservation, Injection and Mining Division, LR 51:379 (March 2025).

Steven M. Giambro  
Interim Director

2503#044

## **RULE**

### **Department of Environmental Quality Office of the Secretary Legal Affairs Division**

2024 Annual Incorporation by Reference of  
Certain Water Quality Regulations  
(LAC 33:IX.4901 and 4903) (WQ115ft)

Under the authority of the Environmental Quality Act, R.S. 30:2001 et seq., and in accordance with the provisions of the Administrative Procedure Act, R.S. 49:950 et seq., the secretary has amended the Water Quality regulations, LAC 33:IX.4901 and 4903 (Log #WQ115ft).

This Rule is identical to federal regulations found in 40 CFR 136 and 40 CFR, Chapter I, Subchapter N, Parts 401, 405-471, which are applicable in Louisiana. For more information regarding the federal requirement, contact William Little at (225) 219-3985. No fiscal or economic impact will result from the rule. This Rule will be promulgated in accordance with the procedures in R.S. 49:953(F)(3) and (4).

This Rule updates the reference dates for 40 Code of Federal Regulations (CFR) Part 136, Guidelines Establishing Test Procedures for the Analysis of Pollutants, and 40 CFR Chapter I, Subchapter N, Parts 401, 405-471, Effluent Guidelines and Standards in LAC 33:IX.4901 and 4903. This Rule will incorporate the recently updated federal regulations into Louisiana's water quality regulations. This revision increases the enforceability of Louisiana Pollutant Discharge Elimination System (LPDES) permits that include the Environmental Protection Agency approved analytical methods and effluent limitation guidelines. The published edition of the 40 CFR is updated on July 1 of every calendar year; therefore, this Rule will incorporate the date of July 1, 2024. the basis and rationale for this Rule are to mirror the federal regulations. This Rule meets an exception listed in R.S. 30:2019(D)(2) and R.S. 49:953(G)(3); therefore, no report regarding environmental/health benefits and social/economic costs is required. This Rule is hereby adopted on the day of promulgation.

### **Title 33**

### **ENVIRONMENTAL QUALITY**

### **Part IX. Water Quality**

### **Subpart 1. Water Pollution Control**

### **Chapter 49. Incorporation by Reference**

### **§4901. 40 CFR Part 136**

A. 40 CFR Part 136, Guidelines Establishing Test Procedures for the Analysis of Pollutants, July 1, 2024, in its entirety, is hereby incorporated by reference.

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2001 et seq., and in particular Section 2074(B)(3) and (B)(4).

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Water Resources, LR 21:945 (September 1995), amended LR 23:958 (August 1997), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 25:1467 (August 1999), LR 26:1609 (August 2000), LR 27:2231 (December 2001), LR 28:996 (May 2002), LR 29:700 (May 2003), repromulgated LR 30:232 (February 2004), amended LR 30:752 (April 2004), amended by the Office of Environmental Assessment, LR 31:920 (April 2005), amended by the Office of the Secretary, Legal Affairs Division, LR 32:604 (April 2006), LR 33:641 (April 2007), LR 34:867 (May 2008), LR 35:1110 (June 2009), LR 36:2275 (October 2010), amended by the Office of the Secretary, Legal Division, LR 38:2747 (November 2012), LR 40:1693 (September 2014), LR 41:2135 (October 2015), amended by the Office of the Secretary, Legal Affairs and Criminal Investigations Division, LR 43:2148 (November 2017), LR 46:330 (March 2020), LR 47:357 (March 2021), amended by the Office of the Secretary, Legal Affairs Division, LR 51:379 (March 2025).

**§4903. 40 CFR, Chapter I, Subchapter N**

A. 40 CFR Chapter I, Subchapter N, Effluent Guidelines and Standards, Parts 401 and 405 471, July 1, 2024 are hereby incorporated by reference.

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2001 et seq., and in particular Section 2074(B)(3) and (B)(4).

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Water Resources, LR 21:945 (September 1995), amended LR 23:958 (August 1997), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 25:1467 (August 1999), LR 26:1609 (August 2000), LR 27:2232 (December 2001), LR 28:996 (May 2002), LR 29:700 (May 2003), LR 29:1467 (August 2003), repromulgated LR 30:232 (February 2004), amended LR 30:752 (April 2004), amended by the Office of Environmental Assessment, LR 31:920 (April 2005), amended by the Office of the Secretary, Legal Affairs Division LR 32:604 (April 2006), LR 32:819 (May 2006), LR 33:641 (April 2007), LR 34:867 (May 2008), LR 35:654 (April 2009), LR 35:1110 (June 2009), LR 36:2275 (October 2010), amended by the Office of the Secretary, Legal Division, LR 38:2747 (November 2012), LR 40:1693 (September 2014), LR 41:2136 (October 2015), amended by the Office of the Secretary, Legal Affairs and Criminal Investigations Division, LR 43:2148 (November 2017), LR 46:331(March 2020), LR 47:357 (March 2021), amended by the Office of the Secretary, Legal Affairs Division, LR 51:380 (March 2025).

Aurelia S. Giacometto  
Secretary

2503#005

**RULE**

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

**Ad Valorem Taxation**

(LAC 61:V.703, 705, 901, 903, 907, 1007, 1103, 1301, 1303, 1307, 1503, 2501, 2503 and 3103)

Tax Commission exercised the provisions of the Administrative Procedure Act, R.S. 49:953(B), and pursuant to its authority under R.S. 47:1837, adopted the following additions, deletions and amendments to the Real/Personal

Property Rules and Regulations. This Rule change amended sections of the Real/Personal Property Rules for use in the 2025 (2026 Orleans Parish) tax year. This Rule is hereby adopted on the day of promulgation.

**Title 61**

**REVENUE AND TAXATION**

**Part V. Ad Valorem Taxation**

**Chapter 7. Watercraft**

**§703. Tables—Watercraft**

**A. Motorized Floating Equipment**

**1. Floating Equipment—Motor Vessels**

Table 703.A.1 Floating Equipment—Motor Vessels				
Cost Index (Average)		Average Economic Life 12 Years		
Year	Index	Effective Age	Percent Good	Composite Multiplier
2024	0.987	1	94	.93
2023	1.000	2	87	.87
2022	1.018	3	80	.81
2021	1.196	4	73	.87
2020	1.301	5	66	.86
2019	1.307	6	58	.76
2018	1.354	7	50	.68
2017	1.401	8	43	.60
2016	1.429	9	36	.51
2015	1.417	10	29	.41
2014	1.431	11	24	.34
2013	1.449	12	22	.32
2012	1.461	13	20	.29

**2. Floating Equipment—Motor Vessels**

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**B. Non-Motorized Floating Equipment**

**1. Floating Equipment—Barges (Non-Motorized)**

Cost Index

Table 703.B.1 Floating Equipment—Barges (Non-Motorized)				
Cost Index Average		Average Economic Life 20 Years		
Year	Index	Effective Age	Percent Good	Composite Multiplier
2024	0.987	1	97	.96
2023	1.000	2	93	.93
2022	1.018	3	90	.92
2021	1.196	4	86	1.03
2020	1.301	5	82	1.07
2019	1.307	6	78	1.02
2018	1.354	7	74	1.00
2017	1.401	8	70	.98
2016	1.429	9	65	.93
2015	1.417	10	60	.85
2014	1.431	11	55	.79
2013	1.449	12	50	.72
2012	1.461	13	45	.66
2011	1.503	14	40	.60
2010	1.550	15	35	.54
2009	1.538	16	31	.48
2008	1.582	17	27	.43
2007	1.645	18	24	.39
2006	1.734	19	22	.38
2005	1.815	20	21	.38
2004	1.952	21	20	.39

**2. Floating Equipment—Barges (Non-Motorized)**

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**AUTHORITY NOTE:** Promulgated in accordance with R.S. 47:1837 and R.S. 47:2323.

**HISTORICAL NOTE:** Promulgated by the Department of Revenue and Taxation, Tax Commission, LR 8:102 (February 1982), amended LR 10:924 (November 1984), LR 12:36 (January 1986), LR 13:188 (March 1987), LR 13:764 (December 1987), LR 14:872 (December 1988), LR 15:1097 (December 1989), LR 16:1063 (December 1990), LR 17:1213 (December 1991), LR 19:212 (February 1993), LR 20:198 (February 1994), LR 21:186 (February 1995), LR 22:117 (February 1996), LR 23:204 (February 1997), amended by the Department of Revenue, Tax Commission, LR 24:479 (March 1998), LR 25:312 (February 1999), LR 26:506 (March 2000), LR 27:425 (March 2001), LR 28:518 (March 2002), LR 29:368 (March 2003), LR 30:487 (March 2004), LR 31:715 (March 2005), LR 32:430 (March 2006), LR 33:490 (March 2007), LR 34:678 (April 2008), LR 35:492 (March 2009), LR 36:772 (April 2010), amended by the Division of Administration, Tax Commission, LR 37:1394 (May 2011), LR 38:802 (March 2012), LR 39:490 (March 2013), LR 40:530 (March 2014), LR 41:673 (April 2015), LR 42:746 (May 2016), LR 43:652 (April 2017), LR 44:579 (March 2018), LR 45:533 (April 2019), LR 46:560 (April 2020), LR 47:460 (April 2021), LR 48:1522 (June 2022), LR 49:1040 (June 2023), LR 50:366 (March 2024), LR 51:380 (March 2025).

**§705. Tables—Vessels**

- A. Vessels—Crew-OSV/Supply-Utility
  - 1. Table 705.A.1

Table 705.A.1 Vessels—Crew-OSV/Supply-Utility				
Cost Index Average		Average Economic Life 20 Years		
Year	Index	Effective Age	Percent Good	Composite Multiplier
2024	0.987	1	97	.96
2023	1.000	2	93	.93
2022	1.018	3	90	.92
2021	1.196	4	86	1.03
2020	1.301	5	82	1.07
2019	1.307	6	78	1.02
2018	1.354	7	74	1.00
2017	1.401	8	70	.98
2016	1.429	9	65	.93
2015	1.417	10	60	.85
2014	1.431	11	55	.79
2013	1.449	12	50	.72
2012	1.461	13	45	.66
2011	1.503	14	40	.60
2010	1.550	15	35	.54
2009	1.538	16	31	.48
2008	1.582	17	27	.43
2007	1.645	18	24	.39
2006	1.734	19	22	.38
2005	1.815	20	21	.38
2004	1.952	21	20	.39

- 2. Table 705.A.2

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**AUTHORITY NOTE:** Promulgated in accordance with R.S. 47:1837 and R.S. 47:2323.

**HISTORICAL NOTE:** Promulgated by the Department of Revenue, Tax Commission, LR 33:490 (March 2007), LR 35:493 (March 2009), amended by the Office of the Governor, Division of Administration, Tax Commission, LR 47:465 (April 2021), LR 49:1045 (June 2023), LR 50:372 (March 2024), LR 51:381 (March 2025).

**Chapter 9. Oil and Gas Properties**  
**§901. Guidelines for Ascertaining the Fair Market Value of Oil and Gas Properties**

A. - B.3. ...

C. Explanations

*Ad Valorem Tax Allowance*—the estimated tax rate levied by local taxing bodies on the taxable value of property, expressed as a percentage deduction from the DCF.

*Additional Equipment*—equipment on a well site not typical for production of similar wells.

*Annualized*—the conversion of a short-term figure or calculation into an annual or yearly rate.

*Average Depth*—the simple average of the depth of the wells included in the LAT-12 filing.

*Capital Expense (Capex)*—the major investments a company incurs to either maintain, restore, or increase production or efficiency (see Workover). Capex is generally considered non-recurring in nature because it is not a direct operating expense that affects net operating income. Instead, capital expenditures are capitalized into a depreciable asset for accounting purposes. However, capex, or some portion thereof, can be included in a DCF appraisal to the extent deemed necessary for the operator to achieve a forecasted production amount. Otherwise, capex is solely a past expense that shouldn't be explicitly recognized in a forecast of future net income. See discussion of expense forecast in §907.B.3 below.

*Custody Transfer*—in the oil and gas industry, refers to the passing of oil or gas from one entity to another for the other's immediate charge or control, accomplished for example by a custody transfer meter for gas and a lease automatic custody transfer (LACT) unit for oil or other liquids, installed downstream of the wellhead or central gathering location such as a tank battery.

*Decline Curve Analysis*—a common means of predicting future oil well or gas well production based on past production history utilizing empirical reservoir engineering equations which assume production decline is proportional to reservoir pressure decline. When used in conjunction with DCF appraisal methodology which considers the economics of this potential future production, a well's expected ultimate recovery (EUR) and remaining reserves can be reliably estimated.

*Discounted Cash Flow (DCF) Analysis*—Discounted Cash Flow (DCF) is a valuation method used to analyze the economics and current or potential value of an investment based on its expected future cash flows. Although technically different from an accounting perspective, net operating income can be used as a proxy for cash flow. As a widely accepted technique of the income approach to value, DCF analysis is most useful when past and expected future cash flows will vary over time, either up or down, as opposed to the direct capitalization technique which assumes a stabilized income is available or can be estimated. A DCF appraisal involves the interaction of four basic parameters: production, price, expense, and discount rate. The first three parameters combine to create a forecasted net income stream, whereas the fourth parameter converts this future net income to a present worth equal to estimated fair market value. Cash flow projection in a DCF can proceed along any chosen time increments; yearly

(“year-by-year”) projections are mathematically convenient and widely used for long-lived assets related to oil and gas production.

*Discount Rate*—the discount rate refers to the rate of interest used in a discounted cash flow (DCF) analysis to determine the present value of predicted future cash flows. Because these cash flows are non-guaranteed, the rate should include not only the time cost of money but also all components of risk that relate to the valuation in the marketplace for oil and gas assets. The discount rate typically exceeds the weighted average cost of capital (WACC) which is the minimum rate needed to justify the cost of a new venture, because future cash flows from a project or investment must meet or exceed the capital outlay needed to fund the project or investment in the present. See discussion of discount rate in §907.B.4 below.

*Disposal Well*—well used for injection of waste fluids or solids into an underground formation for more or less permanent storage.

*Economic Limit*—in a year-by-year DCF appraisal, describes the future point in time in which forecasted net income becomes negative due to allowed direct costs of operation (not counting capital expense, if any) exceeding forecasted revenues. Economic limit can vary between properties and is most often considered a result of each property’s DCF appraisal, not a known input parameter itself.

*Field*—the general geographic region situated over one or more subsurface oil and gas reservoirs or “pools.” Fields can abut or even overlay each other if two or more vertically aligned reservoirs are assigned separate field names by the state’s regulatory body.

*Flowing Well*—a well that produces oil and/or gas to the surface by its own reservoir pressure instead of utilizing mechanical inducement such as a downhole pump, pumping unit, compressor or gas lift.

*Gathering Line/System*—small to medium diameter pipelines that transport oil or gas from a central point of receipt to a transmission line or mainline. A gathering system can include compression and treatment facilities.

*Inactive Wells*—wells that are non-producing or “shut-in.” Shut-in status becomes effective on the date the application for shut-in status is filed, consistent with the Louisiana Office of Conservation requirements.

*Injection Wells*—wells completed as single or wells reclassified by the Louisiana Office of Conservation after a conversion of another well. Injection wells are used for gas and water injection oil and gas formation for production purposes, as well as, disposal wells.

*Lease*—a legal instrument or agreement between the operator (lessee) and a landowner (lessor) which gives the operator the right to explore for and produce mineral resources such as oil and gas. Also, the term often used interchangeable with property.

*Lease/Flow Lines*—typically smaller diameter pipelines that directly connect one or more wells to a central accumulation point, manifold, or process equipment including all check, safety, and allocation meters up to the point of custody transfer such as a LACT unit or sales meter.

*Lease Operating Expense (LOE)*—the costs incurred after drilling and completion activities have ended and production activities have begun. In a DCF appraisal, LOE represents all costs deemed necessary and reasonably prudent for a property

to produce oil and/or gas in the amounts desired. Allowed LOE includes direct recurring costs for items such as labor, contract services, equipment, materials and supplies, treatment and processing of gases and fluids to the point of custody transfer, and overhead. LOE can also include capital expenditures when appropriate. See discussion of expense forecast in §907.B.3 below.

*LUW Code*—an identification code assigned to a well by the Louisiana Office of Conservation located on a particular lease, unit, or a gas lease well.

*Multiple Completions*—wells consisting of more than one producing zone. Deepest or primary completion may or may not be the base well number depending upon the Louisiana Office of Conservation permits and classification.

*Number of Wells*—the total well count included in the DCF appraisal.

*Price Adjustment Factor*—the factor derived to adjust the prior year average price to a more current market price, as of the assessment date.

*Primary Product*—the permitted majority product (oil or gas) produced from a well.

*Production*—the yield or amount of hydrocarbons of an oil or gas well as reported to the Louisiana Office of Conservation. In a DCF appraisal, production is the manufactured product that is projected to be sold and create a future revenue stream. See Decline Curve Analysis.

*Production Depth*—is the depth from the surface to the active lower perforation in each producing zone in which the well is completed. As an example, a well completed in three separate zones is a triple completion and will have three different production depths as determined by the depth of the active lower perforation for each completion.

*Production Rate Decline*—the rate at which the production level of oil and gas assets change (typically reduce) over time. See Decline Curve Analysis.

*Production Train*—the production train includes all the leasehold equipment on site, including the oil and gas wells themselves, required for the production of oil, gas, and related hydrocarbon commodities, subject to ad valorem taxation. Production train does not include equipment downstream from the wellhead or pumping unit that primarily serves to dispose of water or otherwise reduce costs of operation or increase the price of the commodity being sold. The production train includes, but is not limited to, water supply wells, platforms, pad sites, tanks, process facilities such as separators, heater treaters, amine units, etc., injection wells for enhancement of oil and gas production volumes, and all improvements directly related to production activities. The production train can include inactive equipment but not ancillary equipment not directly related to production of the oil and gas wells being appraised.

*Pumping Well*—a well which is not a flowing well and from which oil is produced by use of any type of artificial lifting method such as a pump. Pumps are required when the formation pressure is not sufficient to allow fluids to flow to the surface.

*Recompletion*—any downhole operation to an existing oil or gas well that is conducted to establish production of oil or gas from any geological interval not currently completed or producing in said existing oil or gas well.

*Royalty Interest*—royalty interest in the oil and gas industry refers to ownership of a portion of a resource or the

revenue it produces. A company or person that owns a royalty interest does not bear any operational costs needed to produce the resource, yet they still own a portion of the resource or revenue it produces.

*Sales Meter*—sales meter is a meter at which custody transfer takes place.

*Salvage Leasehold Equipment Value*—the estimated net cash value of the equipment included in the production train either when production ceases or becomes uneconomic to produce commercially.

*Severance Tax Allowance*—the estimated tax rate levied by the state on removal (severance) of oil and gas from the ground, expressed as a percentage deduction from the DCF.

*Single Completions*—

- a. well originally completed as a single;
- b. well reclassified by the Louisiana Office of Conservation after a conversion of multiple completed well to a single producing zone.

*Start Rate*—the daily average production level of oil or gas at the beginning of the appraisal. The start rate can be the average of a brief period of time surrounding the assessment date (January 1 of the current tax year) or the actual daily production rate as of January 1. The rate should be based on all information known and related to the actual expected production as of the assessment date. See discussion of production forecast in §907.B.1 below.

*Starting Price*—the actual average price received by the well/LUW/field in the immediately prior year or available 12 months. See discussion of price forecast in §907.B.2 below.

*Tax Year*—the year of assessment as of January 1 of any annual period.

*Typical Equipment*—See *Production Train*.

*Water Wells*—wells used for production purposes only - both fresh and salt water supply.

*Well Serial Number*—in Louisiana, the permanent identification number assigned to a well by Department of Natural Resources upon approval of the Application for (or to Renew) Permit to Drill for Minerals (MD-10R).

*Working Interest (WI)*—the estate or rights created from a lease agreement that grants oil and gas companies the right to explore for, drill, and produce natural resources such as oil and gas from a designated area of land. The owners of a lease's working interest (typically, the operator and contractually related parties) incur all expenses of a well's physical creation and operation and therefore own the well, as opposed to royalty interest owners who do not own any portion of the well. For DCF purposes described in this chapter, WI is the sum of all working interest net revenue interest decimals included in the LAT-12 reporting, well/LUW/field. It will be a number less than 1.0 in most cases.

*Workovers*—major repairs or modifications which restore or enhance production from a well. An example of a typical workover is cleaning out a well that has sanded up whereas the tubing is pulled and the casing and bottom of the hole is washed out with mud. Workovers can also involve more complex recompletion procedures such as redrilling or hydraulic fracturing (fracking) of the oil or gas formation. Workovers often involve an operator incurring capital expenditures (capex) which may or may not be applicable to a forecast of future net income. See discussion of expense forecast in §907.B.3 below.

D. Well Fair Market Value Classifications. LUW (Lease, Unit, or Well) code is a six-digit code assigned by the Office of Conservation for the purpose of recording production. Each individual well must be listed separately by ward, field name and Louisiana Office of Conservation field code number, location (Sec.-Twp.-Range), lease name, well serial number, lease well number, well type and production depth (active lower perforation of each zone), in accordance with guidelines established by the Tax Commission.

AUTHORITY NOTE: Promulgated in accordance with R.S. 47:1837 and R.S. 47:2323.

HISTORICAL NOTE: Promulgated by the Louisiana Tax Commission, LR 2:359 (November 1976), amended by the Department of Revenue and Taxation, Tax Commission, LR 8:102 (February 1982), LR 9:69 (February 1983), LR 17:1213 (December 1991), LR 19:212 (February 1993), LR 31:717 (March 2005), LR 33:492 (March 2007), LR 35:495 (March 2009), LR 36:773 (April 2010), amended by the Office of the Governor, Division of Administration, Tax Commission, LR 43:652 (April 2017), LR 49:1046 (June 2023), LR 51:381 (March 2025).

### §903. Instructions for Reporting Oil and Gas Properties

A. A separate LAT-12 form is used for each well lease or facility represented by a LUW (Lease, Unit, or Well) code, a six-digit code assigned by the Office of Conservation for the purpose of recording production. An attachment in lieu of the form is permitted only if information is in the same sequence. The LAT-12 form may be reproduced and used as an attachment; however, all attachments must be properly identified and attached to the original. Attachments may take the form of a single Excel file in lieu of a separate LAT-12 form for each well, lease, or facility, provided at least one LAT-12 form is submitted with the required signature(s).

1. Wells under the same assessment number are required to be listed in serial number order.

2. All additional supporting documentation is recommended to be attached to the LAT-12 in an order that allows for ease of review by the assessor.

B. The following data is useful in performing the DCF appraisal of the well(s) and leasehold equipment (production train) and is recommended to be provided with the LAT-12. The detail level will be based on the reporting level of the LAT-12 (well, lease, LUW, field, facility). See further guidelines in §905 (Reporting Procedures).

1. Primary product (oil or gas), total working interest (WI) decimal, total number of wells included, average depth, prior year average price for oil & gas received, operating expense for prior year, capital expense used to enhance production, decline rate, production rate, and any data to support limits or inhibitors to the asset.

2. Decline curves for field averages over time ("type curves") are a useful tool in forecasting future production levels for individual wells/leases/LUW codes.

3. Any additional information that provides the anticipated performance of the assets included in the production train or the associated production should be considered.

C. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 47:1837 and R.S. 47:2326.

HISTORICAL NOTE: Promulgated by the Department of Revenue and Taxation, Tax Commission, LR 8:102 (February 1982), amended LR 16:1063 (December 1990), LR 19:212

(February 1993), LR 22:117 (February 1996), amended by the Office of the Governor, Division of Administration, Tax Commission, LR 48:1523 (June 2022), LR 49:1048 (June 2023), LR 51:383 (March 2025).

**§907. Valuation of Oil, Gas, and Other Wells**

A. - B.4.c. ...

C. In the event the DCF appraisal results in a zero economic life and/or zero or negative discounted net income, a minimum amount of value will be established for the leasehold equipment (production train) associated with the oil and gas well(s) represented by the DCF, applying the appropriate schedule value in Table 907.C-3 to the average production depth of the wells represented by the DCF.

1. In the event the DCF appraisal results in a positive value but less than the minimum equipment value as derived using Table 907.C-3, the assessed value will be based on the minimum equipment value as established by Table 907.C-3.

2. Oil and Gas Well Discount Rates

Table 907.C-2 Oil and Gas Well Discount Rates	
Primary Product	Discount Rate (%)
Oil Well	15 percent
Gas Well	15 percent
Leasehold Equipment	6 percent

3. Minimum Leasehold Equipment Value

Table 907.C-3 Minimum Leasehold Equipment Value		
Onshore/Offshore	Average Production Depth (feet)	Value Per Foot (\$)
Onshore	1 – 1,499	0.50
Onshore	1,500 – 2,499	0.75
Onshore	2,500 – 9,999	1.00
Onshore	10,000 or greater	1.50
Offshore *	All Depths	2.00

\* Includes production platforms/barges.

4. Serial Number to Percent Good Conversion Chart

Table 907.C-4 Serial Number to Percent Good Conversion Chart			
Year	Beginning Serial Number	Ending Serial Number	20 Year Life Percent Good
2024	254511	Higher	97
2023	253984	254510	93
2022	253176	253983	90
2021	252613	253175	86
2020	252171	252612	82
2019	251497	252170	78
2018	250707	251496	74
2017	249951	250706	70
2016	249476	249950	65
2015	248832	249475	60
2014	247423	248831	55
2013	245849	247422	50
2012	244268	245848	45
2011	242592	244267	40
2010	240636	242591	35

Table 907.C-4 Serial Number to Percent Good Conversion Chart			
Year	Beginning Serial Number	Ending Serial Number	20 Year Life Percent Good
2009	239277	240635	31
2008	236927	239276	27
2007	234780	236926	24
2006	232639	234779	22
2005	230643	232638	21
2004	Lower	230642	20 *
VAR.	900000	Higher	50

\*Reflects residual or floor rate.

NOTE: For any serial number categories not listed above, use year well completed to determine appropriate percent good. If spud date is later than year indicated by serial number; or, if serial number is unknown, use spud date to determine appropriate percent good.

D. Surface Equipment

1. Listed below is the cost-new of major items used in the production, storage, transmission and sale of oil and gas. Any equipment not shown shall be assessed on an individual basis.

2. All surface equipment, including other property associated or used in connection with the oil and gas industry in the field of operation, must be rendered in accordance with guidelines established by the Tax Commission and in accordance with requirements set forth on LAT Form 12- Personal Property Tax Report - Oil and Gas Property.

3. Surface equipment will be assessed in 5 major categories, as follows:

- a. oil and gas equipment (surface equipment not considered leasehold equipment);
- b. tanks (surface equipment not considered leasehold equipment);
- c. inventories (material and supplies);
- d. field improvements (docks, buildings, etc.);
- e. other property (not included above).

4. The cost-new values listed below are to be adjusted to allow depreciation by use of the appropriate percent good listed in Table 907.C-4. When determining the value of equipment associated with a single well, use the age of that well to determine the appropriate percent good. When determining the value of equipment used on multiple wells, the average age of the wells within the lease/field will determine the appropriate year to be used for this purpose.

a. January 1, 2016 the allowance of depreciation by use of the appropriate percent good will be based on the actual age of the equipment, if known or available, and will apply only to surface equipment with an original purchase cost of \$2,500 or more.

5. Functional and/or economic obsolescence shall be considered in the analysis of fair market value as substantiated by the taxpayer in writing. Consistent with Louisiana R.S. 47:1957, the assessor may request additional documentation.

6. Sales, properly documented, should be considered by the assessor as fair market value, provided the sale meets all tests relative to it being a valid sale.

7. Surface Equipment—Property Description

Table 907.D-7 Surface Equipment	
Property Description	\$ Cost New
Actuators—(see Metering Equipment)	
Automatic Control Equipment—(see Safety Systems)	
Automatic Tank Switch Unit—(see Metering Equipment)	
Barges - Concrete—(assessed on an individual basis)	
Barges - Storage—(assessed on an individual basis)	
Barges - Utility—(assessed on an individual basis)	
Barges - Work—(assessed on an individual basis)	
Communication Equipment—(see Telecommunications)	
Dampeners—(see Metering Equipment—"Recorders")	
Desorbors—(no metering equipment included):	
125#	138,870
300#	153,120
500#	174,250
Destroilets—(see Metering Equipment—"Regulators")	
Desurgers—(see Metering Equipment—"Regulators")	
Desilters—(see Metering Equipment—"Regulators")	
Diatrollers—(see Metering Equipment—"Regulators")	
Docks, Platforms, Buildings—(assessed on an individual basis)	
Dry Dehydrators (Driers)—(see Scrubbers)	
Engines-Unattached—(only includes engine and skids):	
Per Horsepower	430
Evaporators—(assessed on an individual basis)	
Expander Unit—(no metering equipment included):	
Per Unit	50,940
Flow Splitters—(no metering equipment included):	
48 In. Diameter Vessel	24,800
72 In. Diameter Vessel	32,860
96 In. Diameter Vessel	50,360
120 In. Diameter Vessel	71,530
Fire Control System—(assessed on an individual basis)	
Furniture and Fixtures—(assessed on an individual basis) (Field operations only, according to location.)	
Gas Compressors-Package Unit—(Skids, scrubbers, cooling system, and power controls. No metering or regulating equipment.):	
1 - 49 HP	910
50 - 99 HP	1,830
100 - 999 HP	1,490
1,000 - 1,499 HP	1,140
1,500 HP and Up	1,010
Gas Coolers—(no metering equipment):	
5,000 MCF/D	39,130
10,000 MCF/D	44,070
20,000 MCF/D	137,100
50,000 MCF/D	311,060
100,000 MCF/D	509,440
Generators—Package Unit only -(no special installation) Per K.W.	290
Glycol Dehydration-Package Unit—(Including pressure gauge, relief valve and regulator. No other metering equipment.):	
Up to 4.0 MMCF/D	27,470
4.1 to 5.0 MMCF/D	30,630
5.1 to 10.0 MMCF/D	59,060
10.1 to 15.0 MMCF/D	82,180
15.1 to 20.0 MMCF/D	111,860
20.1 to 25.0 MMCF/D	145,450
25.1 to 30.0 MMCF/D	276,280
30.1 to 50.0 MMCF/D	308,620
50.1 to 75.0 MMCF/D	383,930
75.1 and Up MMCF/D	442,990

Table 907.D-7 Surface Equipment	
Property Description	\$ Cost New
Heaters—(Includes unit, safety valves, regulators and automatic shut-down. No metering equipment.):	
Steam Bath—Direct Heater:	
24 In. Diameter Vessel - 250,000 BTU/HR Rate	9,530
30 In. Diameter Vessel - 500,000 BTU/HR Rate	11,970
36 In. Diameter Vessel - 750,000 BTU/HR Rate	14,470
48 In. Diameter Vessel - 1,000,000 BTU/HR Rate	21,410
60 In. Diameter Vessel - 1,500,000 BTU/HR Rate	26,430
Water Bath—Indirect Heater:	
24 In. Diameter Vessel - 250,000 BTU/HR Rate	8,130
30 In. Diameter Vessel - 500,000 BTU/HR Rate	11,150
36 In. Diameter Vessel - 750,000 BTU/HR Rate	14,540
48 In. Diameter Vessel - 1,000,000 BTU/HR Rate	20,600
60 In. Diameter Vessel - 1,500,000 BTU/HR Rate	26,360
Steam—(Steam Generators):	
24 In. Diameter Vessel - 250,000 BTU/HR Rate	10,410
30 In. Diameter Vessel - 450,000 BTU/HR Rate	13,000
36 In. Diameter Vessel - 500 to 750,000 BTU/HR Rate	19,500
48 In. Diameter Vessel - 1 to 2,000,000 BTU/HR Rate	22,370
60 In. Diameter Vessel - 2 to 3,000,000 BTU/HR Rate	25,330
72 In. Diameter Vessel - 3 to 6,000,000 BTU/HR Rate	40,020
96 In. Diameter Vessel - 6 to 8,000,000 BTU/HR Rate	48,070
Heat Exchange Units-Skid Mounted—(see Production Units)	
Heater Treaters—(Necessary controls, gauges, valves and piping. No metering equipment included.):	
Heater - Treaters - (non-metering):	
4 x 20 ft.	20,820
4 x 27 ft.	26,800
6 x 20 ft.	28,060
6 x 27 ft.	35,290
8 x 20 ft.	44,060
8 x 27 ft.	52,630
10 x 20 ft.	59,440
10 x 27 ft.	69,930
L.A.C.T. (Lease Automatic Custody Transfer)—see Metering Equipment)	
JT Skid (Low Temperature Extraction)—(includes safety valves, temperature controllers, chokes, regulators, metering equipment, etc.—complete unit.):	
Up to 2 MMCF/D	51,680
Up to 5 MMCF/D	73,830
Up to 10 MMCF/D	177,200
Up to 20 MMCF/D	295,320
Liqua Meter Units—(see Metering Equipment)	
Manifolds—(see Metering Equipment)	
Material and Supplies-Inventories—(assessed on an individual basis)	
Meter Calibrating Vessels—(see Metering Equipment)	
Meter Prover Tanks—(see Metering Equipment)	
Meter Runs—(see Metering Equipment)	
Meter Control Stations—(not considered Communication Equipment) - (assessed on an individual basis)	
Metering Equipment	
Actuators—hydraulic, pneumatic and electric valves	8,040
Controllers—time cycle valve - valve controlling device (also known as Intermitter)	2,510
Fluid Meters:	
1 Level Control	
24 In. Diameter Vessel - 1/2 bbl. Dump	6,120
30 In. Diameter Vessel - 1 bbl. Dump	7,900
36 In. Diameter Vessel - 2 bbl. Dump	10,930
2 Level Control	
20 In. Diameter Vessel - 1/2 bbl. Dump	5,760
24 In. Diameter Vessel - 1/2 bbl. Dump	6,930
30 In. Diameter Vessel - 1 bbl. Dump	8,710
36 In. Diameter Vessel - 2 bbl. Dump	11,730

Table 907.D-7 Surface Equipment	
Property Description	\$ Cost New
L.A.C.T. and A.T.S. Units:	
30 lb. Discharge	38,690
60 lb. Discharge	44,070
Manifolds—Manual Operated:	
High Pressure	
per well	30,340
per valve	10,270
Low Pressure	
per well	14,690
per valve	4,870
Manifolds—Automatic Operated:	
High Pressure	
per well	54,860
per valve	18,090
Low Pressure	
per well	39,130
per valve	13,210
NOTE: Automatic Operated System includes gas hydraulic and pneumatic valve actuators, (or motorized valves), block valves, flow monitors-in addition to normal equipment found on manual operated system. No Metering Equipment Included.	
Meter Runs—piping, valves and supports—no meters:	
2 In. piping and valve	8,270
3 In. piping and valve	9,300
4 In. piping and valve	11,230
6 In. piping and valve	15,650
8 In. piping and valve	23,500
10 In. piping and valve	31,300
12 In. piping and valve	39,130
14 In. piping and valve	53,300
16 In. piping and valve	69,620
18 In. piping and valve	86,240
20 In. piping and valve	112,070
22 In. piping and valve	141,240
24 In. piping and valve	172,920
Metering Vessels (Accumulators):	
1 bbl. calibration plate (20 x 9)	4,800
5 bbl. calibration plate (24 x 10)	5,160
7.5 bbl. calibration plate (30 x 10)	7,240
10 bbl. calibration plate (36 x 10)	9,000
Recorders (Meters)—Includes both static element and tube drive pulsation dampener-also one and two pen operations.	
per meter	3,330
Solar Panel (also see Telecommunications)	
per unit (10' x 10')	430
Pipe Lines—Lease Lines	
Steel	
2 In. nominal size - per mile	24,060
2 1/2 In. nominal size - per mile	32,410
3 and 3 1/2 In. nominal size - per mile	41,350
4, 4 1/2 and 5 In. nominal size - per mile	71,100
6 In. nominal size - per mile	104,400
Poly Pipe	
2 In. nominal size - per mile	13,210
2 1/2 In. nominal size - per mile	17,800
3 In. nominal size - per mile	22,740
4 In. nominal size - per mile	39,060
6 In. nominal size - per mile	57,360
Plastic-Fiberglass	
2 In. nominal size - per mile	20,530
3 In. nominal size - per mile	35,140
4 In. nominal size - per mile	60,400
6 In. nominal size - per mile	88,660
NOTE: Allow 90 percent obsolescence credit for lines that are inactive, idle, open on both ends and dormant, which are being carried on corporate records solely for the purpose of retaining right of ways on the land and/or due to excessive capital outlay to refurbish or remove the lines.	

Table 907.D-7 Surface Equipment	
Property Description	\$ Cost New
Pipe Stock—(assessed on an individual basis)	
Pipe Stock - Exempt—Under La. Const., Art. X, §4 (19-C)	
Production Units:	
Class I - per unit—separator and 1 heater—500 MCF/D	25,990
Class II - per unit—separator and 1 heater—750 MCF/D	34,620
Production Process Units—These units are by specific design and not in the same category as gas compressors, liquid and gas production units or pump-motor units. (Assessed on an individual basis.)	
Pumps—In Line	
per horsepower rating of motor	360
Pump-Motor Unit—pump and motor only	
Class I - (water flood, s/w disposal, p/l, etc.)	
Up to 300 HP - per HP of motor	430
Class II - (high pressure injection, etc.)	
301 HP and up per HP of motor	530
Pumping Units-Conventional and Beam Balance—(unit value includes motor) - assessed according to API designation.	
16 D	8,490
25 D	15,950
40 D	19,930
57 D	26,580
80 D	44,370
114 D	46,150
160 D	62,090
228 D	67,400
320 D	85,200
456 D	101,160
640 D	122,490
912 D	129,580
NOTE: For "Air Balance" and "Heavy Duty" units, multiply the above values by 1.30.	
Regenerators (Accumulator)—(see Metering Equipment)	
Regulators:	
per unit	3,400
Safety Systems	
Onshore And Marsh Area	
Basic Case:	
well only	6,790
well and production equipment	7,830
with surface op. ssv, add	11,730
Offshore 0 - 3 Miles	
Wellhead safety system (excludes wellhead actuators)	
per well	19,570
production train	48,960
glycol dehydration system	29,390
P/L pumps and LACT	68,520
Compressors	43,040
Wellhead Actuators (does not include price of the valve)	
5,000 psi	4,870
10,000 psi and over	7,310
NOTE: For installation costs - add 25 percent	
Sampler—(see Metering Equipment—"Fluid Meters")	
Scrubbers—Two Classes	
Class I - Manufactured for use with other major equipment and, at times, included with such equipment as part of a package unit.	
8 In. Diameter Vessel	4,130
10 In. Diameter Vessel	5,900
12 In. Diameter Vessel	6,720
Class II - Small "in-line" scrubber used in flow system usually direct from gas well. Much of this type is "shop-made" and not considered as major scrubbing equipment.	
8 In. Diameter Vessel	1,920
12 In. Diameter Vessel	2,510
NOTE: No metering or regulating equipment included in the above.	



Table 907.D-7 Surface Equipment	
Property Description	\$ Cost New
Separators—(no metering equipment included)	
Horizontal—Filter /1,440 psi (High Pressure)	
6-5/8" OD x 5'-6"	6,050
8-5/8" OD x 7'-6"	6,570
10-3/4" OD x 8'-0"	9,230
12-3/4" OD x 8'-0"	12,400
16" OD x 8'-6"	19,930
20" OD x 8'-6"	29,460
20" OD x 12'-0"	31,010
24" OD x 12'-6"	41,790
30" OD x 12'-6"	60,990
36" OD x 12'-6"	72,500
Separators—(no metering equipment included)	
Vertical 2—Phase /125 psi (Low Pressure)	
24" OD x 7'-6"	6,860
30" OD x 10'-0"	7,390
36" OD x 10'-0"	15,430
Vertical 3—Phase /125 psi (Low Pressure)	
24" OD x 7'-6"	7,240
24" OD x 10'-0"	8,200
30" OD x 10'-0"	11,370
36" OD x 10'-0"	16,170
42" OD x 10'-0"	18,760
Horizontal 3—Phase /125 psi (Low Pressure)	
24" OD x 10'-0"	10,700
30" OD x 10'-0"	13,730
36" OD x 10'-0"	14,990
42" OD x 10'-0"	23,920
Vertical 2—Phase /1440 psi (High Pressure)	
12-3/4" OD x 5'-0"	4,060
16" OD x 5'-6"	6,050
20" OD x 7'-6"	11,520
24" OD x 7'-6"	13,960
30" OD x 10'-0"	21,260
36" OD x 10'-0"	27,540
42" OD x 10'-0"	44,070
48" OD x 10'-0"	51,980
54" OD x 10'-0"	78,700
60" OD x 10'-0"	98,420
Vertical 3 - Phase /1440 psi (High Pressure)	
16" OD x 7'-6"	7,090
20" OD x 7'-6"	12,400
24" OD x 7'-6"	14,400
30" OD x 10'-0"	22,220
36" OD x 10'-0"	28,430
42" OD x 10'-0"	46,370
48" OD x 10'-0"	53,760
Horizontal 2—Phase /1440 psi (High Pressure)	
16" OD x 7'-6"	6,930
20" OD x 7'-6"	11,150
24" OD x 10'-0"	15,210
30" OD x 10'-0"	23,410
36" OD x 10'-0"	29,670
42" OD x 15'-0"	60,240
48" OD x 15'-0"	69,470
Horizontal 3—Phase /1440 psi (High Pressure)	
16" OD x 7'-6"	10,700
20" OD x 7'-6"	11,970
24" OD x 10'-0"	17,420
30" OD x 10'-0"	24,800
36" OD x 10'-0"	35,740
36" OD x 15'-0"	39,940
Offshore Horizontal 3—Phase /1440 psi (High Pressure)	
30" OD x 10'-0"	51,460
36" OD x 10'-0"	49,100
36" OD x 12'-0"	71,250
36" OD x 15'-0"	74,350
42" OD x 15'-0"	115,400
Skimmer Tanks—(see Flow Tanks in Tanks section)	
Stabilizers—per unit	7,600
Sump/Dump Tanks—(See Metering Equipment - "Fluid Tanks")	

Table 907.D-7 Surface Equipment	
Property Description	\$ Cost New
Tanks—no metering equipment	
Flow Tanks (receiver or gunbarrel)	
50 to 548 bbl. Range (average tank size - 250 bbl.)	47.50
Stock Tanks (lease tanks)	
100 to 750 bbl. Range (average tank size - 300 bbl.)	37.00
Storage Tanks (Closed Top)	
1,000 barrel	31.40
1,500 barrel	27.80
2,000 barrel	27.00
2,001 - 5,000 barrel	24.80
5,001 - 10,000 barrel	23.30
10,001 - 15,000 barrel	21.80
15,001 - 55,000 barrel	15.30
55,001 - 150,000 barrel	11.50
Internal Floating Roof	
10,000 barrel	44.90
20,000 barrel	30.40
30,000 barrel	22.60
50,000 barrel	20.10
55,000 barrel	19.40
80,000 barrel	17.10
100,000 barrel	14.90
*I.E.: (tanks size bbls.) X (no. of bbls.) X (cost-new factor.)	
Telecommunications Equipment	
Microwave System	
Telephone and data transmission	59,060
Radio telephone	4,430
Supervisory controls:	
remote terminal unit, well	12,620
master station	28,790
towers (installed):	
heavy duty, guyed, per foot	740
light duty, guyed, per foot	60
heavy duty, self supporting, per foot	750
light duty, self supporting, per foot	150
equipment building, per sq. ft.	220
solar panels, per sq. ft.	70
Utility Compressors	
per horsepower - rated on motor	970
Vapor Recovery Unit—no Metering Equipment	
60 MCF/D or less	25,840
105 MCF/D max	36,920
250 MCF/D max	48,730
Waterknockouts—Includes unit, backpressure valve and regulator, but, no metering equipment.	
2' diam. x 16'	7,010
3' diam. x 10'	10,490
4' diam. x 10'	14,470
6' diam. x 10'	23,700
6' diam. x 15'	27,400
8' diam. x 10'	34,330
8' diam. x 15'	39,430
8' diam. x 20'	43,700
8' diam. x 25'	48,650
10' diam. x 20'	57,220

## 8. Service Stations

Table 907.D-8 Service Stations Marketing Personal Property *Alternative Procedure	
Property Description	\$ Cost New
Air and Water Units:	
Above ground	1,650
Below ground	700
Air Compressors:	
1/3 to 1 H.P.	2,210
1/2 to 5 H.P.	3,740

Table 907.D-8 Service Stations Marketing Personal Property *Alternative Procedure	
Property Description	\$ Cost New
Car Wash Equipment:	
In Bay (roll over brushes)	59,440
In Bay (pull through)	92,270
Tunnel (40 to 50 ft.)	200,830
Tunnel (60 to 75 ft.)	268,750
Drive On Lifts:	
Single Post	10,850
Dual Post	12,220
Lights:	
Light Poles (each)	1,100
Lights - per pole unit	1,230
Pumps:	
Non-Electronic - self contained and/or remote controlled computer	
Single	4,700
Dual	6,980
Computerized - non-self service, post pay, pre/post pay, self contained and/or remote controlled dispensers	
Single	7,940
Dual	10,700
Read-Out Equipment (at operator of self service)	
Per Hose Outlet	1,740
Signs:	
Station Signs	
6 ft. lighted - installed on 12 ft. pole	5,250
10 ft. lighted - installed on 16 ft. pole	9,600
Attachment Signs (for station signs)	
Lighted "self-serve" (4 x 11 ft.)	4,380
Lighted "pricing" (5 x 9 ft.)	4,470
High Rise Signs - 16 ft. lighted - installed on:	
1 pole	15,890
2 poles	20,800
3 poles	23,270
Attachment Signs (for high rise signs)	
Lighted "self-serve" (5 x 17 ft.)	8,450
Lighted "pricing" (5 x 9 ft.)	4,470
Submerged Pumps—(used with remote control equipment, according to number used - per unit)	4,690
Tanks—(average for all tank sizes)	
Underground - per gallon	2.70

NOTE: The above represents the cost-new value of modern stations and self-service marketing equipment. Other costs associated with such equipment are included in improvements. Old style stations and equipment should be assessed on an individual basis, at the discretion of the tax assessor, when evidence is furnished to substantiate such action.

\*This alternative assessment procedure should be used only when acquisition cost and age are unknown or unavailable. Otherwise, see general business section (Chapter 25) for normal assessment procedure.

AUTHORITY NOTE: Promulgated in accordance with R.S. 47:1837 and R.S. 47:2326.

HISTORICAL NOTE: Promulgated by the Department of Revenue and Taxation, Tax Commission, LR 8:102 (February 1982), amended LR 12:36 (January 1986), LR 13:188 (March 1987), LR 13:764 (December 1987), LR 14:872 (December 1988), LR 15:1097 (December 1989), LR 16:1063 (December 1990), LR 17:1213 (December 1991), LR 19:212 (February 1993), LR 20:198 (February 1994), LR 21:186 (February 1995), LR 22:117 (February 1996), LR 23:205 (February 1997), amended by the Department of Revenue, Tax Commission, LR 24:480 (March 1998), LR 25:313 (February 1999), LR 26:507 (March 2000), LR 27:425 (March 2001), LR 28:518 (March 2002), LR 29:368 (March 2003), LR 30:488 (March 2004), LR 31:717 (March 2005), LR 32:431 (March 2006), LR 33:492 (March 2007), LR 34:679 (April 2008), LR 35:495 (March 2009), LR 36:773 (April 2010), amended by the Division of Administration, Tax Commission, LR 37:1395 (May

2011), LR 38:803 (March 2012), LR 39:490 (March 2013), LR 40:531 (March 2014), LR 41:673 (April 2015), LR 42:746 (May 2016), LR 43:653 (April 2017), LR 44:580 (March 2018), repromulgated LR 44:917 (May 2018), LR 45:534 (April 2019), LR 46:561 (April 2020), LR 47:465 (April 2021), LR 48:1523 (June 2022), LR 49:1049 (June 2023), LR 50:373 (March 2024), LR 51:384 (March 2025).

## Chapter 10. Brine Operation Properties

### §1007. Valuation of Brine Operation Wells

A. The Cost-New schedules below cover only that portion of the well subject to ad valorem taxation. Functional and/or economic obsolescence shall be considered in the analysis of fair market value as substantiated by the taxpayer in writing. Consistent with Louisiana R.S. 47:1957, the assessor may request additional documentation.

B. Instructions for Use of Table 1007.B and 1007.C and Procedure for Arriving at Assessed Value

1. Multiply the appropriate percent good factor based on age of the well as found in Table 1007.D.

2. Cost-New tables.

a. Use Table 1007.B to assess all service wells based on producing depth.

b. Use Table 1007.C to assess all operation wells based on long-string casing diameter size.

3. Recompleted Wells

a. For service wells recompleted, use new long-string casing depth to determine Cost-New amount.

b. For operation wells recompleted, use new long-string casing diameter size to determine Cost-New amount.

4. Adjustments for Allowance of Economic Obsolescence

a. All inactive (shut-in) wells shall be allowed a 90 percent reduction.

b. Deduct any additional obsolescence that has been appropriately documented by the taxpayer, as warranted, to reflect fair market value.

c. Sales, properly documented, should be considered by the assessor as fair market value, provided the sale meets all tests relative to it being a valid sale.

5. Multiply depth of well by appropriate 15 percent of Cost-New amount as indicated in Table 1007.B/Table 1007.C.

6. For Tax Year 2025, the assessed value of the wells assessed in this Chapter, on an individual property basis, is to be limited to a range of 50% to 150% of the assessed value of the same wells in the previous tax year. This limitation is inclusive of only the wells assessed in both years.

7. Brine Service Wells: All Regions—Louisiana

Table 1007.B Brine Service Wells All Regions—Louisiana		
Producing Depths	Cost—New by depth, per foot for Brine Service Wells	
	Cost @ 100%	15% Assessed
0 – 1,249 ft.	\$ 163.31	\$ 24.50
1,250 – 2,499 ft.	\$ 120.98	\$ 18.15
2,500 – 3,749 ft.	\$ 118.13	\$ 17.72
3,750 – 4,999 ft.	\$ 104.13	\$ 15.62
5,000 – 7,499 ft.	\$ 142.25	\$ 21.34
7,500 – 9,999 ft.	\$ 194.06	\$ 29.11
10,000 – 12,499 ft.	\$ 264.61	\$ 39.69
12,500 – 14,999 ft.	\$ 347.13	\$ 52.07

Table 1007.B Brine Service Wells All Regions—Louisiana		
Producing Depths	Cost—New by depth, per foot for Brine Service Wells	
	15,000 – 17,499 ft.	\$ 562.28
17,500 – 19,999 ft.	\$ 686.51	\$ 102.98
20,000 Deeper ft.	\$ 366.58	\$ 54.99

C. Brine Operation Wells: All Regions—Louisiana

Table 1007.C Brine Operation Wells All Regions—Louisiana		
Long-String Casing Diameter Size	Cost—New \$ per foot for Brine Operation Wells	
	Inches	Cost @ 100%
4	\$ 722.31	\$ 108.35
5	\$ 868.80	\$ 130.32
6	\$ 1,013.49	\$ 152.02
7	\$ 1,157.10	\$ 173.56
8	\$ 1,300.06	\$ 195.01
9	\$ 1,442.67	\$ 216.40
10	\$ 1,585.11	\$ 237.77
11	\$ 1,727.53	\$ 259.13
12	\$ 1,870.03	\$ 280.50
13	\$ 2,012.68	\$ 301.90
14	\$ 2,155.54	\$ 323.33
15	\$ 2,298.65	\$ 344.80
16	\$ 2,442.05	\$ 366.31
17	\$ 2,585.75	\$ 387.86
18	\$ 2,729.78	\$ 409.47
19	\$ 2,874.15	\$ 431.12
20	\$ 3,018.88	\$ 452.83
21	\$ 3,163.97	\$ 474.59
22	\$ 3,309.42	\$ 496.41
23	\$ 3,455.25	\$ 518.29
24	\$ 3,601.46	\$ 540.22
25	\$ 3,748.04	\$ 562.21
26	\$ 3,895.00	\$ 584.25
27	\$ 4,042.34	\$ 606.35
28	\$ 4,190.06	\$ 628.51
29	\$ 4,338.16	\$ 650.72
30	\$ 4,486.64	\$ 673.00
31	\$ 4,635.49	\$ 695.32
32	\$ 4,784.71	\$ 717.71
33	\$ 4,934.30	\$ 740.15
34	\$ 5,084.27	\$ 762.64
35	\$ 5,234.60	\$ 785.19
36	\$ 5,385.29	\$ 807.79
37	\$ 5,536.34	\$ 830.45
38	\$ 5,687.75	\$ 853.16
39	\$ 5,839.52	\$ 875.93
40	\$ 5,991.64	\$ 898.75

D. Serial Number to Percent Good Conversion

Table 1007.D Serial Number to Percent Good Conversion Chart			
Year	Beginning Serial Number	Ending Serial Number	20 Year Life Percent Good
2024	254511	Higher	97
2023	253984	254510	93
2022	253176	253983	90
2021	252613	253175	86
2020	252171	252612	82

Table 1007.D Serial Number to Percent Good Conversion Chart			
Year	Beginning Serial Number	Ending Serial Number	20 Year Life Percent Good
2019	251497	252170	78
2018	250707	251496	74
2017	249951	250706	70
2016	249476	249950	65
2015	248832	249475	60
2014	247423	248831	55
2013	245849	247422	50
2012	244268	245848	45
2011	242592	244267	40
2010	240636	242591	35
2009	239277	240635	31
2008	236927	239276	27
2007	234780	236926	24
2006	232639	234779	22
2005	230643	232638	21
2004	Lower	230642	20 *
VAR.	900000	Higher	50

\*Reflects residual or floor rate.

NOTE: For any serial number categories not listed above, use year well completed to determine appropriate percent good. If spud date is later than year indicated by serial number; or, if serial number is unknown, use spud date to determine appropriate percent good.

E. Surface Equipment

1. Listed below is the cost-new of major items potentially used in the brine operation process. Any equipment not shown shall be assessed on an individual basis.

2. All surface equipment, including other property associated or used in connection with brine operations, must be rendered in accordance with guidelines established by the Tax Commission and in accordance with requirements set forth on LAT Form 10—Personal Property Tax Report—Brine Operation Property.

3. Brine operation personal property will be assessed in 7 major categories, as follows:

- a. wells;
- b. operation equipment (surface equipment);
- c. tanks (surface equipment);
- d. lines;
- e. inventories (material and supplies);
- f. field improvements (docks, buildings, etc.);
- g. other property (not included above).

4. The cost-new values listed below are to be adjusted to allow depreciation by use of the appropriate percent good listed in Table 1007.C. When determining the value of equipment associated with a single well, use the age of that well to determine the appropriate percent good. When determining the value of equipment used on multiple wells, the average age of the wells will determine the appropriate year to be used for this purpose.

5. Functional and/or economic obsolescence shall be considered in the analysis of fair market value as substantiated by the taxpayer in writing. Consistent with Louisiana R.S. 47:1957, the assessor may request additional documentation.

6. Sales, properly documented, should be considered by the assessor as fair market value, provided the sale meets all tests relative to it being a valid sale.

7. Surface Equipment—Property Description

Table 1007.E Surface Equipment	
Property Description	\$ Cost New
Actuators—(See Metering Equipment)	
Automatic Control Equipment—(See Safety Systems)	
Automatic Tank Switch Unit—(See Metering Equipment)	
Communication Equipment—(See Telecommunications)	
Dampeners—(See Metering Equipment— "Recorders")	
Engines - Unattached—(Only includes engine and skids): Per Horsepower	430
Fire Control System—(Assessed on an individual basis)	
Furniture and Fixtures—(Assessed on an individual basis) (Field operations only, according to location.)	
Generators—Package Unit only—(No special installation) Per K.W.	290
Manifolds—(See Metering Equipment)	
Material and Supplies—Inventories—(Assessed on an individual basis)	
Meter Calibrating Vessels—(See Metering Equipment)	
Meter Prover Tanks—(See Metering Equipment)	
Meter Runs—(See Metering Equipment)	
Meter Control Stations—(not considered Communication Equipment)—(Assessed on an individual basis)	
Metering Equipment Manifolds—Automatic Operated: High Pressure per well per valve Low Pressure per well per valve	54,860 18,090 39,130 13,210
NOTE: Automatic Operated System includes gas hydraulic and pneumatic valve actuators, (or motorized valves), block valves, flow monitors—in addition to normal equipment found on manual operated system. NO METERING EQUIPMENT INCLUDED.	
Meter Runs - piping, valves and supports—no meters: 2 In. piping and valve 3 In. piping and valve 4 In. piping and valve 6 In. piping and valve 8 In. piping and valve 10 In. piping and valve 12 In. piping and valve 14 In. piping and valve 16 In. piping and valve 18 In. piping and valve 20 In. piping and valve 22 In. piping and valve 24 In. piping and valve	8,270 9,300 11,230 15,650 23,500 31,300 39,130 53,300 69,620 86,240 112,070 141,240 172,920
Metering Vessels (Accumulators): 1 bbl. calibration plate (20 x 9) 5 bbl. calibration plate (24 x 10) 7.5 bbl. calibration plate (30 x 10) 10 bbl. calibration plate (36 x 10)	4,800 5,160 7,240 9,000
Recorders (Meters)—Includes both static element and tube drive pulsation dampener—also one and two pen operations. per meter	3,330
SOLAR PANEL (also see Telecommunications)	

Table 1007.E Surface Equipment	
Property Description	\$ Cost New
per unit (10' x 10')	430
Pipe Lines - Lease Lines Steel 2 In. nominal size—per mile 2 ½ In. nominal size—per mile 3 and 3 ½ In. nominal size—per mile 4, 4 ½ and 5 In. nominal size—per mile 6 In. nominal size—per mile	24,060 32,410 41,350 71,100 104,400
Poly Pipe 2 In. nominal size—per mile 2 ½ In. nominal size—per mile 3 In. nominal size—per mile 4 In. nominal size—per mile 6 In. nominal size—per mile	13,210 17,800 22,740 39,060 57,360
Pipe Lines—Lease Lines (Cont'd) Plastic—Fiberglass 2 In. nominal size—per mile 3 In. nominal size—per mile 4 In. nominal size—per mile 6 In. nominal size—per mile	20,530 35,140 60,400 88,660
NOTE: Allow 90% obsolescence credit for lines that are inactive, idle, open on both ends and dormant, which are being carried on corporate records solely for the purpose of retaining right of ways on the land and/or due to excessive capital outlay to refurbish or remove the lines.	
Pipe Stock—(Assessed on an individual basis)	
Pipe Stock—Exempt—Under La. Const., Art. X, §4 (19-C)	
Pumps—In Line per horsepower rating of motor	360
Pump—Motor Unit—pump and motor only Class I—(water flood, s/w disposal, p/l, etc.) Up to 300 HP—per HP of motor Class II—(high pressure injection, etc.) 301 HP and up—per HP of motor	430 530
Regenerators (Accumulator)—(See Metering Equipment)	
Regulators per unit	3,400
Skimmer Tanks—(See Flow Tanks in Tanks section)	
Sump/Dump Tanks—(See Metering Equipment - "Fluid Tanks")	
Tanks—No metering equipment Flow Tanks (receiver or gunbarrel) 50 to 548 bbl. Range average tank size—250 bbl. Stock Tanks (lease tanks) 100 to 750 bbl. Range average tank size—300 bbl. Storage Tanks (Closed Top) 1,000 barrels 1,500 barrels 2,000 barrels 2,001—5,000 barrels 5,001—10,000 barrels 10,001—15,000 barrels 15,001—55,000 barrels 55,001—150,000 barrels	Per Barrel* 47.50 37.00 31.40 27.80 27.00 24.80 23.30 21.80 15.30 11.50
Internal Floating Roof 10,000 barrels 20,000 barrels 30,000 barrels 50,000 barrels 55,000 barrels 80,000 barrels 100,000 barrels	44.90 30.40 22.60 20.10 19.40 17.10 14.90
* I.E.: (tanks size bbls.) x (no. of bbls.) x (cost-new factor)	
Telecommunications Equipment Microwave System Telephone and data transmission Radio telephone	59,060 4,430

Table 1007.E Surface Equipment	
Property Description	\$ Cost New
Supervisory controls	
remote terminal unit, well	12,620
master station	28,790
towers (installed):	
heavy duty, guyed, per foot	740
light duty, guyed, per foot	60
heavy duty, self supporting, per foot	750
light duty, self supporting, per foot	150
equipment building, per sq. ft.	220
solar panels, per sq. ft.	70
Utility Compressors	
per horsepower—rated on motor	970

AUTHORITY NOTE: Promulgated in accordance with R.S. 47:1837 and R.S. 47:2326.

HISTORICAL NOTE: Promulgated by the Division of Administration, Tax Commission, LR 49:1056 (June 2023), amended LR 50:379 (March 2024), LR 51:388 (March 2025).

**Chapter 11. Drilling Rigs and Related Equipment**  
**\$1103. Drilling Rigs and Related Equipment Tables**

**A. Land Rigs**

Table 1103.A Land Rigs		
Depth "0" to 7,000 Feet		
Depth (Ft.)	Fair Market Value	Assessment
	\$	\$
3,000	217,200	32,600
4,000	303,200	45,500
5,000	308,100	46,200
6,000	323,700	48,600
7,000	408,300	61,200
Depth 8,000 to 10,000 Feet		
Depth (Ft.)	Fair Market Value	Assessment
	\$	\$
8,000	591,700	88,800
9,000	879,600	131,900
10,000	1,259,300	188,900
Depth 11,000 to 15,000 Feet		
Depth (Ft.)	Fair Market Value	Assessment
	\$	\$
11,000	1,703,900	255,600
12,000	2,177,700	326,700
13,000	2,640,800	396,100
14,000	3,054,400	458,200
15,000	3,385,200	507,800
Depth 16,000 to 20,000 Feet		
Depth (Ft.)	Fair Market Value	Assessment
	\$	\$
16,000	3,611,100	541,700
17,000	3,725,200	558,800
18,000	3,741,400	561,200
19,000	3,699,200	554,900
20,000	3,668,400	550,300
Depth 21,000 + Feet		
Depth (Ft.)	Fair Market Value	Assessment
	\$	\$
21,000	3,754,100	563,100
25,000 +	3,896,800	584,500

1. - 2. ...

**B. Jack-Ups**

Table 1103.B Jack-Ups			
Type	Water Depth Rating	Fair Market Value	Assessment
IC	0-199 FT.	\$ 70,000,000	\$ 10,500,000
	200-299 FT.	139,700,000	20,955,000
	300 FT. and Deeper	279,200,000	41,880,000
IS	0-199 FT.	21,000,000	3,150,000
	200-299 FT.	34,900,000	5,235,000
	300 FT. and Deeper	42,000,000	6,300,000
MC	0-199 FT.	7,000,000	1,050,000
	200-299 FT.	14,000,000	2,100,000
	300 FT. and Deeper	55,900,000	8,385,000
MS	0-249 FT.	14,600,000	2,190,000
	250 FT. and Deeper	28,900,000	4,335,000

IC - Independent Leg Cantilever

IS - Independent Leg Slot

MC - Mat Cantilever

MS - Mat Slot

**C. Semisubmersible Rigs**

Table 1103.C Semisubmersible Rigs		
Water Depth Rating	Fair Market Value	Assessment
	\$	\$
0- 800 FT.	63,900,000	9,585,000
801-1,800 FT.	114,400,000	17,160,000
1,801-2,500 FT.	209,700,000	31,455,000
2,501FT. and Deeper	657,900,000	98,685,000

NOTE: The fair market values and assessed values indicated by these tables are based on the current market (sales) appraisal approach and not the cost approach.

1. - 3.b.i. ...

**D. Well Service Rigs Land Only**

Table 1103.D Well Service Rigs Land Only				
Class	Mast	Engine	Fair Market Value (RCNLD)	Assessment
I	71' X 125M#	C-7 50 SERIES 6V71	95,000	14,300
	71' X 150M#			
	72' X 125M#			
	72' X 150M#			
	75' X 150M#			
II	96' X 150M#	C-11 50 SERIES 8V71	135,000	20,300
	96' X 180M#			
	96' X 185M#			
	96' X 200M#			
	96' X 205M#			
	96' X 210M#			
	96' X 212M#			
III	96' X 240M#	C-11 50 SERIES 8V92	170,000	25,500
	96' X 250M#			
	96' X 260M#			
	102' X 215M#			

Table 1103.D Well Service Rigs Land Only				
Class	Mast	Engine	Fair Market Value (RCNLD)	Assessment
IV	102' X 224M# 102' X 250M# 103' X 225M# 103' X 250M# 104' X 250M# 105' X 225M# 105' X 250M#	C-15/C-13 60 SERIES 12V71	200,000	30,000
V	105' X 280M# 106' X 250M# 108' X 250M# 108' X 260M# 108' X 268M# 108' X 270M# 108' X 300M#	C-15/C-13 60 SERIES 12V71 12V92	230,000	34,500
VI	110' X 250M# 110' X 275M# 112' X 300M# 112' X 350M#	C-15 60 SERIES 12V71 (2) 8V92	265,000	39,800
VII	117' X 350M#	(2) C-18 (2) 60 SERIES (2) 8V92 (2) 12V71	310,000	46,500

D.1. - E.1. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 47:1837 and R.S. 47:2323.

HISTORICAL NOTE: Promulgated by the Department of Revenue and Taxation, Tax Commission, LR 8:102 (February 1982), amended LR 10:939 (November 1984), LR 12:36 (January 1986), LR 13:188 (March 1987), LR 16:1063 (December 1990), LR 17:1213 (December 1991), LR 22:117 (February 1996), LR 23:205 (February 1997), amended by the Department of Revenue, Tax Commission, LR 24:487 (March 1998), LR 25:315 (February 1999), LR 26:508 (March 2000), LR 27:426 (March 2001), LR 28:519 (March 2002), LR 30:488 (March 2004), LR 31:718 (March 2005), LR 32:431 (March 2006), LR 33:493 (March 2007), LR 34:683 (April 2008), LR 35:497 (March 2009), LR 36:778 (April 2010), amended by the Division of Administration, Tax Commission, LR 37:1399 (May 2011), LR 38:808 (March 2012), LR 39:495 (March 2013), LR 40:536 (March 2014), LR 41:678 (April 2015), LR 42:748 (May 2016), LR 43:654 (April 2017), LR 44:581 (March 2018), LR 45:535 (April 2019), LR 46:562 (April 2020), LR 47:467 (April 2021), LR 48:1525 (June 2022), LR 49:1058 (June 2023), LR 50:381 (March 2024), LR 51:391 (March 2025).

**Chapter 13. Pipelines**

**§1301. Guidelines for Ascertaining the Fair Market Value of Pipelines**

A. - B. ...

C. Carbon capture pipelines. The category “carbon capture pipelines” includes lateral and transmission pipelines used for the transportation of carbon oxide that has been captured and permanently isolated from the atmosphere by disposal in secure geological storage or displaced from being emitted into the atmosphere by utilization in enhanced oil or natural gas recovery or other purpose for which a commercial market exists. Lateral pipelines are from an emission source to a transmission line or from the transmission line to the disposal or utilization site. Transmission lines gather carbon oxide from lateral lines for transportation to the disposal or utilization area. Note: A line running from an emission source directly to a sequestration

or utilization site is a transmission line. As carbon capture pipelines are a new category of property in this chapter beginning 2025, rules related to such pipelines are intended to be applicable until additional sufficient information becomes available from operations and/or market data to support revised rules.

D. Other pipelines. The category “other pipelines” is generally represented by the larger gathering and transmission pipelines, but includes all lines, other than plastic, 2 inches and larger in diameter. This class of pipelines is normally of better quality, requiring more rigid controls, and not subject to changes in routes as are “lease lines”. Tables 1307.A and 1307. B describe the cost-new per mile for various size pipelines in the “other pipelines” category.

AUTHORITY NOTE: Promulgated in accordance with R.S. 47:1837 and R.S. 47:2323.

HISTORICAL NOTE: Promulgated by the Department of Revenue and Taxation, Tax Commission, LR 8:102 (February 1982), amended LR 10:940 (November 1984), LR 12:36 (January 1986), LR 13:188 (March 1987), LR 13:764 (December 1987), LR 15:1097 (December 1989), amended by the Department of Revenue, Tax Commission. LR 24:488 (March 1998), LR 35:498 (March 2009), LR 51:392 (March 2025).

**§1303. Instructions for Reporting “Other Pipelines”**

A. A separate LAT Form 14 must be used for each ward and tax district (viz., levee districts, drainage districts, special district, etc. – ward). Carbon capture pipelines must be clearly identified on the form as either a lateral or transmission line. An attachment in lieu of the form is permitted only if information is in the same sequence. The LAT Form 14 may be reproduced and used as an attachment. However, all attachments must be properly identified and attached to the original which is signed and dated. A map of the carbon capture pipelines reported shall accompany the LAT-14 Form.

B. If information is not complete and the LAT Form 14 is not properly prepared, report will be returned for further compliance.

AUTHORITY NOTE: Promulgated in accordance with R.S. 47:1837 and R.S. 47:2326.

HISTORICAL NOTE: Promulgated by the Department of Revenue and Taxation, Tax Commission, LR 8:102 (February 1982), LR 51:392 (March 2025).

**§1307. Pipeline Transportation Tables**

A. Current Costs for Other Pipelines (Onshore)

Table 1307.A Current Costs for Other Pipelines (Onshore)		
Diameter (inches)	Cost per Mile	15% of Cost per Mile
2	\$ 253,510	\$ 38,030
4	299,460	44,920
6	353,750	53,060
8	417,880	62,680
10	493,630	74,040
12	583,120	87,470
14	688,830	103,320
16	813,700	122,060
18	961,210	144,180
20	1,135,460	170,320
22	1,341,300	201,200
24	1,584,450	237,670
26	1,871,690	280,750
28	2,210,990	331,650

Table 1307.A Current Costs for Other Pipelines (Onshore)		
Diameter (inches)	Cost per Mile	15% of Cost per Mile
30	2,611,800	391,770
32	3,085,270	462,790
34	3,644,570	546,690
36	4,305,270	645,790
38	5,085,730	762,860
40	6,007,680	901,150
42	7,096,770	1,064,520
44	8,299,450	1,244,920
46	9,556,410	1,433,460
48	11,113,340	1,667,000

NOTE: Excludes river and canal crossings. For river and canal crossings, apply a factor of 2.0 to Cost Per Mile figures in table above.

**B. Current Costs for Other Pipelines (Offshore)**

Table 1307.B Current Costs for Other Pipelines (Offshore)		
Diameter (inches)	Cost per Mile	15% of Cost per Mile
2	\$ 1,507,700	\$ 226,160
4	1,514,070	227,110
6	1,521,870	228,280
8	1,531,130	229,670
10	1,553,410	233,010
12	1,588,710	238,310
14	1,637,040	245,560
16	1,698,390	254,760
18	1,772,760	265,910
20	1,860,160	279,020
22	1,960,580	294,090
24	2,074,020	311,100
26	2,200,490	330,070
28	2,339,980	351,000
30	2,492,490	373,870
32	2,658,030	398,700
34	2,836,580	425,490
36	3,028,170	454,230
38	3,232,770	484,920
40	3,450,400	517,560
42	3,681,050	552,160
44	3,924,720	588,710
46	4,181,420	627,210
48	4,451,140	667,670

**C. Pipeline Transportation Allowance for Physical Deterioration (Depreciation)**

Table 1307.C Pipeline Transportation Allowance for Physical Deterioration (Depreciation)	
Actual Age (Yrs)	26.5 Year Life Percent Good
1	98
2	96
3	94
4	91
5	88
6	86

Table 1307.C Pipeline Transportation Allowance for Physical Deterioration (Depreciation)	
Actual Age (Yrs)	26.5 Year Life Percent Good
7	83
8	80
9	77
10	73
11	70
12	67
13	63
14	60
15	56
16	52
17	48
18	44
19	39
20	35
21	33
22	30
23	28
24	26
25	25
26	23
27 and older	20 *

\* Reflects residual or floor rate.

NOTE: See §1305.G (page PL-3) for method of recognizing economic obsolescence.

**AUTHORITY NOTE:** Promulgated in accordance with R.S. 47:1837 and R.S. 47:2323.

**HISTORICAL NOTE:** Promulgated by the Department of Revenue and Taxation, Tax Commission, LR 8:102 (February 1982), amended LR 10:941 (November 1984), LR 12:36 (January 1986), LR 16:1063 (December 1990), amended by the Department of Revenue, Tax Commission, LR 24:489 (March 1998), LR 25:316 (February 1999), LR 26:509 (March 2000), LR 27:426 (March 2001), LR 31:719 (March 2005), LR 32:432 (March 2006), LR 33:494 (March 2007), LR 34:684 (April 2008), LR 35:499 (March 2009), LR 36:778 (April 2010), amended by the Division of Administration, Tax Commission, LR 37:1401 (May 2011), LR 38:809 (March 2012), LR 39:496 (March 2013), LR 40:537 (March 2014), LR 41:680 (April 2015), LR 42:748 (May 2016), LR 43:655 (April 2017), LR 44:582 (March 2018), LR 45:535 (April 2019), LR 46:563 (April 2020), LR 47:468 (April 2021), LR 48:1526 (June 2022), LR 49:1059 (June 2023), LR 50:383 (March 2024), LR 51:392 (March 2025).

**Chapter 15. Aircraft**

**§1503. Aircraft (Including Helicopters) Table**

**A. Aircraft (Including Helicopters)**

Table 1503 Aircraft (Including Helicopters)				
Cost Index (Average)		Average Economic Life (20 Years)		
Year	Index	Effective Age	Percent Good	Composite Multiplier
2024	0.987	1	97	.96
2023	1.000	2	93	.93
2022	1.018	3	90	.92
2021	1.196	4	86	1.03
2020	1.301	5	82	1.07
2019	1.307	6	78	1.02
2018	1.354	7	74	1.00

Table 1503 Aircraft (Including Helicopters)				
Cost Index (Average)		Average Economic Life (20 Years)		
Year	Index	Effective Age	Percent Good	Composite Multiplier
2017	1.401	8	70	.98
2016	1.429	9	65	.93
2015	1.417	10	60	.85
2014	1.431	11	55	.79
2013	1.449	12	50	.72
2012	1.461	13	45	.66
2011	1.503	14	40	.60
2010	1.550	15	35	.54
2009	1.538	16	31	.48
2008	1.582	17	27	.43
2007	1.645	18	24	.39
2006	1.734	19	22	.38
2005	1.815	20	21	.38
2004	1.952	21	20	.39

AUTHORITY NOTE: Promulgated in accordance with R.S. 47:1837 and R.S. 47:2323.

HISTORICAL NOTE: Promulgated by the Department of Revenue and Taxation, Tax Commission, LR 8:102 (February 1982), amended LR 10:943 (November 1984), LR 12:36 (January 1986), LR 13:188 (March 1987), LR 13:764 (December 1987), LR 14:872 (December 1988), LR 15:1097 (December 1989), LR 16:1063 (December 1990), LR 17:1213 (December 1991), LR 19:212 (February 1993), LR 20:198 (February 1994), LR 21:186 (February 1995), LR 22:117 (February 1996), LR 23:206 (February 1997), amended by the Department of Revenue, Tax Commission, LR 24:490 (March 1998), LR 25:316 (February 1999), LR 26:509 (March 2000), LR 27:427 (March 2001), LR 28:520 (March 2002), LR 29:370 (March 2003), LR 30:489 (March 2004), LR 31:719 (March 2005), LR 32:433 (March 2006), LR 33:495 (March 2007), LR 34:685 (April 2008), LR 35:499 (March 2009), LR 36:779 (April 2010), amended by the Division of Administration, Tax Commission, LR 37:1401 (May 2011), LR 38:809 (March 2012), LR 39:497 (March 2013), LR 40:538 (March 2014), LR 41:680 (April 2015), LR 42:749 (May 2016), LR 43:656 (April 2017), LR 44:584 (March 2018), LR 45:537 (April 2019), LR 46:564 (April 2020), LR 47:469 (April 2021), LR 48:1527 (June 2022), LR 49:1060 (June 2023), LR 50:384 (March 2024), LR 51:393 (March 2025).

**Chapter 25. General Business Assets**

**§2501. Guidelines for Ascertaining the Fair Market Value of Office Furniture and Equipment, Machinery and Equipment and Other Assets Used in General Business Activity**

A. The fair market value of office furniture and equipment, machinery and equipment and other assets used in general business activity can generally best be estimated by the cost approach with consideration of information provided by property owners on annual LAT 5 forms, written and verbal description of valuation factors impacting the property, and other sources. This approach allows the assessors across the state of Louisiana to fairly and uniformly assess business and industrial personal property, while, at the same time, allowing each assessor the discretion that is necessary to accommodate modernization, facelifting of equipment, and obsolescence. However, when market and/or income data is presented or reasonably available, all of the three approaches to value with reliable data should be considered to determine the reconciled fair market value of the assessed property.

B. - C. ...

D. The procedure for establishing the fair market value of business and industrial personal property with the cost approach to value (excluding oil and gas properties, drilling rigs, wells related to permanent sequestration of captured carbon, inventories and leased equipment), includes these steps:

D.1. - D.7. ...

E. Wells related to permanent sequestration of captured carbon are to be valued as the value per foot indicated in Table 2503.E times depth of the well.

F. Nothing in this Section prohibits a taxpayer/property owner from arguing and submitting evidence that the tables contained in this Chapter fail to achieve fair market value in a particular appeal. A taxpayer/property owner has the burden to prove that a deviation from the tables contained in this Chapter is necessary to achieve fair market value.

AUTHORITY NOTE: Promulgated in accordance with R.S. 47:2323.

HISTORICAL NOTE: Promulgated by the Department of Revenue and Taxation, Tax Commission, LR 8:102 (February 1982), amended LR 10:943 (November 1984), LR 12:36 (January 1986), LR 15:1097 (December 1989), LR 16:1063 (December 1990), LR 17:1213 (December 1991), LR 19:212 (February 1993), amended by the Department of Revenue, Tax Commission, LR 31:719 (March 2005), LR 33:495 (March 2007), LR 34:685 (April 2008), LR 35:500 (March 2009), amended by the Office of the Governor, Division of Administration, Tax Commission, LR 42:749 (May 2016), LR 47:469 (April 2021), LR 48:1527 (June 2022), LR 49:1061 (June 2023), LR 51:394 (March 2025).

**§2503. Tables Ascertain Economic Lives, Percent Good and Composite Multipliers of Business and Industrial Personal Property**

A. ...

1. Suggested Guidelines for Ascertaining Economic Lives of Business and Industrial Personal Property

Table 2503.A Business Activity/Type of Equipment	Average Economic Life in Years
Agricultural Machinery and Equipment	10
Feed Mill Equipment (Production Line)	20
***	***
Car Wash (5 min. & coin-op)	10
Carbon Capture, Utilization and Sequestration* Carbon Capture Equipment	15
Equipment Utilizing Captured Carbon to Make Products	15
Equipment Related to Permanent Sequestration of Captured Carbon (See Chapter 13 for CCUS pipelines and §2501.E for CCS wells)	15
* As carbon capture, utilization and sequestration (CCUS) property is a new category of property in this Chapter beginning 2025, rules related to CCUS are intended to be applicable until additional sufficient information becomes available from operations and/or market data to support revised rules.	
Cash Registers & Scanners (Also see Supermarkets)	5
***	***
*If acquisition cost and age of service station equipment are not available, see Chapter 9, Table 907.C-4 for alternative assessment procedure.	

B. Cost Indices



Table 2503.B Cost Indices			
Year	Age	National Average 1926 = 100	January 1, 2024 = 100*
2024	1	2289.6	0.987
2023	2	2257.4	1.000
2022	3	2218.3	1.018
2021	4	1888.1	1.196
2020	5	1736.4	1.301
2019	6	1727.8	1.307
2018	7	1667.7	1.354
2017	8	1612.2	1.401
2016	9	1580.9	1.429
2015	10	1593.7	1.417
2014	11	1578.8	1.431
2013	12	1558.7	1.449
2012	13	1545.9	1.461
2011	14	1503.2	1.503
2010	15	1457.4	1.550
2009	16	1468.6	1.538
2008	17	1427.3	1.582
2007	18	1373.3	1.645
2006	19	1302.3	1.734
2005	20	1244.5	1.815
2004	21	1157.3	1.952
2003	22	1118.6	2.019
2002	23	1100.0	2.053
2001	24	1093.4	2.066
2000	25	1084.3	2.083
1999	26	1065.0	2.121
1998	27	1061.8	2.127
1997	28	1052.7	2.146
1996	29	1036.0	2.180
1995	30	1020.4	2.214
1994	31	985.0	2.293

\*Reappraisal Date: January 1, 2024 – 2258.7 (Base Year)

C. ...

\*\*\*

D. Composite Multipliers 2025 (2026 Orleans Parish)

Table 2503.D Composite Multipliers 2025 (2026 Orleans Parish)										
Age	3 Yr	5 Yr	6 Yr	8 Yr	10 Yr	12 Yr	15 Yr	20 Yr	25 Yr	30 Yr
1	.69	.84	.86	.89	.91	.93	.94	.96	.97	.97
2	.49	.69	.73	.79	.84	.87	.90	.93	.95	.97
3	.35	.53	.58	.68	.77	.81	.87	.92	.95	.97
4	.19	.41	.49	.65	.80	.87	.94	1.03	1.08	1.11
5		.30	.39	.56	.75	.86	.95	1.07	1.13	1.18
6		.24	.25	.43	.64	.76	.89	1.02	1.10	1.16
7			.24	.35	.53	.68	.84	1.00	1.10	1.16
8				.31	.42	.60	.77	.98	1.09	1.18
9				.29	.34	.51	.70	.93	1.07	1.17
10					.30	.41	.61	.85	1.01	1.12
11					.29	.34	.53	.79	.97	1.09
12						.32	.45	.72	.93	1.07
13							.29	.38	.66	1.04
14								.35	.60	.84
15								.33	.54	.81
16								.31	.48	.74
17									.43	.70
18									.39	.64
19									.38	.59
20									.38	.54
21									.39	.55
22										.52
23										.49

Table 2503.D Composite Multipliers 2025 (2026 Orleans Parish)										
24									.41	.70
25									.42	.65
26									.42	.59
27										.55
28										.49
29										.46
30										.44
31										.46

1. Data sources for tables are:

- a. Cost Index—Marshall and Swift Publication Co.;
- b. Percent Good—Marshall and Swift Publication Co.;
- c. Average Economic Life—various.

E. Values for Carbon Sequestration Wells and Related Wells\*

Table 2503.E Values for Carbon Sequestration Wells and Related Wells*		
Location	Average Depth (feet)	Value Per Foot (\$)
Onshore	1 – 1,499	0.50
Onshore	1,500 – 2,499	0.75
Onshore	2,500 – 9,999	1.00
Onshore	10,000 - or greater	1.50
Offshore	All Depths	2.00

\* Applicable to carbon sequestration wells, monitoring wells, and related service wells.

AUTHORITY NOTE: Promulgated in accordance with R.S. 47:1837 and R.S. 47:2323.

HISTORICAL NOTE: Promulgated by the Department of Revenue and Taxation, Tax Commission, LR 8:102 (February 1982), amended LR 9:69 (February 1983), LR 10:944 (November 1984), LR 12:36 (January 1986), LR 13:188 (March 1987), LR 13:764 (December 1987), LR 14:872 (December 1988), LR 15:1097 (December 1989), LR 16:1063 (December 1990), LR 17:1213 (December 1991), LR 19:212 (February 1993), LR 20:198 (February 1994), LR 21:186 (February 1995), LR 22:117 (February 1996), LR 23:207 (February 1997), amended by the Department of Revenue, Tax Commission, LR 24:490 (March 1998), LR 25:317 (February 1999), LR 26:509 (March 2000), LR 27:427 (March 2001), LR 28:520 (March 2002), LR 29:370 (March 2003), LR 30:489 (March 2004), LR 31:719 (March 2005), LR 32:433 (March 2006), LR 33:496 (March 2007), LR 34:686 (April 2008), LR 35:500 (March 2009), LR 36:780 (April 2010), amended by the Division of Administration, Tax Commission, LR 37:1402 (May 2011), LR 38:810 (March 2012), LR 39:497 (March 2013), LR 40:538 (March 2014), LR 41:681 (April 2015), LR 42:750 (May 2016), LR 43:656 (April 2017), LR 44:584 (March 2018), LR 45:538 (April 2019), LR 46:564 (April 2020), LR 47:470 (April 2021), LR 48:1528 (June 2022), LR 49:1061 (June 2023), LR 50:384 (March 2024), LR 51:394 (March 2025).

**Chapter 31 Public Exposure of Assessments; Appeals §3103. Appeals to the Louisiana Tax Commission**

A. - G.9. ...

10. If a taxpayer appeals the Board of Review's decision on the basis that the assessor inequitably assessed the subject property as compared to similarly situated comparable properties, then the taxpayer must submit evidence of such inequity, and the assessor shall be prepared to respond to such evidence.

11. Notwithstanding Section 3103.D.1., or any other provision to the contrary, witness testimony is permitted, and all witnesses shall be placed under oath at the onset of each hearing. However, the commission may limit the number of witnesses and limit the allotment of time for such testimony. At its sole discretion the commission may permit live witness testimony via videoconference. All witnesses are subject to cross examination by any party. Further, the commission will not accept or consider any evidence not permitted under R.S. 47:1989.

12. It is the commission's policy to accept all pre-filed exhibits into the record, however, either party may object to the submission of any of the opposing parties' exhibits. Absent a timely objection, any evidence shall be admitted into the record. The Louisiana Rules of Evidence shall be applied liberally in any proceeding before the commission. The commission may also exclude evidence, which is deemed by the commission to be incompetent, immaterial or duly repetitious. The commission reserves the right to take any objection under advisement and/or to defer the objections to the merits of the appeal.

13. The commission shall take official notice without further identification of the contents of the original records and documents in possession of the commission when duly certified copies thereof are offered into evidence and made a part of the record. The Board of Review does not transmit a record or evidence to the commission. Any evidence or information that was submitted to the Board of Review must be filed by the parties to be considered by the commission. The commission may receive other documentary evidence in the form of copies or excerpts or that which is incorporated by reference.

14. Any party with leave of the commission or hearing officer may present prepared sworn deposition testimony of a witness either narrative or in question and answer form, which shall be incorporated into the record as if read by a witness. The opposing party will be allowed to cross-examine and/or submit any sworn testimony given by the witness in the deposition.

15. Subpoenas for the attendance of witnesses or for the production of books, papers, accounts or documents for a hearing may be issued by the commission upon its own motion, or upon the written request of any party. No subpoena shall be issued until the party who wishes to subpoena the witness first deposits with the agency a sum of money sufficient to pay all fees and expenses to which a witness in a civil case is entitled pursuant to R.S. 13:3661 and R.S. 13:3671. Any subpoena duces tecum shall allow no less than five days to assimilate and to deliver said documents subpoenaed by the subpoena recipient. The form of subpoena attached hereto as Form SUBPT-2 (found on the commission's website under General Forms), or a reasonable variation thereof, shall be filled out and presented with the subpoena request. Service of the subpoena may be accomplished by any of the methods prescribed by the Louisiana Administrative Procedure Act.

16. Hearings may be conducted by a hearing officer selected and appointed by the commission. The hearing officer shall have the authority to administer oaths, may examine witnesses, and rule upon the admissibility of evidence and amendments to the pleadings. The hearing officer shall have the authority to recess any hearing from day to day. The

hearing officer shall have the responsibility and duty of assimilating testimony and evidence, compiling a written summary of the testimony and evidence, and presenting a proposed order to the commission.

17. At the close of evidence, each side will be allowed a reasonable amount of time to argue its case. This time may be limited and/or allotted by the chairman or hearing officer.

18. The commission may take any matter under advisement and issue a decision/ruling without advance notice or any additional opportunity for hearing.

H.1. - H.1.f. ...

2. In determining whether the assessment is supported and sustainable by a preponderance of evidence, the commission shall make its own determination and conclusions of fact by a preponderance of evidence based upon its own evaluation of the evidence reviewed in its entirety including otherwise admissible first-hand witness testimony.

I.1. - P. ...

<b>Form 3103.A</b>	La. Tax Commission
<b>Exhibit A</b>	P.O. Box 66788
<b>Appeal to Louisiana Tax Commission</b>	Baton Rouge, LA 70896
<b>by Property Owner/Taxpayer or Assessor</b>	(225) 219-0339
<b>for Real and Personal Property</b>	

Name: \_\_\_\_\_ Parish/District: \_\_\_\_\_

Property Owner/Taxpayer/Assessor

Address: \_\_\_\_\_ City,State,Zip: \_\_\_\_\_

Ward: \_\_\_\_\_ Assessment Tax Bill No.: \_\_\_\_\_ Appeal No.: \_\_\_\_\_

Address or Legal Description of Property Being Appealed. Also, please identify building by place of business for convenience of appraisal. \_\_\_\_\_

I hereby appeal the decision of the Board of Review on the assessment of the above described property pursuant to La..R.S. 47:1992, La. R.S. 47:1989 and the rules of the Louisiana Tax Commission. I timely filed my appeal as required by law.

Date of the Board of Review Determination: \_\_\_\_\_

“You are required to include a copy of the Board of Review Determination with this Appeal Form.”

The Fair Market Value by the assessor was:

Land \$ \_\_\_\_\_ Improvement \$ \_\_\_\_\_

Personal Property \$ \_\_\_\_\_ Total \$ \_\_\_\_\_

The Fair Market Value determined by the Board of Review was:

Land \$ \_\_\_\_\_ Improvement \$ \_\_\_\_\_

Personal Property \$ \_\_\_\_\_ Total \$ \_\_\_\_\_

The Fair Market Value should be:

Land \$ \_\_\_\_\_ Improvement \$ \_\_\_\_\_

Personal Property \$ \_\_\_\_\_ Total \$ \_\_\_\_\_

\* If you are not appealing personal property leave this section blank.

NOTE: If you disagree with the Board of Review's determination, you must file an appeal. The appeal of the decision of the Board of Review by one party is not an appeal of that decision from the other party. To protect your rights, if you disagree with the determination of the Board of Review, you should file an appeal to the Louisiana Tax Commission challenging the Board of Review's determination regardless of whether or not the other party has appealed that decision.

Applicant: (Property Owner/Taxpayer/Assessor) \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Telephone No.: \_\_\_\_\_

Email Address: \_\_\_\_\_

Date of Appeal: \_\_\_\_\_

Today's Date: \_\_\_\_\_

This form must be completed in its entirety. The failure to complete the form, in its entirety, or failure to attach a copy of the Board of Review Determination may result in summary dismissal at the discretion of the Tax Commission.

PLEASE NOTE: Any documents or other evidence submitted to the assessor and/or the Board of Review must be refiled/resubmitted to the Louisiana Tax Commission.

**Form 3103.B  
Exhibit B  
Power of Attorney**

PLEASE TYPE OR PRINT

Taxpayer(s) must sign and date this form on Page 2.

**I. Taxpayer:**

Your Name or Name of Entity: \_\_\_\_\_

Street Address, City, State, ZIP: \_\_\_\_\_

I/we appoint the following representative as my/our true and lawful agent and attorney-in-fact to represent me/us before the Louisiana Tax Commission. The representative is authorized to receive and inspect confidential information concerning me/our tax matters, and to perform any and all acts that I/we can perform with respect to my/our tax matters, unless noted below. Modes of communication for requesting and receiving information may include telephone, e-mail, or fax. The authority does not include the power to receive refund checks, the power to substitute another representative, the power to add additional representatives, or the power to execute a request for disclosure of tax information to a third party.

Representatives must sign and date this form on Page 3.

**II. Authorized Representative:**

Name: \_\_\_\_\_

Firm: \_\_\_\_\_

Street Address \_\_\_\_\_

City, State, ZIP: \_\_\_\_\_

Telephone Number:( ) \_\_\_\_\_

Fax Number:( ) \_\_\_\_\_

Email Address: \_\_\_\_\_

**III. Scope of Authorized Appointment:**

Acts Authorized. Mark only the boxes that apply. By marking the boxes, you authorize the representative to perform any and all acts on your behalf, including the authority to sign tax returns, with respect only to the indicated tax matters:

A. Duration: \_\_\_\_\_ Tax Year \_\_\_\_\_ (Days, Months, etc.) \_\_\_\_\_ Until Revoked.

**B. Agent Authority:**

1. \_\_\_\_\_ General powers granted to represent taxpayer in all matters.

2. \_\_\_\_\_ Specified powers as listed.

(a.) \_\_\_\_\_ File notices of protest and present protests before the Louisiana Tax Commission.

(b.) \_\_\_\_\_ Receive confidential information filed by taxpayer.

(c.) \_\_\_\_\_ Negotiate and resolve disputed tax matters without further authorization.

(d.) \_\_\_\_\_ Represent taxpayer during appeal process.

**C. Properties Authorized to Represent:**

1. \_\_\_\_\_ All property.

2. \_\_\_\_\_ The following property only (give assessment number and municipal address or legal description).

\_\_\_\_\_  
\_\_\_\_\_

Additional properties should be contained on separate page

NOTICES AND COMMUNICATIONS: Original notices and other written communication will be sent only to you, the taxpayer. Your representative may request and receive information by telephone, e-mail, or fax. Upon request, the representative may be provided with a copy of a notice or communication sent to you. If you want the representative to request or receive a copy of notices and communications sent to you, check this box.

REVOCATION OF PRIOR POWER(S) OF ATTORNEY: Except for Power(s) of Attorney and Declaration of Representative(s) filed on this Form, the filing of this Power of Attorney automatically revokes all earlier Power(s) of Attorney on file with the Louisiana Tax Commission for the same tax matters and years or periods covered by this document.

SIGNATURE OF TAXPAYER(S): If a tax matter concerns jointly owned property, all owners must sign if joint representation is requested. If signed by a corporate officer, partner, guardian, tax matters partner, executor, receiver, administrator, or trustee on behalf of the taxpayer. I certify that I have the authority to execute this form on behalf of the taxpayer.

IF THIS POWER OF ATTORNEY IS NOT SIGNED AND DATED, IT WILL BE RETURNED.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date (mm/dd/yyyy)

\_\_\_\_\_  
Spouse/Other Owner Signature

\_\_\_\_\_  
Date (mm/dd/yyyy)

\_\_\_\_\_  
Signature of Duly Authorized Representative, if the taxpayer title is a corporation, partnership, executor, or administrator

\_\_\_\_\_  
Date (mm/dd/yyyy)

\_\_\_\_\_  
Printed Name Email

\_\_\_\_\_  
Title or Position Telephone

\_\_\_\_\_  
Address

**IV. Declaration of Representative:**

Under penalties of perjury, I declare that:

I am authorized to represent the taxpayer identified above and to represent that taxpayer as set forth in Part III specified herein;

I have read and am familiar with all the rules and regulations promulgated by the commission;

I have fully complied with all rules adopted by the commission regarding professional conduct and ethical considerations.

Signature

Date (mm/dd/yyyy)

IF THIS DECLARATION OF REPRESENTATIVE IS NOT SIGNED AND DATED, THE POWER OF ATTORNEY WILL BE RETURNED.

AUTHORITY NOTE: Promulgated in accordance with R.S. 47:1837, R.S. 47:1989 and R.S. 47:1992.

HISTORICAL NOTE: Promulgated by the Louisiana Tax Commission, LR 4:339 (September 1978), amended by the Department of Revenue and Taxation, Tax Commission, LR 10:947 (November 1984), LR 15:1097 (December 1989), LR 20:198 (February 1994), LR 21:186 (February 1995), LR 22:117 (February 1996), amended by the Department of Revenue, Tax Commission, LR 24:492 (March 1998), LR 25:319 (February 1999), LR 26:512 (March 2000), LR 28:521 (March 2002), LR 31:721 (March 2005), LR 32:436 (March 2006), LR 33:498 (March 2007), LR 34:688 (April 2008), LR 36:782 (April 2010), amended by the Office of the Governor, Division of Administration, Tax Commission, LR 38:811 (March 2012), LR 41:682 (April 2015), LR 42:752 (May 2016), LR 43:658 (April 2017), LR 45:539 (April 2019), LR 46:567 (April 2020), LR 47:471 (April 2021), LR 48:1533 (June 2022), LR 49:1063 (June 2023), LR 50:386 (March 2024), LR 51:395 (March 2025).

Craig P. Roussel  
Chairman

2503#006

## RULE

### Department of Health Board of Medical Examiners

Polysomnographic Technologists and Technicians  
(LAC 46:XLV.3303, 3339, 3343, 6305, and 6311)

Notice is hereby given that pursuant to the authority vested in it by the Louisiana Medical Practice Act, R.S. 37:1261-1292, and in accordance with the applicable provisions of the Administrative Procedure Act, R.S. 49:950 et seq., the Board of Medical Examiners (Board) has amended its rules governing Polysomnographic Technologists and Technicians.

The Rule changes revise the definition of “direct supervision”, require licensed physicians providing and/or billing for interpretation of home sleep testing to ensure proper follow up, add collaborative practice physicians to the mutual obligations and responsibilities, and correct typographical errors. The amendments are set forth below. This Rule is hereby adopted on the day of promulgation.

#### Title 46

### PROFESSIONAL AND OCCUPATIONAL STANDARDS

#### Part XLV. Medical Professions

#### Subpart 2. Licensure and Certification

#### Chapter 33. Polysomnographic Technologists and Technicians

#### Subchapter A. General Provisions

#### §3303. Definitions

A. As used in this Chapter, the following terms shall have the meanings specified.

\* \* \*

*Direct Supervision*—supervision by a physician, polysomnographic technologist, or registered respiratory therapist with SDS who is currently licensed by the board. The supervising entity must be present in the area where the procedure or service is being performed and be available to furnish assistance and direction throughout the procedure or service as needed.

\* \* \*

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2861-2870 and 37:1270(B)(6).

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Medical Examiners, LR 39:3278 (December 2013), amended by Department of Health, Board of Medical Examiners, LR 51:398 (March 2025).

#### Subchapter F. Advisory Committee on Polysomnography

#### §3339. Organization and Authority

A. - B.4. ...

5. advise the board on issues affecting the licensing and regulation of polysomnographic technology in this state;

B.6. - C. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2861-2870 and 37:1270(B)(6).

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Medical Examiners, LR 39:3278 (December 2013), amended by Department of Health, Board of Medical Examiners, LR 51:398 (March 2025).

#### Subchapter G. Continuing Professional Education

#### §3343. Continuing Professional Education Requirement

A. Subject to the exceptions and waiver specified in this Subchapter, to be eligible for the renewal of a polysomnographic technologist license an applicant shall, within each year that he or she holds a license, evidence and document, in a manner specified by the board, the successful completion of not less than ten hours of continuing education credits ("CEC") sanctioned by the organizations identified in this Subchapter, or their successors.

B. To be eligible for the reinstatement of a polysomnographic technologist license an applicant shall evidence and document, in a manner specified by the board, the successful completion of not less than ten hours of approved CEC for each year that the license has lapsed or expired.

C. For purposes of this Section, one CEC is the equivalent to one hour of participation in an organized continuing professional education program approved by the board and meeting the standards prescribed in this Subchapter.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2861-2870 and 37:1270(B)(6).

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Medical Examiners, LR 39:3278 (December 2013), amended by Department of Health, Board of Medical Examiners, LR 51:398 (March 2025).

#### Subpart 3. Practice

#### Chapter 63. Polysomnographic Technologists and Technicians

#### Subchapter B. Unauthorized Practice, Exemptions, and Designation of License or Permit

#### §6305. Unauthorized Practice

A. No individual shall engage or attempt to engage in the practice of polysomnographic technology in this state, unless he or she holds a current license or a permit to practice

polysomnographic technology issued by the board under Chapter 33 of these rules.

B. An individual who does not hold a current polysomnographic technologist license issued by the board, and or whose license has been suspended or revoked, shall not use in conjunction with his or her name the words "licensed polysomnographic technologist," "LPSGT," or any other similar words, letters, abbreviations, or insignia indicating directly or by implication, that he or she is a polysomnographic technologist or that the services provided by such individual constitute polysomnographic technology.

C. An individual who does not hold a current polysomnographic technician permit issued by the board, or whose permit has been suspended or revoked, shall not use in conjunction with his or her name the words "polysomnographic technician," "permit technician," or "PSGT-E," or any other similar words, letters, abbreviations, or insignia indicating directly or by implication, that he or she is a polysomnographic technician or that the services provided by such individual constitute polysomnographic technology.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2861-2870 and 37:1270(B)(6).

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Medical Examiners, LR 39:3278 (December 2013), amended by Department of Health, Board of Medical Examiners, LR 51:398 (March 2025).

#### **Subchapter C. Mutual Obligations**

##### **§6311. Mutual Obligations and Responsibilities**

A. A collaborative practice physician, supervising physician, polysomnographic technologist and polysomnographic technician shall bear equal and reciprocal obligations to:

A.1. - B. ...

C. Licensed physicians providing and/or billing for interpretation of home sleep testing should be licensed in the state of Louisiana and have a mechanism in place to ensure that patient receive the results of the testing with appropriate counseling regarding treatment options and follow-up within a reasonable timeframe from the completion of the test.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2861-2870 and 37:1270(B)(6).

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Medical Examiners, LR 39:3278 (December 2013), amended by Department of Health, Board of Medical Examiners, LR 51:399 (March 2025).

Vincent A. Culotta, Jr., M.D.,  
Executive Director

2503#047

## **RULE**

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

Home and Community-Based Services Waivers  
Adult Day Health Care Providers  
Cost Reporting (LAC 50:XXI.707 and 711)

The Department of Health, Bureau of Health Services Financing and Office of Aging and Adult Services have amended LAC 50:XXI.707 and 711 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 1. General Provisions**

#### **Chapter 7. Reimbursement Methodology**

#### **Subchapter B. Adult Day Health Care Providers**

#### **§707. General Provisions**

A. The Department of Health (LDH) establishes reimbursement methodologies and cost reporting requirements for Adult Day Health Care (ADHC) providers of home and community-based services waiver programs.

B. - B.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, Bureau of Health Services Financing, the Office for Citizens with Developmental Disabilities and the Office of Aging and Adult Services, LR 47:1113 (August 2021), amended by the Department of Health, Bureau of Health Services Financing and the Office of Aging and Adult Services, LR 51:399 (March 2025).

#### **§711. Cost Reporting**

A - C. ...

D. Annual Reporting. Cost reports are to be filed on or before November 30 following the close of the cost reporting period, which is five months after the state's fiscal year end (June 30). Should the due date fall on a Saturday, Sunday, or an official state or federal holiday, the due date shall be the following business day. The cost report forms and schedules must be filed with one copy of the following documents:

D.1. - M.2....

N. Delinquent Cost Report. When an ADHC provider fails to submit a cost report by the last day of November following the close of the cost reporting period, a penalty of 5 percent of the monthly payment for the first month and a progressive penalty of 5 percent of the monthly payment for each succeeding month may be levied and withheld from the ADHC provider’s payment for each month that the cost report is due, not extended and not received. If no claims are submitted for payment during the time of penalty implementation, the penalty will be imposed when the provider commences submitting claims for payment and will continue for the duration of the number of months the penalty would have been imposed. The late filing penalty is non-refundable and not subject to an administrative appeal.

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, the Office for Citizens with Developmental Disabilities and the Office of Aging and Adult Services, LR 47:1114 (August 2021), amended by the Department of Health, Bureau of Health Services Financing and the Office of Aging and Adult Services, LR 51:399 (March 2025).

Implementation of the provisions of this Rule may be contingent upon the approval of the U.S. Department of Health and Human Services, Centers for Medicare and Medicaid Services (CMS), if it is determined that submission to CMS for review and approval is required.

Michael Harrington, MBA, MA  
Secretary

2503#015

**RULE**

**Department of Health  
Health Standards Section**

Facility Need Review  
(LAC 48:I.12501 and 12545)

The Department of Health, Health Standards Section (the department) has amended LAC 48:I.12501 and 12545, as authorized by R.S. 36:254 and R.S. 40:2116. 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 48**

**PUBLIC HEALTH—GENERAL**

**Part I. General Administration**

**Subpart 5. Health Planning**

**Chapter 125. Facility Need Review**

**Subchapter A. General Provisions**

**§12501. Definitions**

A. Definitions. When used in this Chapter the following terms and phrases shall have the following meanings unless the context requires otherwise.

*Abeysance of Nursing Facility Beds*—a situation in which a nursing facility (NF), if it meets certain requirements, may have all (but not only a portion) of its approved beds disenrolled from the Medicaid Program without causing the approval for the beds to be revoked after 120 days. If a NF

places all of its approved beds in abeyance, then the NF license shall also be in abeyance.

\*\*\*

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:254 and R.S. 40:2116 et seq.

HISTORICAL NOTE: Promulgated by the Department of Health, Health Standards Section, LR 50:221 (February 2024), amended LR 50:984 (July 2024), amended LR 51:400 (March 2025).

**Subchapter E. Nursing Facility Bed Abeyance**

**§12545. General Provisions**

A. A NF may have all of its approved beds disenrolled from the Medicaid program and placed in abeyance if the department determines that the average annual occupancy in the service area where the facility is located is less than 85 percent. The department shall base this determination on the occupancy figures contained in the most recent LTC-2 report issued by the department prior to its receipt of a written request that the facility’s beds be placed in abeyance in accordance with §12545.B.

1. If a NF places all of its approved beds in abeyance, then the NF license shall also be in abeyance. Once approved beds are taken out of abeyance and re-enrolled in the Medicaid program in satisfaction of all the requirements set forth in §12545, then the license may be re-issued to the NF. Nursing facility license renewal is not required while the NF approved beds and license are in abeyance.

B. - N. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:2116 et seq.

HISTORICAL NOTE: Promulgated by the Department of Health, Health Standards Section, LR 50:237 (February 2024), amended LR 51:400 (March 2025).

Michael Harrington, MBA, MA  
Secretary

2503#030

**RULE**

**Department of Health  
Health Standards Section**

Nurse Aide Training and Competency Evaluation Program  
Medication Attendant Certified  
(LAC 48:I.Chapter 100)

The Department of Health, Health Standards Section (the department), has amended LAC 48:I.Chapter 100 as authorized by R.S. 36:254 and R.S. 37:1026.1 et seq. 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 48**

**PUBLIC HEALTH—GENERAL**

**Part I. General Administration**

**Subpart 3. Licensing and Certification**

**Chapter 100. Nurse Aide Training and Competency  
Evaluation Program**

**Subchapter G. Medication Attendant Certified**

**§10083. Certification Requirements**

A. - C. ...

D. Reciprocity. A person who holds a valid license or certificate as a medication attendant certified (MAC) issued by another state may be certified in Louisiana.

1. - 3. ...

4. The department shall contact the issuer of the MAC license or certificate to verify the applicant's status with the agency and confirm that:

a. the applicant holds a current and valid MAC license or certification in another state with a similar scope of practice;

b. the applicant has held the MAC license or certification in the other state for at least one year;

c. the other state required the applicant to pass an examination, or to meet education, training, or experience standards;

d. the other state holds the applicant in good standing;

e. the applicant does not have a disqualifying criminal record as determined by the department; and

f. the applicant does not have a disciplinary action or investigation pending in another state.

i. If the applicant has a disciplinary action or investigation pending, the department shall not issue or deny MAC certification to the person until the disciplinary action or investigation is resolved or the person otherwise meets the criteria for a MAC certification in this state to the satisfaction of the department.

5. Repealed.

E. - E.4. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:254 and R.S. 37:1026.1 et seq.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Office of the Secretary, Bureau of Health Services Financing, LR 34:1415 (July 2008), amended by the Department of Health and Hospitals, Bureau of Health Services Financing, LR 38:1249 (May 2012), amended by the Department of Health, Bureau of Health Services Financing, LR 46:33 (January 2020), LR 49:692 (April 2023), amended by the Department of Health, Health Standards Section, LR 51:400 (March 2025).

#### **§10089. Allegations of Medication Attendant Certified Wrong-Doing**

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:254 and R.S. 37:1026.1 et seq.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Office of the Secretary, Bureau of Health Services Financing, LR 34:1417 (July 2008), amended by the Department of Health and Hospitals, Bureau of Health Services Financing, LR 38:1250 (May 2012), amended by the Department of Health, Bureau of Health Services Financing, LR 46:33 (January 2020), LR 49:695 (April 2023), repealed by the Department of Health, Health Standards Section, LR 51:401 (March 2025).

#### **§10090. Suspension, Revocation, Denial of Renewal, or Reprimand**

A. The department may suspend, revoke, deny renewal of a certificate, or reprimand a certificate holder for a violation of this Chapter.

B. Grounds for disciplinary actions include, but are not limited to:

B.1. - G.1 ...

H. When a MAC believes that the basis for the suspension, revocation, denial of renewal of his or her MAC certificate, or reprimand was based on wrongful accusation(s), the following procedure shall be followed:

1. The MAC may request an informal dispute resolution (IDR) within 15 calendar days of the receipt of the department's notice of violation. The request for an IDR must be made to the department in writing.

2. The IDR shall be designed:

a. to provide an opportunity for the MAC to informally discuss the accusations that make the basis for the suspension, revocation, denial of renewal of his or her MAC certificate, or reprimand;

b. for the department to offer alternatives based on corrections or clarifications, if any; and

c. for the MAC to evaluate the necessity for seeking an administrative hearing.

3. An IDR meeting shall be arranged within 20 days of the request.

4. During the IDR, the MAC shall be afforded the opportunity to:

a. speak with the department's IDR personnel;

b. review pertinent documents on which the alleged violation is based;

c. ask questions;

d. seek clarifications; and

e. provide additional information.

I. Within 30 calendar days after receipt of the department's notice of violation or the notice of the results of an IDR, the MAC may request an administrative hearing. The request for administrative hearing shall be in accordance with the procedures set forth in §10071 of this Chapter.

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:254 and R.S. 37:1026.1 et seq.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Office of the Secretary, Bureau of Health Services Financing, LR 34:1417 (July 2008), amended by the Department of Health and Hospitals, Bureau of Health Services Financing, LR 38:1250 (May 2012), amended by the Department of Health, Bureau of Health Services Financing, LR 46:33 (January 2020), LR 49:695 (April 2023), amended by the Department of Health, Health Standards Section, LR 51:401 (March 2025).

#### **§10091. Provider Participation and Responsibilities**

A. - D.6. ...

E. An approved licensed long-term care facility shall have written policies and procedures that at a minimum, address the MAC's role, responsibilities, authorized duties, prohibited duties, and medication errors.

F. A facility's application that is not complete within 90 calendar days of receipt by the department shall be considered null and void.

G. The provider shall complete and send the appropriate form or approved electronic submission to the registry to verify the MAC's employment or cessation of employment.

H. When a change of ownership (CHOW) occurs, the new owner or the administrator, or the administrator's designee, shall be responsible for ensuring that all reporting of the MAC's employment or cessation of employment to the registry is current.

I. Disqualification of MAC Program. The department may sanction a facility and/or revoke a facility's participation in the MAC program for a period of two years, if it is determined by the department that:

1. Based upon the facility's compliance history, the safety and well-being of residents were jeopardized by the facility's non-compliance with federal, state, or local laws and regulations.

2. The facility has provided false statements and/or documentation concerning the facility's MAC program.

3. The facility has not provided an acceptable plan for correcting deficiencies.

J. If the facility's participation has been revoked, the facility may ask for a reconsideration and review of the circumstances that contributed to the revocation of participation in the MAC program.

K. If the facility has not utilized a MAC within its facility and/or served as a MAC clinical site within a two year period, the facility's MAC program shall be considered voluntarily terminated.

L. A licensed long-term care facility who has lost its MAC program may re-apply to participate in the MAC program upon the end of the two year period of the prohibition timeframe. If the facility's participation in the MAC program has been revoked for providing false statements or documentation, the facility may not reapply for reinstatement.

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:254 and R.S. 37:1026.1 et seq.

HISTORICAL NOTE: Promulgated by the Department of Health, Bureau of Health Services Financing, LR 49:696 (April 2023), amended by the Department of Health, Health Standards Section, LR 51:401 (March 2025).

Michael Harrington, MBA, MA  
Secretary

2503#028

## RULE

### Department of Health Health Standards Section

Nursing Facilities—Licensing Standards  
(LAC 48:I.9701, 9759, 9768, and 9923)

The Department of Health, Health Standards Section (the department) has amended LAC 48:I.9701, §9759, and §9923, and adopted §9768, as authorized by R.S. 36:254 and R.S. 40:2009.1-2116.2. 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 48

#### PUBLIC HEALTH—GENERAL

#### Part I. General Administration

#### Subpart 3. Licensing and Certification

#### Chapter 97. Nursing Facilities

#### Subchapter A. General Provisions

#### §9701. Definitions

*Abeyance of Nursing Facility Beds or Abeyance*—a situation in which a nursing facility (NF), if it meets the requirements of LAC 48:I.12545 et seq., or current law or regulation, may have all, but not only a portion, of its approved beds disenrolled from the Medicaid program without causing the facility need review (FNR) approval for the beds to be revoked after 120 days. If a NF places all of its approved beds in abeyance, then the NF license shall also be in abeyance.

*Abuse*—the willful infliction of injury, unreasonable confinement, intimidation, or punishment with resulting

physical harm, pain, or mental anguish. Abuse also includes the deprivation by an individual, including a caretaker, of goods or services that are necessary to attain or maintain physical, mental, and psychosocial well-being. Instances of abuse of all residents, irrespective of any mental or physical condition, cause physical harm, pain or mental anguish. It includes verbal abuse, sexual abuse, physical abuse, and mental abuse including abuse facilitated or enabled through the use of technology. Willful, as used in this definition of abuse, means the individual must have acted deliberately, not that the individual must have intended to inflict injury or harm.

1. Repealed.

\*\*\*

*Neglect*—the failure of the facility, its employees, or service providers to provide goods and services to a resident that are necessary to avoid physical harm, pain, mental anguish, or emotional distress.

\*\*\*

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:254 and 40:2009.1-2009.44.

HISTORICAL NOTE: Promulgated by the Department of Health, Bureau of Health Services Financing, LR 42:1891 (November 2016), amended LR 46:1393 (October 2020), LR 49:1075 (June 2023), amended by the Department of Health, Health Standards Section, LR 51:402 (March 2025).

#### Subchapter B. Organization and General Services §9759. Criminal History Provisions and Screening

A. Nursing facilities shall have statewide criminal history checks performed on non-licensed personnel to include certified nurse aides (CNAs), housekeeping staff, activity workers, social service personnel and any other non-licensed personnel who provide care or other health related services to the residents in accordance with R.S. 40:1203.1 et seq.

B. - C. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:2009.1-2116.

HISTORICAL NOTE: Promulgated by the Department of Health, Bureau of Health Services Financing, LR 42:1903 (November 2016), amended by the Department of Health, Health Standards Section, LR 51:402 (March 2025).

#### §9768. Nursing Facility Bed Abeyance

A. If a NF places all of its FNR approved beds in abeyance in accordance with LAC 48:I.12545 et seq., or current law or regulation, then the NF license shall also be in abeyance. Once FNR approved beds are taken out of abeyance and re-enrolled in the Medicaid program, in satisfaction of all the requirements set forth in LAC 48:I.12545 et seq., or current law or regulation, then the license may be re-issued to the NF. Nursing facility license renewal is not required while the NF FNR approved beds and license are in abeyance.

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:254 and 40:2009.3-2116.2.

HISTORICAL NOTE: Promulgated by the Department of Health, Health Standards Section, LR 51:402 (March 2025).

#### Chapter 99. Nursing Facilities

#### Subchapter B. Physical Environment

#### §9923. Dining and Resident Activities

A. ...

B. Smoking is not permitted in the dining room and other public areas as specified by R.S. 40:1291.11(B)(11), or current law.



C. - F. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:2009.1-2116.

HISTORICAL NOTE: Promulgated by the Department of Health, Bureau of Health Services Financing, LR 42:1928 (November 2016), amended by the Department of Health, Health Standards Section, LR 51:402 (March 2025).

Michael Harrington, MBA, MA  
Secretary

2503#029

## RULE

### Department of Health Licensed Professional Counselors Board of Examiners

Social and Cultural Foundations  
Continuing Education Requirement  
(LAC 46:LX.611, 707, 3315, and 3503)

Editor's Note: The following Rule is being repromulgated to correct a typographical error upon submission. The original Rule can be viewed in the December 20, 2024 *Louisiana Register* on pages 1851-1852.

In accordance with the applicable provisions of the Louisiana Administrative Procedures Act (R.S.49:950 et seq.) and through the authority of the Mental Health Counselor Licensing Act (R.S. 37:1101 et seq.), the Licensed Professional Counselors Board of Examiners has amended the continuing education requirements for renewal applicants.

The Licensed Professional Counselors Board of Examiners has amended Chapter 6 Section 611, Chapter 7 Section 707, Chapter 33 Section 3315, and Chapter 35 Section 3503 for publication in the September 20, 2024, edition of the *Louisiana Register* with the effective date of April 1, 2027. This Rule is hereby adopted on day of promulgation.

#### Title 46

#### PROFESSIONAL AND OCCUPATIONAL STANDARDS

#### Part LX. Professional Counselors

#### Subpart 1. Licensed Professional Counselors

#### Chapter 6. Application, Practice, and Renewal Requirements for Provisional Licensed Professional Counselors

#### §611. Continuing Education Requirements for Provisional Licensed Professional Counselors

A. A provisional licensee must accrue 20 clock hours of continuing education by every renewal period every two years. Of the 20 clock hours of continuing education, one and a half clock hours must be accrued in ethics, one and a half hours must be accrued in social and cultural foundations, and one and a half clock hours must be accrued in diagnosis (assessment, diagnosis, and treatment under the *Diagnostic and Statistical Manual of Mental Disorders 5*, as published by the American Psychiatric Association).

A.1. - D.8. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:1101-1123.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Examiners of Professional Counselors, LR 41:717 (April 2015), amended by the Department of Health, Licensed Professional Counselors Board of Examiners, LR 50:1851 (December 2024), effective April 1, 2027, repromulgated LR 51:403 (March 2025).

#### Chapter 7. Application and Renewal Requirements for Licensed Professional Counselors

#### §707. Renewal Requirements for Licensed Professional Counselors and Board-Approved Supervisors

A. ...

1. A licensee must accrue 40 clock hours of continuing education by every renewal period every two years. Of the 40 clock hours of continuing education, 3 clock hours must be accrued in ethics, 3 hours must be accrued in social and cultural foundations, and 6 clock hours must be accrued in diagnosis (assessment, diagnosis, and treatment under the *Diagnostic and Statistical Manual of Mental Disorders 5*, as published by the American Psychiatric Association). A board-approved supervisor must accrue 3 clock hours (of the required 40 clock hours of continuing education) in supervision.

A.2. - D.8. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:1101-1123.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Licensed Professional Counselors Board of Examiners, LR 41:719 (April 2015), amended by the Department of Health, Licensed Professional Counselors Board of Examiners, LR 50:1851 (December 2024), effective April 1, 2027, repromulgated LR 51:403 (March 2025).

#### Subpart 2. Professional Standards for Licensed Marriage and Family Therapists and Provisional Licensed Marriage and Family Therapists

#### Chapter 33. Requirements for Licensure and Provisional Licensure

#### §3315. Application Practice, and Renewal Requirements for Provisional Licensed Marriage and Family Therapists

A. - E. ...

1. A provisional licensee must accrue 20 clock hours of continuing education by every renewal period every two years. Of the 20 clock hours of continuing education, one and a half clock hours must be accrued in ethics specific to marriage and family therapy, one and a half clock hours must be accrued in social and cultural foundations, and one and a half clock hours must be accrued in diagnosis (assessment, diagnosis, and treatment under the *Diagnostic and Statistical Manual of Mental Disorders*, Fifth Edition (DSM-5) as published by the American Psychiatric Association on May 18, 2013). The required training in diagnosis, assessment, and treatment under the most DSM-5 may be specific to a particular condition and/or may be general training in diagnosis, assessment, and treatment. A generic ethics course is not acceptable.

E.1.a. - E.2.b.ii. ...

3. Continuing education hours must be relevant to the practice of marriage and family therapy and generally evolve from the following eight areas.

E.3.a. - E.3.g. ...

h. Social and Cultural Foundations of Marriage and Family Therapy. Continuing education in this area shall include studies that provide a broad understanding of societal changes and trends, human roles, societal subgroups, social mores and interaction patterns, and differing lifestyles.

F. - F.5.iv. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:1101-1123.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Licensed Professional Counselors Board of Examiners, LR 29:158 (February 2003), amended LR 29:2787 (December 2003), LR 35:1114 (June 2009), LR 38:1966 (August 2012), LR 39:1806 (July 2013), LR 41:742 (April 2015), amended by the Department of Health, Licensed Professional Counselors Board of Examiners, LR 43:1983 (October 2017), LR 45:1204 (September 2019), LR 47:1529 (October 2021), LR 50:1851 (December 2024), effective April 1, 2027, repromulgated LR 51:403 (March 2025).

**Chapter 35. Renewal of License for Licensed Marriage and Family Therapists**

**§3503. Continuing Education Requirements**

A. - A.9. ...

10. A licensee must accrue three clock hours of training in the subject area of social and cultural foundations as defined in Subparagraph C.3.h every renewal period.

11. Those licensed marriage and family therapists who hold another license that requires continuing education hours may count the continuing education hours obtained for that license toward their LMFT CEH requirements. Of the 40 CEHs submitted, however, 20 hours must be in the area of marriage and family therapy with an emphasis upon systemic approaches or the theory, research, or practice of systemic psychotherapeutic work with couples or families including three clock hours of ethics specific to marriage and family therapy and six clock hours specific to diagnosis.

12. The approval of and requirements for continuing education are specified in Subsection C.

B. - C.2.b.ii. ...

3. Continuing education hours must be relevant to the practice of marriage and family therapy and generally evolve from the following eight areas.

C.3.a. - C.3.g. ...

h. Social and Cultural Foundations of Marriage and Family Therapy. Continuing education in this area shall include studies that provide a broad understanding of societal changes and trends, human roles, societal subgroups, social mores and interaction patterns, and differing lifestyles.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:1101-1123.

Promulgated by the Department of Health and Hospitals, Licensed Professional Counselors Board of Examiners, LR 29:160 (February 2003), repromulgated LR 29:581 (April 2003), amended LR 29:2789 (December 2003), LR 41:752 (April 2015), LR 50:1849 (December 2024), LR 50:1852 (December 2024), effective April 1, 2027, repromulgated LR 51:403 (March 2025).

Jamie S. Doming  
Executive Director

2503#017

**RULE**

**Louisiana Lottery Corporation**

**Open Meetings Accessibility; ADA  
(LAC 42:XV.Chapter 13)**

The Louisiana Lottery Corporation, in accordance with Act 393 of the 2023 Regular Legislative Session, R.S. 47:9000 et seq., and the provisions of the Administrative Procedures Act, R.S. 49:950 et seq., hereby adopts LAC 42:XV.Chapter 13. 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 XV. Lottery**

**Chapter 13. Open Meetings Accessibility; ADA**

**§1301. Electronic Meetings**

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

AUTHORITY NOTE: Promulgated in accordance with R.S. 47:9000 et seq. and Act 393 of the 2023 Regular Session of the Louisiana Legislature.

HISTORICAL NOTE: Promulgated by the Louisiana Lottery Corporation, LR 51:404 (March 2025).

**§1303. Postings Prior to Meeting via Electronic Means**

A. At least 24 hours prior to the meeting, the corporation 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. 47:9000 et seq. and Act 393 of the 2023 Regular Session of the Louisiana Legislature.

HISTORICAL NOTE: Promulgated by the Louisiana Lottery Corporation, LR 51:404 (March 2025).

**§1305. 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 corporation’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 corporation's website.

AUTHORITY NOTE: Promulgated in accordance with R.S. 47:9000 et seq. and Act 393 of the 2023 Regular Session of the Louisiana Legislature.

HISTORICAL NOTE: Promulgated by the Louisiana Lottery Corporation, LR 51:404 (March 2025).

**§1307. 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. a participant member of the board 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 corporation representative to whom disability accommodation may be submitted.

C. The designated corporation 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 47:9000 et seq. and Act 393 of the 2023 Regular Session of the Louisiana Legislature.

HISTORICAL NOTE: Promulgated by the Louisiana Lottery Corporation, LR 51:405 (March 2025).

Rose J. Hudson  
President and CEO

2503#026

**RULE**

**Department of State  
Elections Division**

**Procurement and Certification of Voting Equipment  
(LAC 31.III.301 and 303)**

Under the authority of R.S. 18:1353, et seq., and in accordance with the provisions of the Administrative Procedure Act, R.S. 49:950, et seq., the secretary gives notice that a Rule has been adopted to amend Department of State regulations, LAC 31.III.Chapter 3.

The revisions are necessary to comply with Act 480 of the Regular Session of the 2021 Louisiana Legislature. The amendments update rules that are outdated or have been superseded by statute and remove provisions that simply restate statutes. They also add rules regarding standards and procedures for usability, accessibility, durability, accuracy, efficiency, and capacity of voting systems to be procured and used in Louisiana, as well as for the control and auditability of voter-verified paper records. This Rule is hereby adopted on the day of promulgation.

**Title 31  
ELECTIONS**

**Part III. Procurement**

**Chapter 3. Procurement and Certification of Voting Systems**

**Subchapter A. Competitive Sealed Bidding**

**§301. Procurement and Use of Voting Systems in Louisiana**

A. All voting systems or system components for use in connection with voting or elections in Louisiana must be procured by the Secretary of State in accordance with R.S. 18:1362(A).

B. Voting systems or system components offered for bid in Louisiana must be certified in accordance with the provisions of R.S. 18:1361(A) and Section 303 of this Chapter. Such certification must be completed prior to any award pursuant to any procurement for voting systems or system components for use in connection with voting or elections in Louisiana.

C. All versions of voting systems and system components certified under previous rules and statutes and currently in use in Louisiana prior to the adoption of these rules shall be considered certified.

D. Election supporting technologies, including voter registration portals and databases, election night reporting systems, electronic poll books, and ballot delivery systems, may be used in the state at the discretion of the secretary of state.

AUTHORITY NOTE: Promulgated in accordance 18:1353, R.S. 18:1361, and R.S. 36:742.

HISTORICAL NOTE: Promulgated by the Department of Elections and Registration, Commissioner of Elections, LR 19:176 (February 1993), amended by the Department of State, Elections Division, LR 51:405 (March 2025).

**§303. Voting System Certification Standards and Procedures**

A. In accordance with R.S. 18:1361(A) of the Louisiana Election Code, the secretary of state will examine voting systems or system components for certification and use in the state as to usability, accessibility, durability, accuracy, efficiency, and capacity, and for the control and auditability of voter-verified paper records.

1. If the voting system or system component complies with the certification standards herein, that voting system or system component will be approved for use in this state and the secretary of state will issue a certificate of approval thereof.

2. Upon request of the maker or supplier, or at the direction of the secretary of state, the Department of State will set a date and time for the examination, which will include a system demonstration, review of documentation, and functionality testing.

3. Technical advisors and qualified independent experts selected by the Secretary of State pursuant to R.S. 18:1361(C) will assist in making the examination and will provide the Secretary of State with a report and recommendation for or against certification.

4. Each maker or supplier shall pay a one-time uniform fee for each application for certification. This fee will include all fees and expenses of independent experts and shall be paid prior to the examination by the person applying for certification.

5. Each maker or supplier shall provide documentation and demonstrations sufficient to show that the voting system or system component meets or exceeds the standards in Subsection B of this Section for certification and use in this state.

6. Upon written request of the maker or supplier, or at the direction of the secretary of state, the Department of State may examine for administrative certification any minor modification to a previously certified voting system that is in use in the state. The request shall contain sufficient information to identify the modifications to the previously certified voting system. The secretary of state retains sole discretion in determining whether the proposed minor modification may be examined by the Department of State for administrative certification without payment of a certification fee.

B. The Secretary of State sets the following standards for any new voting system to be tested and certified for use in Louisiana.

1. The voting system shall:

a. comply with all applicable federal and state laws and administrative rules, including but not limited to R.S. 18:1366;

b. be capable of producing a manually auditable voter verified paper record. For purposes of this Section, "manually auditable" means capable of being audited by humans by hand, without use of electronic devices;

c. provide a combined report of early voting results and absentee results, with the capability to report results by voting method and by precinct;

d. provide a combined report of all election day precinct results as one total;

e. provide for customization of unofficial and official reports, including absentee voting, early voting, election day voting, and total vote counts;

f. provide the ability to produce custom designed reports or tests as required by the Secretary of State. Provide that each portion of data is imported and assigned to the corresponding data field on the applicable components of the voting system, then propagated to the removable memory devices used at a voting location;

g. create redundant backups of election definitions, ballot images, cast vote record, and necessary logs to eliminate loss of data due to the failure of a data storage device. These redundant backups must be recorded to more than one persistent storage system;

h. prevent and detect tampering of hardware, software, election configuration, and election results during any period of the election cycle. It must also supply evidence of attempted and actual unauthorized access;

i. provide for the customizable import from the statewide voter registration system into the Election Management System (EMS) before programming begins as required by the Secretary of State; and

j. provide password protection and multi-factor user authentication on every device used for tabulation.

2. The Election Management System (EMS) shall:

a. provide that the import process can be done during election programming and does not require repetitive manual entry;

b. be able to export a results file compatible with the statewide voter registration system. This results file shall have the ability to be encrypted and sent electronically by each parish to the statewide voter registration system through an existing private network;

c. run on an operating system that falls under mainstream support and allow for critical security patches at request of the Secretary of State; and

d. be capable of uploading bulk audio files.

3. Any ballot marking device or voter-facing vote capture device shall:

a. secure secrecy of the ballot throughout the in-person voting process;

b. be capable of printing multiple zero reports at the opening of polls and multiple results reports after polls are closed;

c. provide functionality for voting for or against a question or proposition included on a ballot;

d. provide functionality to allow a voter to vote for as many persons for an office as he is lawfully entitled to vote for, but no more. However, when a voter is allowed to cast a vote for multiple candidates in one race, the system must also count each vote cast for an individual candidate in the event the voter chooses to vote for fewer candidates than permitted by law;

e. provide each voter an opportunity to modify their selections before the voter's ballot is cast only by first de-selecting the incorrect vote and then making the corrected selection;

f. notify the voter of undervotes before his ballot is cast;

g. prevent the voter from overvoting or casting a blank ballot;

h. have the ability to exclude any contest from a given ballot style in which the voter is prohibited from voting because of residence address or political party registration;

i. accurately register, record, and count all votes cast for each candidate and for or against each question;

j. be capable of complying with La. R.S. 18:1259 for presidential general elections;

k. contain a sound creating device which will audibly indicate that a voter has cast their ballot or a clear visual cue that the ballot has been cast;

l. must prevent unauthorized applications from being installed and executed;

m. be capable of printing for each voter the voter's selections to a voter verified paper record for the voter to view the printed selections before casting a ballot;

n. be capable of physically securing, retaining, and preserving the voter-verified paper record;

o. be configurable such that write-in voting is disabled and not visible to voters;

p. be accessible for individuals with disabilities, including nonvisual accessibility for voters who are blind or visually impaired in a manner that provides the same opportunity for access and participation (including privacy and independence) as for other voters;

**RULE**

**Workforce Commission  
Plumbing Board**

**Plumbers—Licenses and  
Continuing Professional Education Programs  
(LAC 46:LV.101, 301, and 1001)**

Editor's Note: This Rule is being repromulgated to correct manifest typographical errors. The original Rule may be viewed in its entirety on pages 1675-1677 of the November 20, 2024 *Louisiana Register*.

In accordance with the provisions of the Administrative Procedure Act, R.S. 49:953, the Plumbing Board (board), hereby amends LAC 46:LV.101, 301, and 1001 to be in compliance with recent legislative changes designated as Act No. 721. These Rules, §§101, 301, and 1001 substitute residential plumber in place of tradesman plumber. These Rules will be effective upon final publication in the *Louisiana Register*. This Rule is hereby adopted on the day of promulgation.

**Title 46  
PROFESSIONAL AND OCCUPATIONAL  
STANDARDS**

**Part LV. Plumbers**

**Chapter 1. Introductory Information**

**§101. Definitions**

\* \* \*

*Repair*—as that term is used in R.S. 37:1367(A), shall mean and be limited to the performance of repairs to existing plumbing, the clearing of stoppages, or repairing leaks.

*Residential Plumber*—a natural person who possesses the necessary qualifications and knowledge to install, alter, repair, and maintain plumbing systems and is issued a residential plumber limited license by the board to install, alter, repair, and maintain plumbing systems in one- and two-family dwellings at the direction of a master plumber, without the supervision of a journeyman plumber.

\* \* \*

*Tradesman Plumber*—Repealed.

\* \* \*

**AUTHORITY NOTE:** Promulgated in accordance with R.S. 37:1366(D).

**HISTORICAL NOTE:** Adopted by the Department of Labor, Plumbing Board, 1968, amended and promulgated by the Department of Employment and Training, Plumbing Board, LR 17:49 (January 1991), amended by the Department of Labor, Plumbing Board, LR 21:1348 (December 1995), LR 26:329 (February 2000), amended by the Workforce Commission, Plumbing Board, LR 42:575 (April 2016), LR 43:541 (March 2017), LR 43:972 (May 2017), LR 44:633 (March 2018), amended by the Workforce Commission, Plumbing Board, LR 44:1915 (October 2018), amended by the Workforce Commission, Plumbing Board LR 44:274 (February 2021), LR 49:914 (May 2023), amended by the Workforce Commission, Plumbing Board, LR 50:41 (January 2024), amended by the Workforce Commission, Plumbing Board, LR 50:1675 (November 2024), repromulgated, LR 51:407 (March 2025).

q. provide alternative language accessibility, if required at a future date;

r. prevent printing of election results prior to the closing of polls; and

s. include securely closed cases for transportation, storage, and prevention of damage and tampering.

4. The tabulation software must:

a. be capable of processing at least 200 contests, at least 250 candidates per contest, 1000 different ballot types, and 1000 precincts in each parish;

b. support manual data entry of the election definition to define the ballot tabulation criteria for a specific election;

c. be capable of producing pre-marked or hand-marked logic and accuracy test ballots and be able to complete a logic and accuracy test to ensure full system accuracy;

d. be capable of manual entry of results;

e. remove, during the early voting tally process, challenged or voided ballots cast on early voting machines as required by law and in a way that protects the secrecy of that ballot;

f. be capable of scanning each ballot, creating a signed digital image file containing an image of both sides of the ballot, and a record indicating how the ballot was read by the software;

g. be capable of producing the following on one report: summary totals for printing, accumulation of blank and over-votes for each contest (which must be available for optional printing on reports), and the percentage of votes cast for each selection in a contest;

h. be capable of producing a full ballot processing audit trail, indicating for each precinct processed, the total number of each type of ballot and other relevant statistics;

i. be capable of operating multiple tabulating devices without experiencing system degradation; and

j. be capable of re-scanning ballots and separately storing the ballot images for auditing, recounts, or other necessary election integrity measures.

5. An absentee ballot tabulation system shall utilize a document scanner and software capable of:

a. scanning all ballots;

b. reading marks on the ballot made with a pencil or with a blue or black ink pen;

c. scanning both sides of the ballot in a single pass through the scanner;

d. automatically feeding ballots through the scanner from an input tray that holds at least 100 ballot pages;

e. reading at least 60 ballot pages per minute;

f. automatically detecting the feeding of two or more ballot pages simultaneously;

g. recognizing, flagging, and segregating for adjudication of blank ballots, ballots containing ambiguous marks by the voter, and ballots containing overvotes. The state must be able to dictate and adjust parameters for ambiguous marks; and

h. being easily transported and stored.

**AUTHORITY NOTE:** Promulgated in accordance with R.S. 18:1353, R.S. 18:1361, R.S. 18:1366, and R.S. 36:742.

**HISTORICAL NOTE:** Promulgated by the Department of Elections and Registration, Commissioner of Elections, LR 19:176 (February 1993), amended by the Department of State, Elections Division, LR 51:405 (March 2025).

### Chapter 3. Licenses

#### §301. Licenses Required

A. - W. ...

X. No natural person shall engage in doing the work of a residential plumber unless he possesses a residential plumber limited license or renewal thereof issued by the board. At the direction of a master plumber licensed by the board, a residential plumber may independently install, alter, repair, and maintain plumbing in one- and two-family dwellings without the supervision of a journeyman plumber.

Y. The board shall issue a limited license to any person who qualifies under the board's regulations and who desires to engage in doing the work of a residential plumber if he passes a written and manual residential plumber's examination given by the board and pays the fees established by the board.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:1366(D).

HISTORICAL NOTE: Adopted by the Department of Labor, Plumbing Board, 1968, amended and promulgated by the Department of Employment and Training, Plumbing Board, LR 17:49 (January 1991), amended by the Department of Labor, Plumbing Board LR 19:897 (July 1993), LR 19:1593 (December 1993), LR 21:1348 (December 1995), LR 25:1857 (October 1999), amended by the Workforce Commission, Plumbing Board, LR 42:576 (April 2016), LR 43:541 (March 201), LR 43:972 (May 2017), LR 47:274 (February 2021), LR49:915 (May 2023), amended by the Workforce Commission, Plumbing Board, LR 50:41 (January 2024), amended by the Workforce Commission, Plumbing Board, LR 50:1675 (November 2024), repromulgated, LR 51:408 (March 2025).

#### Chapter 10. Continuing Professional Education Programs

##### §1001. Residential, Journeyman and Master Plumbers

A. CPE Requirement

1. All persons seeking to renew a residential license issued by the board are required to attend and show proof of attendance at no less than three and one half hours of a board-approved CPE class in the prior calendar year, as set out in this Section.

2. - 5. ...

6. All persons holding and seeking to renew both journeyman plumber or residential plumber and gas fitter licenses issued by the board are required to attend and show proof of attendance at no less than 4 and one half hours as set out in this Section and in §1002.

7. All persons holding and seeking to renew both journeyman plumber or residential plumber and master gas fitter licenses issued by the board are required to attend and show proof of attendance at no less than six hours as set out in this Section and in §1002.

A.8. - B.1. ...

2. The course materials will provide the basis for a minimum of three and one half hours of study for residential plumbers and journeyman plumbers. One hour will be in the subjects of health protection, consumer protection or environmental protection, half hour shall include information concerning R.S. 37:1361, et seq., LAC 46:LV, and two hours covering current industry practices and codes, and subjects from a list approved and published by the board.

3. - 6. ...

C. Course Providers

1. Course providers shall offer classroom instruction in the course materials used for the CPE required for renewal of residential, journeyman and master licenses issued under the Act. Board approval of course providers will be subject to all of the terms and conditions of this Section.

2. CPE courses shall be presented in the following formats:

a. for residential and journeyman plumbers, a minimum of 3 and one half classroom hours presented on one day; or

C.2.b. - 18. ...

D. Course Instructors

1. The board will initially approve course instructors to provide instruction in the course materials used for the CPE required for renewal of residential plumber, journeyman plumber and master plumber licenses. Board approval of course instructors will be subject to all terms and conditions of this Section. An individual who wishes to be approved by the board as a course instructor must apply to the board using an application form approved by the board. The following minimum criteria will be used by the board in considering approval of course instructors:

D.1.a. - 6. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:1366(I).

HISTORICAL NOTE: Promulgated by the Department of Labor, State Plumbing Board, LR 30:2068 (September 2004), amended LR 37:2440 (August 2011). LR 43:979 (May 2017), LR 44:634 (March 2018), LR 48:1591 (June 2022), amended by the Workforce Commission, Plumbing Board, LR 50:1676 (November 2024), repromulgated, LR 51:408 (March 2025).

Ashley Jones Tullier  
Executive Director

2503#035

# Notices of Intent

## NOTICE OF INTENT

### Department of Agriculture and Forestry Office of Agriculture and Environmental Sciences Advisory Commission on Pesticides

Advisory Commission on Pesticides  
(LAC 7:XXIII.103, 701, 709, 711, 2101, and 2103)

The Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Advisory Commission on Pesticides proposes to amend LAC 7:XXIII.103, 701, 709, 711, 2101 and 2103. The proposed Rule is promulgated in accordance with the provisions of the Administrative Procedure Act, R.S. 49:950 et seq. The proposed Rule change is made in accordance with R.S. 3:3203, which gives the Commissioner the authority to adopt rules and regulations. This proposed Rule is written in plain language in an effort to increase transparency.

The proposed rule changes are being made to update the rules and regulations to reflect the federal standards established by the United States Environmental Protection Agency (EPA) for pesticide use and applications by private and commercial applicators. Pursuant to the federal standards established in 40 CFR §171 and 7 U.S.C. 136 et seq., there are requirements for pesticide applicator certification plans administered by the state. As a certifying authority, the Department of Agriculture and Forestry (LDAF) is required to have an EPA-approved certification plan to certify applicators of Restricted Use Pesticides (RUPs). The proposed rule changes reflect the current EPA-approved certification plan.

#### Title 7

#### Agriculture and Animals

#### Part XXIII. Pesticides

#### Chapter 1. Authority, Pesticide Declarations, Definitions

#### §103. Definitions

A. - B. ...

*Aerial Applicator*—a certified commercial applicator involved in or supervising the mixing, loading, spraying, and dispensing of pesticides and fertilizers from low-flying manned or unmanned aircraft.

\*\*\*

*Commercial Applicator*—means an individual who is certified to apply or supervise the application of restricted use pesticides in the course of his employment.

\*\*\*

*Fumigant*—any restricted use pesticide which either by itself or in combination with any other substance:

- a. Emits or liberates gas, fumes, or vapors which will destroy pests;
- b. Is usually lethal, poisonous, or noxious;
- c. May be dangerous to human life; and/or
- d. Emits or releases any chilled or heated gas into the atmosphere.

\*\*\*

*Mechanically Powered Pesticide Application Equipment*—any device that has an electric or internal combustion motor and is used to dispense a pesticide. Control of the device may be directly by human action or autonomously by computer by direction of the applicator.

*Nonfee Commercial Applicator*—a commercial pesticide applicator who may use restricted use pesticides as a requirement of their employment in an agricultural and/or institutional setting. These applicators are not for hire and shall not use restricted use pesticides outside of their employment setting.

\*\*\*

*Private Applicator*—means an individual who is certified to apply or supervise the application of any restricted use pesticide for the purpose of producing any agricultural commodity on land owned or leased by the private applicator or for the purpose of applying or supervising the application of any restricted use pesticide on lands owned by another without compensation. Producing an agricultural commodity shall include related aspects of production, such as storage or transportation of an agricultural commodity produced by the private applicator.

\*\*\*

**AUTHORITY NOTE:** Promulgated in accordance with R.S. 3:3202 and 3:3203.

**HISTORICAL NOTE:** Promulgated by the Department of Agriculture, Advisory Commission on Pesticides, LR 9:171 (April 1983), amended by the Department of Agriculture and Forestry, Advisory Commission on Pesticides, LR 15:76 (February 1989), LR 27:2085 (December 2001), amended by the Department of Agriculture and Forestry, Office of Agriculture and Environmental Sciences, Advisory Commission on Pesticides, LR 35:626 (April 2009), amended by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Advisory Commission on Pesticides, LR 37:3466 (December 2011), amended by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, LR 38:3103 (December 2012), LR 42:730 (May 2016), amended by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Advisory Commission on Pesticides LR 51:

#### Chapter 7. Examinations, Certification and Licensing

#### Subchapter A. Examinations

#### §701. Examinations of Private Applicators, Commercial Applicators, Pesticide Salespersons, and Agricultural Consultants

A. Examinations for certification will be given during office hours upon request of the applicant, in Baton Rouge, at the division, at any district office of the department, or at any location approved by the director.

B. The minimum score necessary for successful completion of examinations for certifications under these rules and regulations shall be 70 percent.

C. The director, in cooperation with the director of the Cooperative Extension Service or his designee, shall be responsible for the preparation of all examinations.

D. The director shall be responsible for the administration and grading of all examinations.

E. Each applicant for the agricultural consultant examination who fails to receive a passing score shall wait a minimum of 10 days before being eligible for re-examination.

F. No person shall be allowed to take an agricultural consultant examination more than three times in a 12-month period.

G. Applicants who fail to receive a passing score on the private applicator examination, commercial applicator examination, or pesticide salesperson examination shall be eligible for re-examination after completing and submitting an application for retesting.

H. An applicant who took and did not pass an examination in this state under these standards shall not be permitted to receive certification in the occupation or category for which the examination was taken under a reciprocal agreement with another state.

I. All applicants for salesperson, commercial applicator and private applicator certification must be at least 18 years of age.

J. An applicant shall be disqualified from completing an examination or taking any other examination administered under these rules and regulations if the applicant is caught or found to be cheating on an examination or using any written materials, electronic devices, or other means during an examination, which have not been authorized or allowed by the director or person administering the examination.

1. Any such applicant shall not be allowed to finish the examination and shall receive a score of zero. If an applicant finished the examination prior to the discovery of the cheating or use of unauthorized written materials, electronic devices, or other means the applicant's examination shall be voided and the applicant shall receive a score of zero.

2. Any applicant who is not allowed under this subsection to finish an examination, or whose examination is voided, or who is disqualified from taking the examination or any other examination administered under these rules and regulations may appeal the action to the commission.

a. The appeal must be in writing, state the grounds for the appeal, and filed with the director within 30 days of the date of the action complained of.

b. The appeal will be placed on the agenda for the next meeting of the commission and the applicant will be notified of the date and place of the next meeting.

c. The appeal will be heard by the commission, which will make a recommendation to the commissioner. The decision of the commissioner shall be the final administrative decision in the matter.

d. An appeal from the decision of the commissioner shall be in accordance with the Administrative Procedure Act.

e. The action or administrative decision shall become final if no appeal is timely filed at any step in the proceedings or if the action is upheld on appeal.

3. During the pendency of any appeal or during the time limit for the filing of any appeal the applicant shall not be allowed to take any examination administered under these rules and regulations.

4. If the action or administrative decision is not appealed or is upheld on appeal then the applicant shall not be allowed to take or re-take the examination or any other

examination administered under these rules and regulations for a period of three years from the examination date without the approval of the commission given at a meeting of the commission.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:3203 and R.S. 3:3241 and 3:3249.

HISTORICAL NOTE: Promulgated by the Department of Agriculture, Advisory Commission on Pesticides, LR 9:178 (April 1983), amended LR 11:943 (October 1985), amended by the Department of Agriculture and Forestry, amended by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, LR 15:76 (February 1989), amended by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Advisory Commission on Pesticides, LR 28:39 (January 2002), amended by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Advisory Commission on Pesticides, LR 35:626 (April 2009), repromulgated by Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Advisory Commission on Pesticides, LR 37:3471 (December 2011), LR 47:437 (April 2021), repromulgated LR 47:717 (June 2021), amended by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Advisory Commission on Pesticides LR 51:

## **Subchapter B. Certification**

### **§709. Certification of Private Applicators**

A. Certification for private applicators shall be issued only after the applicant has satisfactorily passed an examination or has satisfactorily completed a training course that meets or exceeds the standards for certification of private applicators pursuant to 40 CFR §171.105 and is approved by the commissioner.

B. Each person that has been certified as a private applicator and whose certification has not been revoked, suspended or expired may renew that certification by attending a recertification meeting or passing an examination as approved by the commissioner.

C. Private applicators shall not use fumigants unless they pass the Soil or Non-Soil Fumigation Exams.

D. Supervision of Noncertified Applicators. The certified applicator shall ensure that each noncertified applicator under their direct supervision meets all the requirements set forth in 40 CFR §171.201 before the noncertified applicator uses any restricted use pesticide. Noncertified applicators shall be trained within the last 12 months in the safe operation of any equipment they will use for moving, loading, transferring, or applying pesticides pursuant to 40 CFR §171.201.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:3203, R.S. 3:3249.

HISTORICAL NOTE: Promulgated by the Department of Agriculture, Advisory Commission on Pesticides, LR 9:179 (April 1983), amended by the Department of Agriculture and Forestry, Advisory Commission on Pesticides, LR 15:76 (February 1989), amended by Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Advisory Commission on Pesticides, LR 37:3471 (December 2011), LR 44:2126 (December 2018), amended by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Advisory Commission on Pesticides LR 51:

### **§711. Certification of Commercial Applicators**

A. The commissioner hereby establishes the following standards as qualifications required for certification.

1. Standards applicable to all categories:
  - a. must be at least 18 years of age;



A.1.b. - g. ...

2. An individual applying for certification in subcategory 7c (§711.B.2.g.iii) must pass the Non-Soil Fumigation Exam.

A.3. - B.1. ...

a. Supervision for Noncertified Applicators: the certified applicator shall ensure that each noncertified applicator under their direct supervision meets all the requirements set forth in 40 CFR §171.201 before using any restricted use pesticide. Noncertified applicators shall be trained within the last 12 months in the safe operation of any equipment they will use for moving, loading, transferring, or applying pesticides pursuant to §171.201.

B.2....

\* \* \*

a. Agricultural Pest Control (category 1). This category includes commercial applicators using or supervising the use of restricted use pesticides on agricultural lands, grasslands and non-crop agricultural lands; and on animals and to places on or in which animals are confined. This category also includes Doctors of Veterinary Medicine engaged in the business of applying pesticides for hire, publicly holding themselves out as pesticide applicators, or engaged in large scale use of pesticides. This category does not include the use of fumigants.

b. Forest Pest Control (category 2). This category has been subdivided into the following two subcategories.

i. Forestry Pest Control (subcategory 2a). This subcategory includes commercial applicators using or supervising the use of restricted use pesticides in forests, forest nurseries, and forest seed production. This subcategory does not include the use of fumigants.

ii. Wood Processing (subcategory 2b). This subcategory includes applicators who are using or supervising the use of restricted use pesticides to treat wood products (lumber, poles, ties) before their use in construction, or to field treat utility poles, bridge supports and similar elements of construction. This subcategory does not include the use of fumigants.

c. Ornamental and Turf Pest Control (category 3). This category includes commercial applicators using or supervising the use of restricted use pesticides to control pests in the maintenance and production of ornamental trees, shrubs, flowers and turf. This category does not include the use of fumigants.

d. Seed Treatment (category 4). This category includes commercial applicators using or supervising the use of restricted use pesticides on seeds. This category does not include the use of fumigants.

e. ...

i. Aquatic Pest Control (subcategory 5a). This subcategory includes commercial applicators using or supervising the use of any restricted use pesticide purposefully applied to standing or running water, excluding applicators engaged in public health related activities included in category 8 (Subparagraph B.2.h). This subcategory does not include the use of fumigants.

ii. Anti-Fouling Paints (subcategory 5b). This subcategory includes commercial applicators using restricted use pesticides in paints or coatings to be applied to vessel

hulls and other marine structures to inhibit the growth of aquatic organisms such as barnacles and algae. This subcategory does not include the use of fumigants.

f. Right-of-Way Pest Control (category 6). This category includes commercial applicators using or supervising the use of restricted use pesticides in the maintenance of public roads, electric power lines, pipelines, railway rights-of-way or other similar areas. This category does not include the use of fumigants.

g. Industrial, Institutional, and Structural Pest Control (category 7). This category includes structural applicators and nonfee commercial applicators using, or supervising the use of, pesticides with restricted uses in, on, or around food-handling establishments; human dwellings; institutions, such as schools and hospitals; industrial establishments, including warehouses and grain elevators; and any other structures and adjacent area, public or private; and for the protection of stored, processed or manufactured products. This category has been subdivided into four subcategories.

i. Structural Pest Control (subcategory 7a). This subcategory is for pest control operators who are, or will be, certified and licensed by the Structural Pest Control Commission. The commissioner hereby delegates to the Structural Pest Control Commission the authority to examine and certify all persons in this subcategory. The commissioner hereby delegates to the Structural Pest Control Commission the authority to enforce all federal and state laws and regulations as they apply to persons certified under this subcategory.

ii. Industrial and Institutional Pest Control (subcategory 7b). This subcategory includes applicators using or supervising the use of restricted use pesticides on a nonfee basis in, on or around institutions, motels, hotels, hospitals, feed mills, flour mills, food processing plants where processed and unprocessed foods are stored, and like places as the owner or in the employ of the owner and for persons applying or supervising the application of any herbicide, rodenticide, or insecticide for grass and weed control and rodent and general pest control in, on, or around structures or grounds of government subsidized and administered housing and multiplex housing. This subcategory does not include the use of fumigants.

iii. Stored Grain Pest Control (subcategory 7c). This subcategory includes applicators using or supervising the use of restricted use pesticides, including fumigants, on a nonfee basis in, on, or around commercial grain mills, grain elevators and other grain handling establishments as the owner or in the employ of the owner.

iv. Public Health Pest Control (subcategory 7d). This subcategory includes commercial applicators engaged in the control of public health pests outside of government sponsored health programs. These subcategories do not include the use of fumigants. This has been subdivided into three subcategories, as follows:

(a). Mosquito Control Applicator (subcategory 7d1). This subcategory includes commercial applicators using or supervising the use of restricted use pesticides for mosquito control.

(b). Antimicrobial Pest Control (subcategory 7d2). This subcategory includes commercial applicators, including those in subcategory 7(a) found at LAC 7:XXIII.

§711.B.2.g.i, using or supervising the use of restricted use pesticides for antimicrobial pest control.

(c). Sewer Root Control (subcategory 7d3). This subcategory is for commercial applicators using or supervising the use of restricted use pesticides for root control areas in sewers.

h. Governmental and School Pest Control (category 8). This category is for state, federal, municipal, and school employees using or supervising the use of pesticides in public health programs for the management and control of pests having medical and public health importance. This category does not include the use of fumigants. This category has been subdivided into seven subcategories, as follows.

i. Mosquito Control—Applicator (subcategory 8a). This subcategory is for government employees who are applicators in mosquito control programs.

ii. Rodent Control (Subcategory 8b). This subcategory is for government employees who are applicators in rodent control programs.

iii. Community Public Health (subcategory 8c). This subcategory is for government employees who are applicators concerned with the control of all arthropods and rodents of public health importance.

iv. ...

v. Antimicrobial Pest Control (subcategory 8e). This subcategory is for government employees engaged in antimicrobial pest control using restricted use pesticides.

vi. Sewer Root Control (subcategory 8f). This subcategory is for government employees who are applicators engaged in root control in sewers using restricted use pesticides.

vii. School Employee Pest Control (subcategory 8g). This subcategory is for employees of a school or school system who apply or supervise the application of pesticides on a nonfee basis for grass and weed control and rodent and general pest control (roaches, wasps, ants) or restricted use pesticides in, on, or around structures and grounds of schools that provide education for classes prekindergarten through grade 12. Pesticide applications for wood destroying insects shall be applied by licensed structural pest control operators. Each 8g certified applicator shall annually train all persons applying pesticides under their supervision in the proper handling, storage, use, application and disposal of pesticides.

i. Regulatory Pest Control (category 9). This category includes state, federal or other governmental employees using or supervising the use of pesticides with restricted uses in the control of regulated pests. This category does not include the use of fumigants.

j. Demonstration and Research Pest Control (category 10). This category includes individuals who demonstrate to the public the proper use and techniques of application of pesticides with restricted uses, or supervise such demonstrations and persons conducting field research with pesticides, and in doing so, use or supervise the use of pesticides with restricted uses. This includes individuals such as extension specialists and county agents, commercial representatives demonstrating restricted use pesticide products, individuals demonstrating application or pest control methods used in public or private programs, and state, federal, commercial and other persons conducting field research on or involving restricted use pesticides.

C. ...

D. Each person that has been certified in any category or subcategory as a commercial applicator, and whose certification has not been revoked or suspended or expired, may renew that certification by attending a recertification meeting or training course for that category as approved by the commissioner.

1. When a certification category has not been recertified, the applicator shall comply with all requirements for initial certification contained in §701 and §711.

a. If the expired certification was granted based on a reciprocal agreement, the applicator shall have to take the certification exams administered by LDAF.

E. The commissioner shall issue a certification card to each commercial applicator showing the categories or subcategories in which the applicator is certified. This certification card shall expire on December 31 of each year. Each person wishing to renew a certification card shall do so by submitting an application form prescribed by the commissioner and by submitting the proper fee.

F. Each person who is certified as a commercial applicator need not be certified as a private applicator or a pesticide salesperson to apply or supervise the application of any restricted use pesticide as a private applicator, or to sell or supervise the sale of restricted use pesticides.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:3203, R.S. 3:3242 and R.S. 3:324.

HISTORICAL NOTE: Promulgated by the Department of Agriculture, Advisory Commission on Pesticides, LR 9:179 (April 1983), amended LR 10:193 (March 1984), amended by the Department of Agriculture and Forestry, Office of Agriculture and Environmental Sciences, LR 18:953 (September 1992), LR 19:735 (June 1993), LR 20:641 (June 1994), LR 21:928 (September 1995), amended by the Department of Agriculture and Forestry, Office of Agriculture and Environmental Sciences, Advisory Commission on Pesticides, LR 23:193 (February 1997), LR 24:280 (February 1998), LR 28:39 (January 2002), LR 32:794 (May 2006), repromulgated LR 32:1011 (June 2006), amended LR 35:627 (April 2009), amended by Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Advisory Commission on Pesticides, LR 37:3471 (December 2011), LR 44:2126 (December 2018), LR 46:169 (February 2020), amended by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Advisory Commission on Pesticides LR 51:

## **Chapter 21. Record Keeping Requirements**

### **§2101. Owner-Operators, Non-Fee Commercial Applicators, Private Applicators and Commercial Applicators**

A. Any person applying pesticides for a fee, private applicators described in §709, and commercial applicators described in §711, with the single exception of applicators listed in §711.B.2.g Category 7, shall accurately maintain, for a period of three years, records of pesticide applications on a record keeping form or record keeping format approved by the director. Records described herein must be maintained, within three days of the application, at the physical address of the employer or the physical address on the owner/operator license. A copy of these records shall be provided to any employee of department upon request at a reasonable time during normal working hours. The following information shall be included on that form:

1. - 7. ...

8. time of application;
9. crop/type of application;
10. location of application;
11. size of area treated (acres, square feet, or minutes of spraying);
12. rate of application;
13. total amount of product (concentrate) applied per location, per application;
14. applicator;
15. certification number of applicator (if applicable).

B. Non-fee commercial applicators as described in §711.B.2.g, category 7, shall accurately maintain, for a period of three years, records of applications of all herbicides insecticides, rodenticide, and fumigants on the appropriate record keeping form as described in LAC 7:XXV.117.I and §2101.A and approved by the director. Records described herein shall be maintained, within seven days of the application, at the physical address of the employer. A copy of these records shall be provided to any employee of the department upon request, at a reasonable time during normal working hours.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:3203.

HISTORICAL NOTE: Promulgated by the Department of Agriculture, Advisory Commission on Pesticides, LR 10:199 (March 1984), amended by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, LR 21:929 (September 1995), amended by Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Advisory Commission on Pesticides, LR 37:3484 (December 2011), LR 44:2126 (December 2018), LR 51:

### **§2103. Pesticide Dealers and Salespersons**

A. - A.3.b. ...

B. Licensed pesticide dealers, certified pesticide salespersons, and/or persons under the direct supervision of a certified dealer or salesperson shall maintain the following records on a current basis for a period of three years:

1. the name, amount and the EPA registration number of the pesticide purchased and/or sold;

B.2. - C. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:3203 and R.S. 3:3245.

HISTORICAL NOTE: Promulgated by the Department of Agriculture, Advisory Commission on Pesticides, LR 10:199 (March 1984), amended by Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Advisory Commission on Pesticides, LR 37:3485 (December 2011), amended by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Advisory Commission on Pesticides LR 51:

#### **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 impact 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 Rule via U.S. Mail or hand delivery. Written submissions must be directed to Lyndon Leonards, Director, Pesticide and Environmental Programs, Louisiana Department of Agriculture and Forestry, 5825 Florida Blvd., Suite 3000, LA 70806, and must be received no later than 4 p.m. on Thursday, April 10, 2025. All written comments must be signed and dated.

Mike Strain, DVM  
Commissioner

### **FISCAL AND ECONOMIC IMPACT STATEMENT FOR ADMINISTRATIVE RULES RULE TITLE: Advisory Commission on Pesticides**

#### **I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENT UNITS (Summary)**

The proposed rule changes are expected to increase expenditures for the Louisiana Department of Agriculture and Forestry (LDAF) by \$6,600 to update the USAPlants licensing database by adding and updating commercial applicator certification categories as required.

The proposed rule changes define and clarify certain terms and update the rules/regulations to reflect changes required by the United States Environmental Protection Agency (EPA) to regulate pesticide use and applications by private and commercial applicators. The proposed rule changes are under the EPA's Federal Insecticide, Fungicide, and Rodenticide Act

(FIFRA). As a certifying authority, the Louisiana Department of Agriculture and Forestry (LDAF) is required to have an EPA-approved certification plan to certify applicators of Restricted Use Pesticides (RUPs).

II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS (Summary)

LDAF anticipates a small increase in revenue of \$1,000 annually starting FY 26. This revenue will be collected from the newly required fumigation categories. These commercial fumigation categories will affect approximately 20 commercial applicators per year with a cost of \$50 per applicator.

III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS, SMALL BUSINESSES, OR NONGOVERNMENTAL GROUPS (Summary)

The proposed rule changes are estimated to cost affected entities \$50 per applicator. The directly affected entities are businesses that use restricted pesticide applicators. LDAF anticipates approximately 20 applicators per year will be affected.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

There is no estimated effect on competition and employment.

Dane Morgan  
Assistant Director  
2503#043

Patrice Thomas  
Deputy Fiscal Officer  
Legislative Fiscal Office

## NOTICE OF INTENT

### Department of Agriculture and Forestry Office of Animal Health and Food Safety

#### Voluntary Inspection Services for Slaughter and Processing of Exotic Animals (LAC 7:XXXIII.Chapter 3)

In accordance with the Administrative Procedure Act, R.S. 49:950, et seq., and pursuant to the authority set forth in R.S. 3: et seq., notice is hereby given that the Department of Agriculture and Forestry (“Department”), through the Office of Animal Health and Food Safety, intends to promulgate LAC 7:XXXIII.301-333, relative to the establishment of Voluntary Inspection Services for the Slaughtering and Processing of Exotic Animals. The proposed rule change is being promulgated in accordance with Act No. 33 of the 2024 Regular Session, which enacted R.S. 3:4215(E), that provides for voluntary inspection services for establishments that slaughter or prepares meat or meat products of bison, cervidae, bovidae (other than beef), camelidae and hybrids thereof, domestic rabbits, pheasant, quail, partridge, peafowl, grouse, wild turkey, or other animals or poultry determined by the commissioner of agriculture for human food purposes. This is a new program within the existing Meat and Poultry Inspection program and is entirely fee-based, with no cost to the state. The proposed rules set forth the general provisions for the new Voluntary Inspection Services for slaughter and processing of exotic animals. The proposed rules include standards, and guidelines for establishments wishing to apply for this program; the application process for requesting voluntary inspection; fees and operating hours for voluntary inspection services; facility and humane standards; marking guidelines; procedures for recalls, public health notices, as well as detention, condemnation and seizure of product; reasons for withholding of voluntary inspection services; prohibitions

and investigations, as well as adjudicatory proceedings for alleged violations. These proposed rules are written in plain language in an effort to increase transparency.

## TITLE 7

### AGRICULTURE AND ANIMALS

#### Part XXXIII. Meat and Poultry Inspections

#### Chapter 3. Voluntary Inspection for Slaughter and Processing of Exotic Animals

##### §301. General Provisions, Definitions

A. When not in conflict with existing provisions of R.S. 3:4201 et seq. or this Chapter, the provisions of Code of Federal Regulations, Title 9, Part 416.1-5 are incorporated by reference.

B. The following words and terms, when used in this Chapter, shall have the following meanings unless the context expressly indicates otherwise.

*Commerce*—trade, commerce, transportation, transmission, or communication among the several States, or between any State and any place outside thereof.

*Commissioner*—Commissioner of Agriculture and Forestry.

*Department*—the Louisiana Department of Agriculture and Forestry.

*Establishment*—each place of business that receives voluntary inspection services pursuant to R.S. 3:4215(E) and this Chapter.

*Exotic Animals*—bison, cervidae, other bovidae, camelidae and hybrids thereof, domestic rabbits, pheasant, quail, partridge, peafowl, grouse, wild turkey, or other animals or poultry determined by the commissioner of agriculture herein for human food purposes.

*Public Health Notice*—an alert to the public about potential health risks in cases where a recall has not or cannot be recommended.

*Recall*—a voluntary action by an establishment to remove adulterated or misbranded product from commerce. A recall is intended to protect the public from unsafe and improperly labeled foods.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:4215.

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Office of Animal Health and Food Safety, LR 51:

##### §303. Voluntary Inspection for Exotic Animals

A. The department may provide, upon application and approval, voluntary inspection services to facilities who process exotic animals, exotic animal carcasses, or exotic meat food products as provided for in this Chapter.

B. An establishment may obtain voluntary inspection services for all or for some of the exotic animals, exotic animal carcasses, or exotic meat food products that it processes.

1. If an establishment seeks voluntary inspection services for some, but not all, of the exotic animals, exotic animal carcasses, or exotic meat food products that it processes:

a. it may affix the official voluntary inspection mark as prescribed in this Chapter to only those exotic animal carcasses or exotic meat food products for which the department has provided voluntary inspection services; and

b. it shall be charged only for the time for which the department provides voluntary inspection services.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:4215.

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Office of Animal Health and Food Safety, LR 51:

### **§305. Application for Voluntary Inspection**

A. Any person or business desiring to process an exotic animal, exotic animal carcass, exotic animal meat, or meat food product in an establishment under voluntary inspection service must complete an application and receive approval of such establishment and facilities as an official voluntary establishment by the department prior to the provision of such service.

B. When an application has been submitted for voluntary inspection service, the department shall conduct an initial survey which shall include an examination of the establishment, premises, and facilities.

C. The department may provide voluntary inspection services to applicants who meet the following criteria:

1. Facility Standards. Each establishment must meet the facility standards set forth in 21 C.F.R. 416.1-.5, regarding the establishment grounds and facilities; equipment and utensils; sanitary operations, and employee hygiene.

2. Ante-Mortem Inspections and Humane Standards. Each establishment requesting ante-mortem inspections shall meet the following standards:

a. An ante-mortem inspection of an exotic animal shall, where and to the extent considered necessary by the department and under such instructions as it may issue from time to time, be made on the day of slaughter of an exotic animal, as determined by the department.

b. Humane handling of exotic animals during antemortem inspections shall be done in accordance with the provisions of R.S. 3:4203. Immediately after the animal is stunned or killed, it shall be shackled, hoisted, stuck and bled.

c. Any exotic animal producer must receive prior approval by the district supervisor for any off-site ante-mortem inspection.

d. Any establishment desiring ante-mortem inspection service must receive approval of the designated area from the district supervisor or designee prior to the rendition of such service.

#### **3. Post-Mortem Standards**

a. Products must be wholesome and free from adulteration, as defined in R.S. 3:4201.

b. Products must be protected from adulteration during processing and storage.

c. Products must be accurately labeled.

D. Upon approval of an initial application for voluntary inspection for exotic animals, the Department shall issue a letter of approval notifying the applicant.

E. Each subsequent individual request for inspection services by that applicant must also be approved. The applicant must submit a request for each individual date on which inspection services are requested. Each request must be approved by the Department. The Department will notify the establishment if the requested date of inspection services is approved.

F. An applicant shall be notified of the decision to reject an application or request for service and the reasons therefore.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:4215.

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Office of Animal Health and Food Safety, LR 51:

### **§307. Fees**

A. Voluntary inspection services for exotic animal processing is fee-based and shall be made available only to establishments in good standing and not delinquent on payment of fees. The purchase of an annual license is not required.

B. The hourly fee for voluntary inspection services for exotic animal processing is \$40 per hour, billed on a quarter-hour basis, to be paid by the applicant.

C. Upon completion of inspection services, the department will provide the establishment a Voluntary Exotic Inspection Report. This report will indicate the number of hours per month, calculated to the nearest quarter hour, of inspection services provided as well as the total fee owed for inspection services. A representative of the establishment will be required to sign the report.

D. At a subsequent date, the department will provide an invoice for the fee, which must be paid in full within 30 days of receipt.

E. Failure to pay fees for voluntary exotic inspection services will result in the refusal of further services and will be subject to collections.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:4215.

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Office of Animal Health and Food Safety, LR 51:

### **§309. Facility Standards**

A. All approved establishments shall be operated and maintained in a manner sufficient to prevent the creation of unsanitary conditions and to ensure that products are not adulterated.

B. All approved establishments must comply with the sanitation standards set forth in 9 CFR 416.1-416.5.

1. Establishments may request a waiver from certain provisions of 9 CFR 416.1-416.5. Requests for such waivers must be submitted, in writing, to the district supervisor. Approvals of waiver requests must be in writing.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:4215.

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Office of Animal Health and Food Safety, LR 51:

### **§311. Operating Times**

A. Voluntary inspection services may be made available on non-holiday weekdays, at a minimum of two hours and no more than eight total hours in a given day to be approved in advance by the district supervisor.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:4215.

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Office of Animal Health and Food Safety, LR 51:

### **§313. Antemortem Examination and Humane Standards.**

A. An ante-mortem inspection of an exotic animal shall, where and to the extent considered necessary by the department and under such instructions as it may issue from

time to time, be made on the day of slaughter of an exotic animal, as determined by the department.

B. Humane handling of an exotic animal during antemortem inspection shall be in accordance with the provisions contained in R.S. 3:4203. Immediately after the animal is stunned or killed, it shall be shackled, hoisted, stuck and bled.

1. The department may refuse or temporarily suspend inspection at an establishment if it finds that any exotic animals have been slaughtered or handled in connection with slaughter by any method not in accordance with the Federal Humane Methods of Livestock Slaughter Act (7 U.S.C. §1901 et seq.). The refusal to inspect or suspension shall continue until the establishment comes into compliance herewith.

C. All establishments requesting offsite ante-mortem inspection services must submit requests, in writing, to the district supervisor, and receive prior approval no less than 48 hours in advance of the requested off-site ante-mortem inspection.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:4215.

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Office of Animal Health and Food Safety, LR 51:

### **§315. Postmortem Examination Standards**

A. All products receiving voluntary exotic inspection services must be wholesome and free of adulteration, as defined in R.S. 3:4201, during processing and storage.

B. All products receiving voluntary exotic inspection services must be accurately marked or labeled, as required by this Chapter.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:4215.

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Office of Animal Health and Food Safety, LR 51:

### **§317. Marking**

A. A mark indicating voluntary exotic inspection may be applied only to animal carcasses, parts, and packaging thereof that have been inspected and passed in accordance with the standards set forth in this Chapter.

B. Except as otherwise authorized by the department, the official inspection mark applied to inspected exotic animal carcasses, meat or meat food products under this part shall include wording as follows: "LA Exotic Inspected".

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:4215.

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Office of Animal Health and Food Safety, LR 51:

### **§319. Recall/Public Health Notice**

A. The department may recommend a recall or issue a public health notice on products in commerce that are voluntarily inspected in accordance with this Chapter and that the department identifies as adulterated or misbranded as defined in R.S. §3:4201.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:4215.

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Office of Animal Health and Food Safety, LR 51:

### **§321. Detention of Product**

A. Whenever carcasses, parts of carcasses, meat, or meat food product of exotic animals, or any product exempted from the definition of meat food product or poultry product, or any dead, dying, disabled or diseased animal or fowl described above is found by any authorized representative of the department upon any premises of an approved establishment where it is held for purposes of, or during or after distribution in intrastate commerce, and there is reason to believe that any such article is adulterated or misbranded and is capable of use as human food, or that it has not been inspected, in violation of the provisions of this Chapter, or that such article or animal has been or is intended to be, distributed in violation of any such provisions, it may be detained by such representative for a period not to exceed twenty days, pending action under R.S. 3:4225 or notification of any authorities having jurisdiction over such article or animal, and shall not be moved by any person, entity, firm, or corporation from the place at which it is located when so detained, until released by the department. All official marks may be required by the department to be removed from such article or animal before it is released unless it appears to the satisfaction of the department that the article or animal is eligible to retain such marks.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:4215.

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Office of Animal Health and Food Safety, LR 51:

### **§323. Appeals from Decisions**

A. Any establishment that receives voluntary exotic inspection services may appeal or dispute any decision made by an inspector in accordance with the procedures set forth in this Chapter.

B. If an establishment disputes any decision made by any inspector in the program, such establishment shall first make its objections known to the inspector.

C. If the establishment and the inspector cannot resolve the dispute, the establishment shall immediately notify the area supervisor of the dispute and the basis for the dispute.

D. If the dispute cannot be resolved by conference with the area supervisor, the establishment shall then notify the department's program manager of the meat and poultry inspection program within three business days after the conference. Such notification may be verbal but shall be confirmed in writing within three days after the verbal notification.

E. If the establishment and the program manager cannot resolve the dispute, the establishment may petition the commissioner, in writing, for a resolution of the dispute within three business days after the program manager makes his decision.

F. The commissioner may appoint a designee to mediate the dispute.

G. If the mediation is unsuccessful or if the commissioner determines that a public hearing is necessary to resolve the dispute, the commissioner may set a public hearing before a hearing officer to resolve the dispute. Any public hearing shall be conducted in accordance with the Administrative Procedure Act. The hearing officer shall

make recommendations to the commissioner. The commissioner may adopt the recommendations of the hearing officer or issue a written determination of his own.

H. Any decision by the commissioner is final and may be appealable as provided in the Administrative Procedure Act.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:4215.

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Office of Animal Health and Food Safety, LR 51:

### **§325. Condemnation and seizure**

A. The department may recommend immediate condemnation and destruction of any carcass, part of carcass, meat or meat food product of exotic animals, or any dead, dying, disabled, or diseased exotic animal or poultry described above that is being transported in intrastate commerce, or is held for sale in this state after such transportation, and that:

1. is or has been prepared, sold, transported or otherwise distributed or offered or received for distribution in violation of this Chapter;

2. is intended for use as human food and is adulterated or misbranded; or

3. in any other way is in violation of this Chapter.

B. If the establishment objects to the department's recommendation of immediate condemnation and destruction, the department may seek an order of the district court within the jurisdiction of which the article or animal is found in accordance with R.S. 3:4225.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:4215.

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Office of Animal Health and Food Safety, LR 51:

### **§327. Withholding of Voluntary Exotic Inspection Services**

A. An application or a request for voluntary exotic inspection services may be denied, or the benefits of inspection services may be otherwise denied to, or withheld from, any establishment by the department for any of the following reasons:

1. for administrative reasons, such as the nonavailability of personnel to perform the service;

2. for the failure of payment for service;

3. if the application or request relates to exotic animals or exotic animal products which are not eligible for service under this Chapter; or

4. for the use of operating procedures or conditions which are not in accordance with this Chapter.

B. The establishment shall be promptly notified of any decision to deny an application or request for inspection services, or to deny or withhold the benefits of inspection services, and the reasons therefor.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:4215.

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Office of Animal Health and Food Safety, LR 51:9

### **§329. Prohibitions**

A. No person shall:

1. affix the mark of exotic inspection to any exotic animal carcass, exotic animal meat, or meat food product that has not been inspected and passed by the department;

2. intentionally or knowingly alter, modify, deface, or otherwise change the mark of exotic inspection;

3. commit any prohibited act set forth in R.S. 3:4211 with respect to the official La. Exotic Inspected mark or exotic inspection services; or

4. any other violation of R.S. 3:4201 et seq. or this Chapter.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:4215.

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Office of Animal Health and Food Safety, LR 51:

### **§331. Investigations**

A. When there is a reason to believe that a violation of R.S. 3:4201 et seq. or this Chapter has occurred, the department may conduct an investigation to gather information regarding any possible violation.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:4215.

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Office of Animal Health and Food Safety, LR 51:

### **§333. Adjudicatory Proceedings; Violations**

A. The commissioner may suspend or revoke any grant of inspection services issued under the provisions of R.S. 3:4201 et seq. and this Chapter. The commissioner may also impose a civil penalty for violation of any provision of R.S. 3:4201 et seq. or this Chapter.

B. Whenever any establishment which is subject to these rules and regulations appear to be in violation of any provision(s) thereof, the commissioner of agriculture shall convene a public hearing on the matter, which hearing shall be conducted in accordance with the Administrative Procedure Act, R.S. 49:975 et seq.

C. Each separate day on which any violation occurs shall be considered a separate violation.

D. No penalty may be assessed nor may any grant of inspection services be suspended or revoked by the commissioner prior to the holding of an adjudicatory hearing before the commissioner. Such adjudicatory hearing shall be conducted in accordance with the requirements of the Administrative Procedure Act. Any person alleged to have violated any provision of R.S. 3:4201 et seq. or this Chapter shall be accorded all rights and privileges under said Act.

E. The commissioner may appoint a hearing officer to hear evidence and make an initial determination on alleged violations and recommend findings of fact and conclusions of law, together with penalties, if applicable, in writing.

F. The commissioner shall make the final determination on the disposition of alleged violations. If the commissioner does not accept the recommendations of the hearing officer following the adjudicatory hearing, the commissioner shall provide written reasons for not accepting the recommendations. All decisions by the commissioner are final and appealable in accordance with the Administrative Procedure Act, R.S. 49:975 et seq.

G. Reinstatement of a grant of inspection services shall be by hearing before a hearing officer and approval of the commissioner.

H. Appeals from rulings of the commissioner shall be taken in accordance with the Administrative Procedure Act, R.S. 49:975 et seq.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:4215.

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Office of Animal Health and Food Safety, LR 51:

### **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 Amy L. McInnis, Department of Agriculture & Forestry, 5825 Florida Blvd., Suite 3000, Baton Rouge, LA 70806 and must be received no later than 4 p.m. on April 10, 2025. All written comments must be signed and dated.

### **Public Hearing**

No public hearing on this proposed Rule has been scheduled. If a public hearing is needed, all interested parties will be afforded an opportunity to submit data, views, or

arguments either orally or in writing. Interested parties may submit a written request to conduct a public hearing to Amy L. McInnis, General Counsel, Department of Agriculture & Forestry, 5825 Florida Blvd., Suite 2000, Baton Rouge, LA 70806 or via email to legal@ldaf.state.la.us and must be received no later than 4 p.m. on April 10, 2025.

Mike Strain, DVM  
Commissioner

## **FISCAL AND ECONOMIC IMPACT STATEMENT FOR ADMINISTRATIVE RULES**

### **RULE TITLE: Voluntary Inspection Services for Slaughter and Processing of Exotic Animals**

#### **I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENT UNITS (Summary)**

The proposed rule is expected to have an increase in costs, which will be recaptured by the fee that is being implemented. The Louisiana Department of Agriculture and Forestry (LDAF), does not anticipate any other costs other than the cost of promulgation, which is included in the agency's operating budget. There is no anticipated impact on local government units.

The proposed rule provides for a new service being provided to meat processing facilities on a voluntary and pay-per-service basis. The Meat and Poultry Inspection Program will provide inspection of exotic animals and animal carcasses at meat processing facilities. This service is currently not being provided elsewhere within the state. This service will be provided only to those facilities that request voluntary inspection services and agree to pay for the inspection services, which will be billed on an hourly basis at a rate of \$40.

The hourly rate is designed to cover the associated costs to the state. The average hourly rate for a Meat Inspector (Agriculture Specialist 1/2/3) is \$25 per hour. The average fringe benefit cost for an inspector is \$13 per hour. The average cost of mileage is expected to be \$2 per hour, given that most services are expected to be performed at locations already visited by the inspectors. The \$40 per hour rate was determined by adding these three costs together.

The personnel that will perform these voluntary inspection services are currently funded up to 50% by USDA for non-exotic inspections and 50% by state funds. However, the USDA will not subsidize the type of inspection provided for in this proposed rule. Therefore, the hourly rate (\$40/hour) outlined in the proposed rule would make up the difference between the total cost of these inspection services to the state and the amount that LDAF already pays. The potential costs will be offset, however, by the fees paid by the businesses requesting inspections.

#### **II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS (Summary)**

The proposed rule is not anticipated to result in a substantial increase in revenue collections of LDAF. While the voluntary inspection services in the proposed rule would be provided at an hourly rate of \$40, any revenue generated from collecting this fee would be used to offset the cost to LDAF for providing these services. Specifically, the portion of the employee wages, fringe benefits, and travel expenses that USDA pays for normal meat inspections, will not be covered for this type of inspection.

Services rendered to an official establishment where no travel is required would yield a small amount of net revenue. At this time, we do not expect this service to be requested often. This may change as more companies begin to utilize the service.



Hourly service rate is designed to cost the state nothing, as the increased fee would cover all costs associated with these inspections.

III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS, SMALL BUSINESSES, OR NONGOVERNMENTAL GROUPS (Summary)

The service will cost \$40/hour to small businesses that volunteer for the program. There is no requirement that establishments slaughtering or processing these exotic animals participate in the program, and only those establishments that wish to participate would be affected. Currently, there is no other method to legally bring these exotic meat and poultry items to market. The service is designed to open new business opportunities for these establishments.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

Since there is currently no method to legally bring these products to market by Louisiana businesses, the voluntary exotic inspection service may only affect competition with out-of-state businesses importing exotic meat and poultry products into Louisiana. The voluntary inspection would benefit Louisiana establishments that volunteer for the program in that they would be able to better compete with out-of-state businesses that import similar products into Louisiana.

Dane Morgan  
Assistant Commissioner  
2503#010

Patrice Thomas  
Deputy Fiscal Officer  
Legislative Fiscal Office

## NOTICE OF INTENT

### Department of Agriculture and Forestry Office of the Commissioner

#### Petitions for Declaratory Orders (LAC 7:I.111)

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 and 3, notice is hereby given that the Department of Agriculture and Forestry (“Department”), through the Office of the Commissioner, intends to promulgate LAC 7:I.111, relative to petitions for declaratory orders and rulings. Revised Statute 49:977.4 mandates that agencies provide by rule for the filing and disposition of petitions for declaratory orders and rulings as to the applicability of any statutory provision or of any rule or order of the agency. The following proposed Rule provides the mechanism and procedure by which interested persons may submit a petition for declaratory order to the department or to any public body created within it. This proposed Rule is written in plain language in an effort to increase transparency.

#### TITLE 7

### AGRICULTURE AND ANIMALS

#### PART I. ADMINISTRATION

##### Chapter 1. Administration Procedure

##### §111. Petitions for Declaratory Orders and Rulings

A. Any interested person desiring a declaratory order must file a written petition with the appropriate public body created within the department, which shall include:

1. a clear, concise written statement of applicable facts and supporting evidence, including the statutes, rules, or regulations at issue; and
2. the name, address, telephone number, and email address of the applicant and each person that may be called to testify as a witness.

B. Unless otherwise provided by statute or rule, all petitions for declaratory order or ruling shall be addressed to the commissioner of agriculture and forestry and shall be mailed or delivered to: Legal Division, 5825 Florida Blvd, Suite 2000, Baton Rouge, LA 70806.

C. If the petition seeks declaratory relief over which the commissioner has authority:

1. the petition shall be considered by the commissioner within a reasonable time; and
2. the commissioner will issue a written declaratory order, which shall be a final order.

D. If the petition seeks declaratory relief over which a public body created within the department has authority, the petition shall be considered as follows:

1. the petition shall be considered by the appropriate public body at its next regularly scheduled meeting;
2. the petitioner shall be provided adequate notice of the meeting; and
3. the public body shall issue a written, final declaratory order within a reasonable time.

E. Written declaratory orders shall be sent to the petitioner either by certified mail, hand delivery, or commercial courier.

F. A declaratory order shall have the same status as a final agency decision or an order in an adjudicated case. Declaratory orders may be appealed to district court in accordance with R.S. 49:968.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:3; R.S. 49:968; and R.S. 49:977.4.

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Office of the Commissioner; LR 51:

#### 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 Amy L. McInnis, General Counsel, Department of Agriculture & Forestry, 5825 Florida Blvd., Suite 3000, Baton Rouge, LA 70806 and must be received no later than 4 p.m. on April 10, 2025. All written comments must be signed and dated.

#### **Public Hearing**

No public hearing on this proposed Rule has been scheduled. If a public hearing is needed, all interested parties will be afforded an opportunity to submit data, views, or arguments either orally or in writing. Interested parties may submit a written request to conduct a public hearing to Amy L. McInnis, General Counsel, Department of Agriculture & Forestry, 5825 Florida Blvd., Suite 2000, Baton Rouge, LA 70806 or via email to [legal@ldaf.state.la.us](mailto:legal@ldaf.state.la.us) and must be received no later than 4 p.m. on April 10, 2025.

Mike Strain, DVM  
Commissioner

### **FISCAL AND ECONOMIC IMPACT STATEMENT FOR ADMINISTRATIVE RULES**

#### **RULE TITLE: Petitions for Declaratory Orders**

#### **I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENT UNITS (Summary)**

There are no anticipated costs or savings to the Louisiana Department of Agriculture and Forestry (LDAF), other than the cost to promulgate the proposed rule change, which is included in the agency's operating budget. There is no anticipated impact on other state agencies or local governmental units.

The proposed rule change provides a mechanism and procedure by which interested persons may submit a petition for a declaratory order to LDAF, or any public body created within the department, as to the applicability of any of the statutes, rules, or orders. There are no costs anticipated with handling petitions for declaratory orders, as facilitating petitions would merely utilize the department's existing staff and technological equipment, which are already provided for in the department's operating budget.

#### **II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS (Summary)**

The proposed rule change is not anticipated to increase or decrease revenue collections of state or local government units. The proposed rule change merely provides a mechanism by which interested persons may request declaratory orders or

rulings. There is no charge to persons submitting such requests and, therefore, no effect on revenue collections to LDAF or any other 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 not anticipated to have any effect on persons, small businesses, or non-governmental groups, nor will either of these groups incur costs and/or additional documentation as a result of the proposed action.

#### **IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)**

The proposed rule change is not anticipated to influence competition or employment.

Dane Morgan  
Assistant Commissioner  
2503#013

Patrice Thomas  
Deputy Fiscal Officer  
Legislative Fiscal Office

### **NOTICE OF INTENT**

#### **Department of Agriculture and Forestry Office of the Commissioner**

Petitions for Adoption, Amendment, or Repeal of Rules;  
Form and Procedure (LAC 7:I.105)

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 and 3, notice is hereby given that the Department of Agriculture and Forestry ("Department"), through the Office of the Commissioner, intends to amend LAC 7:I.105, relative to petitions for adoption, amendment, or repeal of administrative rules. Revised Statute 49:964 mandates that agencies provide by rule for the filing and disposition of petitions for declaratory orders and rulings as to the applicability of any statutory provision or of any rule or order of the agency. The following proposed Rule provides the mechanism and procedure by which interested persons may submit a petition for adoption, amendment or repeal of administrative rules to the department or to any public body created within it. This proposed Rule is written in plain language in an effort to increase transparency.

#### **TITLE 7**

#### **AGRICULTURE AND ANIMALS**

#### **PART I. Administration**

#### **Chapter 1. Administration Procedure**

#### **§105. Petitions for Adoption, Amendment or Repeal of Rules; Form and Procedure**

A. Any interested person may submit a petition for the adoption of a new rule, or the amendment or repeal of an existing rule in this Title.

B. A petition for a rule change shall be in writing, signed by the petitioner, containing the following:

1. the petitioner's name, address, telephone number, and email address;
2. a statement indicating whether the request involves adoption, amendment, repeal, or a combination of;
3. citation of the statutory authority for a new rule or reference to the existing rule for amendments or repeals;
4. the proposed change with a summary of supporting facts; and
5. relevant statutory citations, if known.

C. Any petition that does not comply with the requirements in this Section shall be returned to the petitioner with an attached statement explaining why the petition is incomplete.

D. Unless otherwise requested by statute or rule, all petitions for a rule change shall be addressed to the commissioner of agriculture and forestry and shall be mailed or delivered to Legal Division, 5825 Florida Blvd, Suite 2000, Baton Rouge, LA 70806.

E. If the petition relates to a rule within the commissioner's rulemaking authority, the petition shall be considered as follows:

1. Review the requested rule change;
2. Within 90 days of submission, the department shall either:
  - a. deny the petition in writing, providing reasons for the denial; or
  - b. initiate rulemaking proceedings in accordance with the Administrative Procedure Act.

F. If the petition relates to a rule over which a public body within the department has authority, the petition shall be considered as follows:

1. The petition shall be considered by the public body's at the next regularly scheduled meeting.
2. The petitioner shall be provided with adequate notice of the meeting.
3. Within 90 days of the submission of the petition, the public body shall either:
  - a. deny the petition in writing, stating reasons for the denial; or
  - b. initiate rulemaking proceedings in accordance with the Administrative Procedure Act.

AUTHORITY NOTE: Promulgated in accordance with R.S. 46:953; R.S. 49:964; R.S. 3:3.

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, LR 18:144 (February 1992); amended by the Department of Agriculture and Forestry, Office of the Commissioner, LR 51:

#### **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 Statement**

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 Amy L. McInnis, General Counsel, Department of Agriculture & Forestry, 5825 Florida Blvd., Suite 3000, Baton Rouge, LA 70806 and must be received no later than 4 p.m. on April 10, 2025. All written comments must be signed and dated.

#### **Public Hearing**

No public hearing on this proposed Rule has been scheduled. If a public hearing is needed, all interested parties will be afforded an opportunity to submit data, views, or arguments either orally or in writing. Interested parties may submit a written request to conduct a public hearing to Amy L. McInnis, General Counsel, Department of Agriculture & Forestry, 5825 Florida Blvd., Suite 2000, Baton Rouge, LA 70806 or via email to legal@ldaf.state.la.us and must be received no later than 4 p.m. on April 10, 2025.

Mike Strain, DVM  
Commissioner

### **FISCAL AND ECONOMIC IMPACT STATEMENT FOR ADMINISTRATIVE RULES**

#### **RULE TITLE: Petitions for Rulemaking Changes**

#### **I ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENTAL UNITS (Summary)**

There are no costs or savings to the Louisiana Department of Agriculture and Forestry (LDAF), other than the cost of promulgation of this rule change, which is included in the agency's operating budget. There is no anticipated impact on other state agencies or local governmental units.

The proposed rule change amends LAC 7:1.105, which provides for the mechanism and procedure by which interested persons may submit a request for the adoption, amendment, or repeal of any rule to LDAF or any of the boards and

commissions within the department. There are no costs anticipated in handling requests for rule changes, as facilitating requests would merely utilize the department's existing staff and technological equipment, which are already provided for in the department's operating budget.

**II ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS (Summary)**

The proposed rule change is not anticipated to increase or decrease revenue collections of state or local government units. The proposed rule merely provides a mechanism by which interested persons may request rulemaking changes. There is no charge to persons submitting such requests and, therefore, no effect on revenue to collections to LDAF or any other state or local governmental units.

**III ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS, SMALL BUSINESSES, OR NON-GOVERNMENTAL GROUPS (Summary)**

The proposed rule change is not anticipated to have any effect on persons, small businesses, or non-governmental groups, nor will either of these groups incur costs and/or additional documentation as a result of the proposed action.

**IV ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)**

The proposed rule change is not anticipated to influence competition or employment.

Dane Morgan  
Assistant Commissioner  
2503#012

Patrice Thomas  
Deputy Fiscal Officer  
Legislative Fiscal Office

**NOTICE OF INTENT**

**Department of Agriculture and Forestry  
Office of Management and Finance**

Central Registry (LAC 7:XXXVII.Chapter 1)

In accordance with Administrative Procedure Act, R.S. 49:950, et seq., and pursuant to the authority set forth in R.S. 3:3, notice is hereby given that the Department of Agriculture and Forestry, through the Office of Management and Finance, intends to repeal LAC 7:XXXVII.101-119, relative to the central registry for the recordation of financing statements and security devices that establish security interests in farm products. R.S. 3:3651-3660 originally established the central registry within the Department of Agriculture, and the department promulgated LAC 7:XXXVII.101-119 based on that authority. Subsequently, Act 123 of the 1990 Regular Session amended R.S. 3:3652, 3654, 3655, 3656, 3657, and 3658 to reassign the administration of the central registry to the Secretary of State's office. The Secretary of State then promulgated its own administrative rules at LAC 10:XIX.301-323 regarding the central registry within their office. Currently, LAC 7:XXXVII.101-119 is without statutory authority and is duplicative of current rules promulgated by the Secretary of State. Moreover, the central registry function has not been performed by the Department of Agriculture for a number of years. The proposed repeal of LAC 7:XXXVII.101-119 serves to eliminate outdated rules that no longer have statutory authority. These proposed Rules are written in plain language in an effort to increase transparency.

**Title 7  
AGRICULTURE AND ANIMALS  
Part XXXVII. Security Devices**

**Chapter 1. Central Registry**

Editor's Note: The rules regarding the central registry for the recordation of security devices that establish security interests in farm products can be found at LAC 10:XIX.301-323.

**§101. Definitions**

Repealed.

**AUTHORITY NOTE:** Promulgated in accordance with R.S. 3:3652, R.S. 3:3654 and Public Law 99-198 (Food Security Act of 1985).

**HISTORICAL NOTE:** Promulgated by the Department of Agriculture and Forestry, Office of Management and Finance, Central Registry, LR 12:826 (December 1986), amended LR 13:560 (October 1987), LR 15:1041 (December 1989), repealed by the Department of Agriculture and Forestry, Office of Management and Finance LR 51:

**§103. Administration**

Repealed.

**AUTHORITY NOTE:** Promulgated in accordance with R.S. 3:3652, R.S. 3:3654 and Public Law 99-198 (Food Security Act of 1985).

**HISTORICAL NOTE:** Promulgated by the Department of Agriculture and Forestry, Office of Management and Finance Central Registry, LR 12:826 (December 1986), amended LR 13:561 (October 1987), LR 15:1042 (December 1989), repealed by the Department of Agriculture and Forestry, Office of Management and Finance LR 51:

**§105. Filing Procedures**

Repealed.

**AUTHORITY NOTE:** Promulgated in accordance with R.S. 3:3652, R.S. 3:3654 and Public Law 99-198 (Food Security Act of 1985).

**HISTORICAL NOTE:** Promulgated by the Department of Agriculture and Forestry, Office of Management and Finance, LR 12:826 (December 1986), amended LR 13:561 (October 1987), LR 15:1042 (December 1989), repealed by the Department of Agriculture and Forestry, Office of Management and Finance LR 51:

**§107. Procedures for Amendment, Assignment, Extension and Cancellation of an EFS**

Repealed.

**AUTHORITY NOTE:** Promulgated in accordance with R.S. 3:3655, R.S. 3:3656 and Public Law 99-198 (Food Security Act of 1985).

**HISTORICAL NOTE:** Promulgated by the Department of Agriculture and Forestry, Office of Management and Finance, Central Registry, LR 12:826 (December 1986), amended LR 13:561 (October 1987), repealed by the Department of Agriculture and Forestry, Office of Management and Finance LR 51:

**§109. Registrations**

Repealed.

**AUTHORITY NOTE:** Promulgated in accordance with R.S. 3:3655, R.S. 3:3656 and Public Law 99-198 (Food Security Act of 1985).

**HISTORICAL NOTE:** Promulgated by the Department of Agriculture and Forestry, Office of Management and Finance, Central Registry, LR 12:826 (December 1986), amended LR 13:561 (October 1987), repealed by the Department of Agriculture and Forestry, Office of Management and Finance LR 51:

**§111. Farm Products Encumbrance List (Master List)**

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:3655 and Public Law 99-198 (Food Security Act of 1985).

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Office of Management and Finance, Central Registry, LR 12:826 (December 1986), amended LR 13:159 (March 1987), LR 13:562 (October 1987), repealed by the Department of Agriculture and Forestry, Office of Management and Finance LR 51:

#### **§115. Encumbrance Certificates**

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:3654, R.S. 3:3655 and Public Law 99-198 (Food Security Act of 1985).

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Office of Management and Finance, Central Registry, LR 12:826 (December 1986), amended LR 13:562 (October 1987), repealed by the Department of Agriculture and Forestry, Office of Management and Finance LR 51:

#### **§117. Farm Products List and Codes**

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:3654, R.S. 3:3660 and Public Law 99-198 (Food Security Act of 1985).

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Office of Management and Finance, Central Registry, LR 12:826 (December 1986), amended LR 13:159 (March 1987), LR 13:562 (October 1987), LR 14:529 (August 1988), LR 15:257 (April, 1989), repealed by the Department of Agriculture and Forestry, Office of Management and Finance LR 51:

#### **§119. Fees**

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:3654, R.S. 3:3656 and Public Law 99-198 (Food Security Act of 1985).

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Office of Management and Finance, Central Registry, LR 12:826 (December 1986), amended LR 13:562 (October 1987), LR 14:529 (August 1988), repealed by the Department of Agriculture and Forestry, Office of Management and Finance LR 51:

#### **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 is 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 Rule to Amy L. McInnis, General Counsel, Department of Agriculture & Forestry, 5825 Florida Blvd., Suite 2000, Baton Rouge, LA 70806 or via email to legal@ldaf.state.la.us and must be received no later than 4 p.m. on April 10, 2025. All written comments must be signed and dated.

#### **Public Hearing**

No public hearing on this proposed Rule has been scheduled. If a public hearing is needed, all interested parties will be afforded an opportunity to submit data, views, or arguments either orally or in writing. Interested parties may submit a written request to conduct a public hearing to Amy L. McInnis, General Counsel, Department of Agriculture & Forestry, 5825 Florida Blvd., Suite 2000, Baton Rouge, LA 70806 or via email to legal@ldaf.state.la.us and must be received no later than 4 p.m. on April 10, 2025.

Mike Strain, DVM  
Commissioner

### **FISCAL AND ECONOMIC IMPACT STATEMENT FOR ADMINISTRATIVE RULES RULE TITLE: Central Registry**

#### **I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENT UNITS (Summary)**

There are no anticipated costs or savings to state or local government units as a result of the proposed rule change. The proposed rule change simply repeals outdated rules relative to the central registry for the recordation of financing statements and security devices that establish security interests in farm products. This function was previously performed by the Louisiana Department of Agriculture and Forestry (LDAF) but has been legislatively transferred to the Secretary of State (SOS). The SOS has promulgated its own administrative rules relative to their central registry functions. LDAF has not performed any central registry functions since 1991. All costs associated with the regulatory framework have shifted to the SOS.

#### **II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS (Summary)**

The proposed rule is not anticipated to impact revenue collections of local government units. Upon promulgation of this rule, LDAF will no longer have any central registry regulations. The SOS currently performs the central registry functions and has done so since 1991. As such, there will be no effect on revenue collections.

III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS, SMALL BUSINESSES, OR NONGOVERNMENTAL GROUPS (Summary)

The proposed rule is not anticipated to have any economic impacts on directly affected persons, small businesses, or non-governmental groups. The proposed rule simply eliminates LDAF's outdated regulatory framework for the central registry function.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

The proposed rule is not anticipated to impact competition or employment.

Dane Morgan  
Assistant Commissioner  
2503#011

Patrice Thomas  
Deputy Fiscal Officer  
Legislative Fiscal Officer

**NOTICE OF INTENT**

**Department of Environmental Quality  
Office of the Secretary  
Legal Affairs Division**

Aligning UST Regulations with Statute Changes  
(LAC 33:XI.301, 403, 509, and 1121) (UT021)

Under the authority of the Environmental Quality Act, R.S. 30:2001 et seq., and in accordance with the provisions of the Administrative Procedure Act, R.S. 49:950 et seq., the secretary gives notice that rulemaking procedures have been initiated to amend the Underground Storage Tanks (UST) regulations, LAC 33:XI.301, 403, 509, and 1121 (UT021).

This proposed Rule makes changes to LAC 33:XI.Underground Storage Tanks in order to align the UST regulations with the statutory changes made in Act 167 of the 2024 Regular Legislative Session. Specifically, the proposed Rule deletes the requirement for underground storage tank owners to have a current registration certificate in order to receive fuel deliveries. It will also delete the requirement mandating the Louisiana Department of Environmental Quality automatically prohibits delivery to underground storage tanks that do not have a current registration certificate. The proposed Rule updates the definition of "eligible participant" in order to add temporarily closed tanks and remove the deductibles in order to make the fund a first-dollar coverage fund. The proposed Rule raises the per release maximum amount of expenditures from \$1,500,000 to \$2,000,000, and allows the MFTF Advisory Board, with secretary approval, to reduce the noncompliance deductible below the previous \$10,000 limit. The basis and rationale for this proposed Rule are to align LAC 33:XI.301, 403, 509, and 1121 with R.S. 2194.B.(4), 2194.1, and 2195.2.A.(1)(c)(ii). This Rule meets an exception listed in R.S. 30:2019(D)(2) and R.S. 49:963.B(3); therefore, no report regarding environmental/health benefits and social/economic costs is required.

**Title 33**

**ENVIRONMENTAL QUALITY**

**Part XI. Underground Storage Tanks**

**Chapter 3. Registration Requirements, Standards, and Fee Schedule**

**§301. Registration Requirements**

A. - C.7. ...

8. No owner or operator shall allow a regulated substance to be placed into a UST system that has not been registered with the department.

9. No person shall place a regulated substance into a UST system that has not been registered with the department.

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2001 et seq.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Solid and Hazardous Waste, Underground Storage Tank Division, LR 11:1139 (December 1985), amended LR 16:614 (July 1990), LR 17:658 (July 1991), LR 18:727 (July 1992), LR 20:294 (March 1994), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 26:2558 (November 2000), LR 28:475 (March 2002), amended by the Office of Environmental Assessment, LR 31:1066 (May 2005), amended by the Office of the Secretary, Legal Affairs Division, LR 31:2520 (October 2005), repromulgated LR 32:393 (March 2006), amended LR 32:1852 (October 2006), LR 33:2171 (October 2007), LR 34:2116 (October 2008), amended by the Office of the Secretary, Legal Division, LR 38:2760 (November 2012), amended by the Office of the Secretary, Legal Affairs and Criminal Investigations Division, LR 43:2143 (November 2017), LR 44:1593 (September 2018), amended by the Office of the Secretary, Legal Affairs Division, LR 51:

**Chapter 4. Delivery Prohibition**

**§403. Delivery Prohibition of Regulated Substances to Underground Storage Tank Systems**

A. - A.4. ...

5. allowing a regulated substance to be placed into an unregistered UST in accordance with LAC 33:XI.301.C. 8 or 9;

6. upon evidence of a below-surface release from an UST system, failure to conduct a system test within the time frame established in LAC 33:XI.711.A.1, failure to take initial response actions required by LAC 33:XI.715.B.2 and 3, or failure to conduct the initial abatement measures required by LAC 33:XI.715.C.1.a-d and g; or

7. whenever failed tank or failed piping has not been repaired, replaced, upgraded, or permanently closed, or temporarily closed in accordance with LAC 33:XI.711.A.1.

B. - E. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2001 et seq.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of the Secretary, Legal Affairs Division, LR 33:1867 (September 2007), amended LR 34:2119 (October 2008), amended by the Office of the Secretary, Legal Affairs and Criminal Investigations Division, LR 44:1598 (September 2018), amended by the Office of the Secretary, Legal Affairs Division, LR 51:

**Chapter 5. General Operating Requirements**

**§509. Reporting and Recordkeeping**

A. - B.5.a. ...

b. a copy of the current registration certificate (LAC 33:XI.301.C.7 and 1133.B.5);

B.6. - C. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2001 et seq.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Solid and Hazardous Waste, Underground Storage Tank Division, LR 16:614 (July 1990), amended LR 18:728 (July 1992), amended by the Office of Environmental Assessment, LR 31:1070 (May 2005), repromulgated by the Office of the Secretary, Legal Affairs Division, LR 32:393 (March 2006), amended LR 34:2119 (October 2008), amended by the Office of the Secretary, Legal Affairs and Criminal Investigations Division, LR 44:1600 (September 2018), amended by the Office of the Secretary, Legal Affairs Division, LR 51:

## **Chapter 11. Financial Responsibility**

### **§1121. Use of the Motor Fuels Underground Storage Tank Trust Fund**

The administrative authority was authorized by R.S. 30:2194-2195.10 to receive and administer the motor fuels underground storage tank trust fund (MFUSTTF) to provide financial responsibility for owners and/or operators of underground motor fuel storage tanks. Under the conditions described in this Section, an owner and/or operator who is eligible for participation in the MFUSTTF may use this mechanism to fulfill the financial responsibility requirements for eligible USTs. To use the MFUSTTF as a mechanism for meeting the requirements of LAC 33:XI.1107, the owner and/or operator shall be an eligible participant as defined in Subsection A of this Section.

A. Definitions. The following terms shall have the meanings ascribed to them as used in this Section.

\* \* \*

*Eligible Participant*—any owner of an underground storage tank who has registered a newly installed or operating or temporarily closed tank with the department prior to the date of a release, has paid the annual tank registration fees along with any late payment fees, and has not been excluded from coverage as provided in R.S. 30:2195.10.

\* \* \*

*Third-Party Claim*—any civil action brought or asserted by any person against the secretary of the department and any owner of any underground storage tank for damages to person or property when damages are the direct result of the contamination of surface water, groundwater or soils by motor fuels released during operation of storage tanks as provided in R.S. 30:2194-2195.11. The term *damages to person* shall be limited to damages arising directly out of the ingestion or inhalation of petroleum constituents from water well contamination or inhalation of petroleum constituents seeping into homes or buildings, and the term *damages to property* shall be limited to the unreimbursed costs of a response action and the amount by which property is proven to be permanently devalued as a result of the release.

B. Financial Responsibility Requirements for MFUSTTF Participants

1. Unless revised by the administrative authority in accordance with R.S. 30:2195.9(A)(5) and 10(D), MFUSTTF participants taking response actions shall pay the amounts required by R.S. 30:2195.9(A)(1)-(5) and 10(B).

2. The advisory board shall review the financial responsibility requirements on an annual basis and may recommend adjustments to the requirements to the secretary.

The secretary shall determine and set the financial responsibility requirements annually [as provided in R.S. 30:2195.9(A)(5) and 10(D).

B.3. - C.1.c.i. ...

ii. The monies expended from the MFUSTTF for any of the above approved costs shall be spent only up to such sum as that which is necessary to satisfy petroleum or motor fuel UST financial responsibility requirements specified in LAC 33:XI.1107 or \$2,000,000 per occurrence, whichever is greater. This amount shall include any third-party claim arising from the release of motor fuels from a motor fuel underground storage tank. However, if the secretary determines that further action is needed to address a condition that constitutes a danger or potential danger to the public health or the environment, monies from the MFUSTTF may be expended above the aggregate financial responsibility requirements of LAC 33:XI.1107.

2. - 3. ...

4. The MFUSTTF may be used for reimbursement of any costs associated with the review of applications for reimbursement from the MFUSTTF, legal fees associated with the collection of costs from parties who are not eligible participants, audits of the MFUSTTF, and accounting and reporting regarding the uses of the MFUSTTF.

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

a. Notwithstanding any provision of R.S.2194-2195.11 to the contrary, any remediation work contracted for on or after August 1, 1995, shall be paid by the department to the response action contractor who performed the department-approved assessment or remediation work upon the presentation of proper invoices for the response actions taken when authorized by the secretary or his designee.

b. ...

2. Payments are made to third parties who bring suit against the administrative authority in his or her official capacity as representative of the MFUSTTF and the owner or operator of an underground motor fuel storage tank who is an eligible participant as defined in Subsection A of this Section and such third party obtains a final judgment in that action enforceable in Louisiana. The owner or operator stated above shall pay the amount required by Subsection B of this Section toward the satisfaction of said judgment and the MFUSTTF will pay the remainder of said judgment. The attorney general of the state of Louisiana is responsible for appearing in said suit for and on behalf of the administrative authority as representative of the MFUSTTF. The administrative authority as representative of the MFUSTTF is a necessary party in any suit brought by any third party that would allow that third party to collect from the MFUSTTF, and the administrative authority shall be made a party to the initial proceedings. Payment shall be made to the third-party claimant only if the judgment is against an owner or operator who was an eligible participant on the date that the incident that gave rise to the claim occurred. The costs to the attorney general of defending these suits, or to those assistants that the administrative authority employs or the attorney general appoints to assist, shall be recovered from the MFUSTTF. If the MFUSTTF is insufficient to make payments when the claims are filed, such claims shall be paid in the order of filing when monies are paid into the MFUSTTF. Neither the amount of money in the MFUSTTF, the method of collecting it, nor any of the particulars

involved in setting up the MFUSTTF shall be admissible as evidence in any trial in which suit is brought when the judgment rendered could affect the MFUSTTF.

3. ...

**AUTHORITY NOTE:** Promulgated in accordance with R.S. 30:2001 et seq. and specifically 2195-2195.10.

**HISTORICAL NOTE:** Promulgated by the Department of Environmental Quality, Office of Solid and Hazardous Waste, Underground Storage Tank Division, LR 16:614 (July 1990), amended LR 17:658 (July 1991), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 26:2561 (November 2000), LR 27:521 (April 2001), amended by the Office of Environmental Assessment, LR 31:1577 (July 2005), amended by the Office of the Secretary, Legal Affairs Division, LR 34:864 (May 2008), LR 35:1881 (September 2009), amended by the Office of the Secretary, Legal Affairs and Criminal Investigations Division, LR 44:1625 (September 2018), amended by the Office of the Secretary, Legal Affairs Division, LR 51:

#### **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 will result in no negative effects on impacted small businesses. Any business that has an eligible release will be eligible for an additional \$500,000.00 in clean up and third party damage coverage from the Louisiana Motor Fuels Underground Storage Tank Trust Dedicated Fund Account. In addition to the higher amount of coverage, the noncompliance deductible can now be set by the department below the current \$10,000, which would result in additional savings to small businesses.

#### **Provider Impact Statement**

This Rule has no known impact on providers as described in HCR 170 of 2014.

#### **Public Comments**

All interested persons are invited to submit written comments on the proposed regulation. Persons commenting should reference this proposed regulation by UT021. Such comments must be received no later than May 6, 2025, at 4:30 p.m., and should be sent to William Little, Attorney Supervisor, Office of the Secretary, Legal Affairs Division, P.O. Box 4302, Baton Rouge, LA 70821-4302, by fax (225) 219-4068, or by E-mail to DEQ.Reg.Dev.Comments@la.gov. Copies of the proposed regulation can be purchased by contacting the LDEQ Public Records Center at (225) 219-3168. Check or money order is required in advance for each copy of UT021. The proposed regulation is available on the Internet at <https://deq.louisiana.gov/page/rules-regulations>.

#### **Public Hearing**

A public hearing will be held on April 29, 2025, at 1:30 p.m. in the Galvez Building, Oliver Pollock Conference Room, 602 N. Fifth Street, Baton Rouge, LA 70802. Interested persons are invited to attend in person or via Zoom at <https://deqlouisiana.zoom.us/j/6836133613?omn=99170103838>, or by phone (646) 255-1997 Meeting ID: 683 613 3613. Should individuals with a disability need an accommodation in order to participate, contact Doug Bordelon at the address given below or at (225) 219-1325.

The proposed regulation is available for inspection at the following LDEQ office locations from 8 a.m. until 4:30 p.m.: 602 N. Fifth Street, Baton Rouge, LA 70802; 508 Downing Pines Road, West Monroe, LA 71292; State Office Building, 1525 Fairfield Avenue, Shreveport, LA 71101; 1301 Gadwall Street, Lake Charles, LA 70615; 111 New Center Drive, Lafayette, LA 70508; 110 Barataria Street, Lockport, LA 70374; 201 Evans Road, Bldg. 4, Suite 420, New Orleans, LA 70123.

Aurelia S. Giacometto  
Secretary

### **FISCAL AND ECONOMIC IMPACT STATEMENT FOR ADMINISTRATIVE RULES**

#### **RULE TITLE: Aligning UST Regulations with Statute Changes**

#### **I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENT UNITS (Summary)**

The proposed rule will increase SGR expenditures out of the Motor Fuels Underground Storage Tank Trust Dedicated Fund Account. The proposed rule makes changes to LAC 33:XI. Underground Storage Tanks (UST) to align the UST regulations with the changes made in Act 167 of the 2024 RS. The proposed rule does the following:

- a) Deletes the regulation that requires a current registration certificate to allow or place fuel into an underground storage tank.
- b) Deletes automatic red tag provision for no current registration certificate.
- c) Changes registration certificate recordkeeping requirement from 301.C.8 to 1133.B.5.
- d) Revises the *eligible participant* definition in LAC 33:XI.1121.A to align with the statute definition change.
- e) Revise *third-party claim* definition in LAC 33:XI.1121.A to align with the statute change.
- f) Revise LAC 33:XI.1121.B.1 and B.2 to align with the statute change.
- g) Revise LAC 33:XI.1121.C.1.c.ii to align with the statute amount of coverage change to \$2 million per occurrence.
- h) Revise LAC 33:XI.1121.C.4, D.1.a, and D.2 to align with the first dollar coverage change made by the eligible participant definition.

DEQ estimates that over the next five fiscal years, 19 sites are currently projected to reach the maximum reimbursement. Without the maximum increase, these sites may not be fully remediated. The fund account had a balance of \$145 M as of 2/28/25, of which \$129 M is not restricted for specific purposes and should be appropriated towards the assessment and remediation of releases from eligible UST tank sites. If all 19 sites utilize the added \$500,000 it could cost as much as \$9.5 M; however, DEQ is unable to estimate the timing or actual amount needed beyond the \$1.5 M limit for these sites. Any increase in expenditure out of the fund will require a legislative appropriation.

Local governmental units that have an eligible release will be eligible for an additional \$500,000 in clean-up and third-party damage coverage from the Louisiana Motor Fuels Underground Storage Tank Trust Dedicated Fund Account. In addition to the higher amount of coverage, the noncompliance deductible can now be set by the department below the current \$10,000, which would result in additional savings to local governmental units.



II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS (Summary)

There will be no effect on revenue collections of state and local governmental units as a result of this proposed rule.

III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS, SMALL BUSINESSES, OR NONGOVERNMENTAL GROUPS (Summary)

There are no costs to directly affected persons, small businesses, or non-governmental groups as a result of this proposed rule.

Affected persons, small businesses, and non-governmental groups that have an eligible release will be eligible for an additional \$500,000 in clean-up and third-party damage coverage from the Louisiana Motor Fuels Underground Storage Tank Trust Dedicated Fund Account. In addition to the higher amount of coverage, the noncompliance deductible can now be set by the department below the current \$10,000, which could result in additional savings to affected persons, small businesses, and non-governmental groups.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

There will be no effect on competition and employment as a result of this proposed rule.

Aurelia S. Giacometto  
Secretary  
2503#031

Patrice Thomas  
Deputy Fiscal Officer  
Legislative Fiscal Office

**NOTICE OF INTENT**

**Department of Health  
Board of Medical Examiners**

Adjudication; Recusal (LAC 46:XLV.9920)

Notice is hereby given that in accordance with the Louisiana Administrative Procedure Act, R.S. 49:950 et seq., and pursuant to the authority vested in the Board of Medical Examiners (board) by the Louisiana Medical Practice Act, R.S. 37:1270, the board proposes to amend its rules governing recusal in administrative hearings and/or proceedings to clarify that in addition to the board, the director of investigations (DOI) and/or the Independent Counsel may also be recused, and to provide for a pro tem DOI, when needed, and the qualifications of the pro tem DOI. The proposed amendments are set forth below.

**Title 46**

**PROFESSIONAL AND OCCUPATIONAL**

**Part XLV. Medical Professions**

**Subpart 5. Rules of Procedure**

**Chapter 99. Adjudication**

**§9920. Recusal**

A. Any board member, director of investigations, and/or independent counsel who, because of bias or interest, is unable to assure a fair and impartial hearing and/or administrative proceeding shall be recused from that particular proceeding. The reasons for the recusal shall be made part of the record. Should the majority of the board members be recused for a particular proceeding, the governor shall be requested to appoint a sufficient number of pro tem members to obtain a quorum for the proceeding.

Should the director of investigations be recused from a particular hearing and/or administrative proceeding, the board will contract for or specify a pro tem director of investigations who meets the criteria outlined in R.S. 37:1270(A)(9) to the satisfaction of the board, for that particular proceeding.

**AUTHORITY NOTE:** Promulgated in accordance with R.S. 37:1261-1292 and 37:1270(A)(5).

**HISTORICAL NOTE:** Promulgated by the Department of Health and Hospitals, Board of Medical Examiners, LR 41:2630 (December 2015), and amended by Department of Health, Board of Medical Examiners LR 51:

**Family Impact Statement**

In compliance with Act 1183 of the 1999 Regular Session of the Louisiana Legislature, the impact of the proposed amendments on the family has been considered. It is not anticipated that the proposed amendments will have any impact on family, formation, stability or 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 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**

It is not anticipated that the proposed amendments will have any adverse impact on small businesses as defined in the Regulatory Flexibility Act, R.S. 49:978.1 et seq.

**Provider Impact Statement**

In compliance with HCR 170 of the 2014 Regular Session of the Louisiana Legislature, the impact of the proposed amendments on organizations that provide services for individuals with developmental disabilities has been considered. It is not anticipated that the proposed amendments will have any impact on the staffing, costs or overall ability of such organizations to provide the same level of services, as described in HCR 170.

**Public Comments**

Interested persons may submit written data, views, arguments, information or comments on the proposed amendments to Jacintha Duthu, LSBME, 630 Camp Street, New Orleans, LA 70130. She is responsible for responding to inquiries. Written comments will be accepted until 4 p.m., Thursday, April 24, 2025.

**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 Thursday, April 24, 2025 at 9 a.m., at the office of the LSBME, 630 Camp Street, New Orleans, LA 70130. Any person wishing to attend should call in advance to confirm.

**FISCAL AND ECONOMIC IMPACT STATEMENT**  
**FOR ADMINISTRATIVE RULES**  
**RULE TITLE: Adjudication; Recusal**

**Part XLV. Medical Professions**  
**Subpart 2. Licensure and Certification**  
**Chapter 3. Physicians**

**Subchapter A. General Provisions**  
**§303. Definitions**

**I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENT UNITS (Summary)**

The proposed rule change clarifies that, in addition to the board, both the Director of Investigations (DOI) and the Independent Counsel may be recused from administrative hearings and proceedings. It also establishes the criteria for appointing a pro tem DOI when necessary. As a result, an increase in costs is anticipated due to the need for compensating a pro tem DOI. However, the exact financial impact cannot be determined at this time, as compensation will be based on an hourly rate, and the frequency of such appointments is uncertain. The cost for the Louisiana Board of Pharmacy is approximately \$1,000 in FY 25 for the notice and rule publication in the *Louisiana Register*.

**II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS (Summary)**

The proposed rule change is not anticipated to impact 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)**

The proposed rule is expected to increase the income of the pro tem Director of Investigations who meets the board's criteria for a particular proceeding.

**IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)**

The proposed change is not expected to have any impact on competition or employment, except for the potential contract of a pro tem Director of Investigations who meets the board's criteria for a specific proceeding.

Vincent A. Culotta, Jr. M.D.  
Executive Director  
2503#022

Patrice Thomas  
Deputy Fiscal Officer  
Legislative Fiscal Office

**NOTICE OF INTENT**

**Department of Health**  
**Board of Medical Examiners**

Physicians; Bridge Year Program  
(LAC 46:XLV.303 and 398)

Notice is hereby given that in accordance with the Louisiana Administrative Procedure Act, R.S. 49:950 et seq., and pursuant to the authority vested in the Board of Medical Examiners (board) by the Louisiana Medical Practice Act, R.S. 37:1270, R.S. 37:1275, the board proposes to amend LAC 46:XLV.303 by adding the definitions of "Bridge Year Graduate Physician" and "Training Physician" and to add a new provision, LAC 46:XLV.398, to create a new Bridge Year Graduate Physician Certificate, and to set forth requirements and provisions relative to the Certificate.

A. As used in this Chapter, the following terms shall have the meanings specified:

\* \* \*

*Bridge Year Graduate Physician*—a person possessing a doctor of medicine (allopathic/M.D.), doctor of osteopathy or doctor of osteopathic medicine degree (osteopathic/D.O.) or an equivalent degree duly awarded by a medical or osteopathic educational institution approved by the board pursuant to §§333 to 341 of this Chapter who meets the requirements and qualifications provided in §§311 et seq., and who holds a certificate to practice under the direct supervision of a board-certified physician as provided in these rules.

\* \* \*

*Training Physician*—a board-certified physician who meets and maintains the requirements to serve as a preceptor for physicians practicing under a bridge year graduate physician certificate.

\* \* \*

B. Masculine terms wheresoever used in this Chapter shall also be deemed to include the feminine.

**AUTHORITY NOTE:** Promulgated in accordance with R.S. 37:1270, 37:1271 and 37:1274.

**HISTORICAL NOTE:** Promulgated by the Department of Health and Human Resources, Board of Medical Examiners, LR 10:908 (November 1984), amended by the Department of Health and Hospitals, Board of Medical Examiners, LR 16:513 (June 1990), LR 27:835 (June 2001), LR 31:1582 (July 2005), LR 38:3173 (December 2012), amended by the Department of Health, Board of Medical Examiners, LR 51:

**Subchapter H. Restricted Licensure, Permits**  
**§398. Bridge Year Graduate Physician Program**

A. A graduate of an accredited school of medicine or osteopathy who applied to, but was not accepted into, an accredited medical residency training program for the first year following medical school graduation, may apply for a bridge year graduate physician certificate.

1. A physician practicing under a bridge year graduate physician certificate shall practice in training for one post-graduate year under the direct supervision of a board-certified physician who has completed training required by the board to be a training physician and who maintains such training at intervals required by the board.

2. The training physician shall practice in the same or an adjacent facility and shall formally review and co-sign the work of the bridge year physician.

3. A physician practicing under a bridge year graduate physician certificate shall have prescriptive authority in accordance with state and federal law and board rules, as authorized and supervised by the training physician.

4. The training physician shall issue a report at the end of the bridge year indicating the scope and breadth of the practice of the participating bridge year graduate physician and the instruction and training given to the bridge year graduate physician. The training physician's report shall contain a statement as to whether or not the bridge year graduate physician would be recommended for a residency position upon reapplication.

5. A bridge year graduate physician certificate shall be valid for one year and may be renewed for no more than two additional one-year periods upon application to, and discretion of, the board.

B. The board shall select the participants for the bridge year graduate physician program and has the authority to accept or reject any applicant. If the number of applicants exceeds the available number of training physicians or training locations, preference may be given to applicants desiring to practice in underserved areas, in primary care or internal medicine, to Louisiana residents, or to graduates of Louisiana medical schools.

C. The board may suspend, terminate, or revoke a bridge year graduate physician certificate prior to the expiration of one year for any reason provided by law or board rule for the termination of licenses, permits, registrations, or certificates issued by the board.

D. A bridge year graduate physician certificate shall not confer any future right to full, unrestricted licensure.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:1270, 37:1275, 37:1310.11 and 1310.12.

HISTORICAL NOTE: Promulgated by the Department of Health, Board of Medical Examiners, LR 51:

#### **Family Impact Statement**

In compliance with Act 1183 of the 1999 Regular Session of the Louisiana Legislature, the impact of the proposed amendments on the family has been considered. It is anticipated that the proposed amendments will have a positive impact on family, formation, stability or autonomy, as described in R.S. 49:972, due to providing increased access to health care.

#### **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 anticipated that the amendments will lead to the provision of increased access to health care in the community, thereby positively affecting care, education development, workforce and employment opportunities, as well as positive effects on financial security for families and to increased income and sales tax revenues for local and state government.

#### **Small Business Analysis**

It is not anticipated that the proposed amendments will have any adverse impact on small businesses as defined in the Regulatory Flexibility Act, R.S. 49:978.1 et seq.

#### **Provider Impact Statement**

In compliance with HCR 170 of the 2014 Regular Session of the Louisiana Legislature, the impact of the proposed amendments on organizations that provide services for individuals with developmental disabilities has been considered. It is not anticipated that the proposed amendments will have any impact on the staffing, costs or

overall ability of such organizations to provide the same level of services, as described in HCR 170.

#### **Public Comments**

Interested persons may submit written data, views, arguments, information or comments on the proposed amendments to Jacintha Duthu, LSBME, 630 Camp Street, New Orleans, LA 70130. She is responsible for responding to inquiries. Written comments will be accepted until 4 p.m., Thursday, April 24, 2025.

#### **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 Thursday, April 24, 2025 at 9 a.m., at the office of the LSBME, 630 Camp Street, New Orleans, LA 70130. Any person wishing to attend should call in advance to confirm.

Vincent A. Culotta, Jr., M.D.  
Executive Director

### **FISCAL AND ECONOMIC IMPACT STATEMENT FOR ADMINISTRATIVE RULES**

#### **RULE TITLE: Physicians; Bridge Year Program**

#### **I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENT UNITS (Summary)**

The proposed rule creates a bridge year graduate physician certificate will initially increase the LSBME's workload and paperwork requirements, at least for FY 25. However, since the board already has established procedures for other licensure types and restricted licenses, the extent of additional expenses, workload, and paperwork—such as the need to hire more licensing analysts or investigators—will depend on the number of applicants, which remains unknown at this time. The proposed change will result in a publication expense of approximately \$1,000 in FY 25 for the Louisiana State Board of Medical Examiners (LSBME).

#### **II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS (Summary)**

The proposed rule change is not anticipated to impact 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)**

The proposed rule creates a bridge year graduate physician program, will have both economic benefits and costs. The program allows bridge year physicians to function as physician extenders, enabling them to receive compensation through Medicaid and other insurance reimbursements. However, board-certified physicians serving as preceptors will experience an increased workload due to the direct supervision requirements, potentially impacting their time and resources.

#### **IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)**

The proposed rule change will have no effect on competition or employment.

Vincent A. Culotta, Jr. M.D.  
Executive Director  
2503#034

Patrice Thomas  
Deputy Fiscal Officer  
Legislative Fiscal Office

**NOTICE OF INTENT**

**Department of Health  
Board of Medical Examiners**

Physicians; Good Standing Definition  
(LAC 46:XLV.303)

Notice is hereby given that in accordance with the Louisiana Administrative Procedure Act, R.S. 49:950 et seq., and pursuant to the authority vested in the Board of Medical Examiners (board) by the Louisiana Medical Practice Act, R.S. 37:1270, R.S. 37:1271, and R.S. 37:1274, the board proposes to amend LAC 46:XLV.303, the definitions section, by adding a definition of “license in good standing” so as to exclude from the definition any licensure status that restricts the activities authorized by the license.

**Title 46  
PROFESSIONAL AND OCCUPATIONAL  
STANDARDS**

**Part XLV. Medical Professions**

**Subpart 2. Licensure and Certification**

**Chapter 3. Physicians**

**Subchapter A. General Provisions**

**§303. Definitions**

A. As used in this Chapter, the following terms shall have the meanings specified:

\* \* \*

*License In Good Standing*—a license or registration that is active and not expired, suspended, revoked, surrendered, conditioned, or otherwise in a status that in any manner restricts the activity of a licensee or registrant under the authority of the license or registration.

\* \* \*

B. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:1270, 37:1271 and 37:1274.

HISTORICAL NOTE: Promulgated by the Department of Health and Human Resources, Board of Medical Examiners, LR 10:908 (November 1984), amended by the Department of Health and Hospitals, Board of Medical Examiners, LR 16:513 (June 1990), LR 27:835 (June 2001), LR 31:1582 (July 2005), LR 38:3173 (December 2012), ), amended by the Department of Health, Board of Medical Examiners, LR 51:

**Family Impact Statement**

In compliance with Act 1183 of the 1999 Regular Session of the Louisiana Legislature, the impact of the proposed amendments on the family has been considered. It is not anticipated that the proposed amendments will have any impact on family, formation, stability or 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 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**

It is not anticipated that the proposed amendments will have any adverse impact on small businesses as defined in the Regulatory Flexibility Act, R.S. 49:978.1 et seq.

**Provider Impact Statement**

In compliance with HCR 170 of the 2014 Regular Session of the Louisiana Legislature, the impact of the proposed amendments on organizations that provide services for individuals with developmental disabilities has been considered. It is not anticipated that the proposed amendments will have any impact on the staffing, costs or overall ability of such organizations to provide the same level of services, as described in HCR 170.

**Public Comments**

Interested persons may submit written data, views, arguments, information or comments on the proposed amendments to Jacintha Duthu, LSBME, 630 Camp Street, New Orleans, LA 70130. She is responsible for responding to inquiries. Written comments will be accepted until 4 p.m., Thursday, April 24, 2025.

**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 Thursday, April 24, 2025 at 9 a.m., at the office of the LSBME, 630 Camp Street, New Orleans, LA 70130. Any person wishing to attend should call in advance to confirm.

Vincent A. Culotta, Jr., M.D.  
Executive Director

**FISCAL AND ECONOMIC IMPACT STATEMENT  
FOR ADMINISTRATIVE RULES**

**RULE TITLE: Physicians; Good Standing Definition**

- I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENT UNITS (Summary)  
Other than the cost of rulemaking, there is no anticipated impact on the LSBME or any state or local governmental unit, including adjustments in workload and paperwork requirements. The proposed changes will result in a one-time publication expense estimated at \$1,000, in FY 25 for the Louisiana State Board of Medical Examiners (LSBME) for the costs of publishing the notice of intent and proposed rule revision.
- II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS (Summary)  
The proposed rule changes are not anticipated to impact 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 are no anticipated economic benefits or losses resulting from the proposed rule. The revision serves solely to clarify the definition of “License in Good Standing”.
- IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)  
The proposed rule changes will have no effect on competition or employment.

## NOTICE OF INTENT

### Department of Health Board of Medical Examiners

Physicians; Retired Physician License  
(LAC 46:XLV.417, 418, 435, and 447)

Notice is hereby given that in accordance with the Louisiana Administrative Procedure Act, R.S. 49:950 et seq., and pursuant to the authority vested in the Board of Medical Examiners (the board) by the Louisiana Medical Practice Act, R.S. 37:1270 et seq., the board proposes to amend its rules on licensure and certification to add a new §417(D) to provide for a retired physician license and to establish criteria therefor; to amend §418C relative to reduced fee licenses and to add a new D creating a reduced fee license for retired physicians; to amend §435 to require 10 hours of continuing medical education (CME) for physicians holding a retired physician license under §417(D); and to amend §447 relative to exceptions to CME requirements, to amend relative to active military service outside the state of Louisiana; to amend to specify full CME after initial exemption year for those initially licensed on basis of examination; and to amend to change wording from “retired physician” to one holding a “reduced fee license” under §418.

#### Title 46

### PROFESSIONAL AND OCCUPATIONAL STANDARDS

#### Part XLV. Medical Professions

#### Subpart 2. Licensure and Certification

#### Chapter 3. Physicians

#### Subchapter I. License Issuance, Termination, Renewal, Reinstatement and Exemptions

#### §417. Renewal of License; Prerequisite Condition

A. Every license issued by the board under this Chapter shall be renewed annually on or before the first day of the month in which the licensee was born, by submitting to the board a properly completed application for renewal, upon forms supplied by the board, together with the renewal fees prescribed in these rules and the Medical Practice Act, and documentation of satisfaction of the continuing medical education requirements prescribed by Subchapter K of these rules.

B. A courtesy renewal notice shall be mailed or electronically transmitted by the board to each person holding a license issued under this Chapter at least 30 days prior to the expiration of the license each year. Such form shall be transmitted to the most recent address of the licensee reflected in the official records of the board.

C. Initial application for renewal of a license, issued on the basis of a commitment for year two of postgraduate clinical training under §311.A.6.b shall, as a prerequisite to renewal consideration, be accompanied by documentation satisfactory to the board of the completion of year two of such training.

#### D. Retired Physician License

1. A physician may opt for a “Retired Physician License” at the time of renewal if the physician holds an unrestricted license to practice medicine issued by the board and who has, prior to the first day of the year for which such renewal will be effective:

- a. attained the age of 70 years;
- b. attests that he or she will limit his or her practice to volunteer services without payment, pecuniary gain, compensation, or remuneration of any kind;
- c. attests that he or she will limit his or her practice to:

- i. providing services to family or personal acquaintances;

- ii. for no more than 20 hours per week, providing services at volunteer or charity clinics; or

- iii. providing services through a foreign volunteer or charity medical mission program;

- d. made application to the board for a retired physician license renewal pursuant to this Section, including the required attestations, and consenting to the revocation of any license renewed pursuant to this Section upon a finding by the board that the licensee, following issuance of licensure renewal pursuant to this Section, failed to confine his or her practice to the parameters stated herein.

2. A physician whose medical license is renewed pursuant to this Section shall not engage or seek to engage in the full time, unrestricted practice of medicine, whether compensated or not, without having made application for an unrestricted standard medical license and having met all of the requirements for such license.

3. A physician whose medical license is renewed pursuant to this Section is subject to all state and federal laws and rules governing the practice of medicine in this state, and all of the licensing, regulatory, and disciplinary rules and requirements of the board as applicable to a full, unrestricted license, unless specifically noted in these rules.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:1270, 37:1270(A)(8), 37:1271, 37:1272, 37:1274, 37:1275.1, 37:1280 and 37:1281.

HISTORICAL NOTE: Promulgated by the Department of Health and Human Resources, Board of Medical Examiners, LR 10:914 (November 1984), amended by the Department of Health and Hospitals, Board of Medical Examiners, LR 16:523 (June 1990), LR 24:1500 (August 1998), LR 26:695 (April 2000), LR 27:848 (June 2001), amended by the Department of Health, Board of Medical Examiners, LR 44:587 (March 2018), LR 47:728 (June 2021), LR 51:

#### §418. Reduced Renewal Fees for Certain Physicians

A. The fee otherwise required for annual renewal of licensure will be reduced by one-half in favor of a physician who holds an unrestricted license to practice medicine issued by the board and who has, prior to the first day of the year for which such renewal will be effective:

1. attained the age of 70 years;
2. voluntarily surrendered to the issuing authorities his or her state license and federal registration to prescribe, dispense, or administer controlled substances; and
3. made application to the board for such reduced licensure renewal fee, upon a form supplied by the board, verifying the conditions requisite to such reduced fee and consenting to revocation of any license renewed pursuant to

this Section upon a finding by the board that the licensee, following issuance of licensure renewal pursuant to this Section, continued to hold, obtained, or sought to obtain state licensure or federal registration to prescribe, dispense, or administer controlled substances.

B. The fee otherwise required for annual renewal of licensure will be reduced by one-half in favor of a physician who holds an unrestricted license to practice medicine issued by the board and who has, prior to the first day of the year for which such renewal will be effective:

1. ceased to engage in the practice of medicine in any form in this state as a consequence of physical or mental disability;

2. voluntarily surrendered to the issuing authorities his or her state license and federal registration to prescribe, dispense, or administer controlled substances; and

3. made application to the board for such reduced licensure renewal fee, upon a form supplied by the board, verifying the conditions requisite to such reduced fee, including independent physician verification of the applicant's physical or mental disability, and consenting to revocation of any license renewed pursuant to this Section upon a finding by the board that the licensee, following issuance of licensure renewal pursuant to this Section, engaged or sought to engage in any manner in the practice of medicine in this state or continued to hold, obtained, or sought to obtain state licensure or federal registration to prescribe, dispense, or administer controlled substances.

C. A physician whose medical license is renewed pursuant to Sub-Sections A. and B. above shall not thereafter engage or seek to engage in the active practice of medicine in this state or to prescribe, dispense, or administer controlled substances or other prescription medications except upon prior application to and approval by the board, which, in its discretion, as a condition to reinstatement of full licensure, may require that:

1. the physician take and successfully pass all or a designated portion of the USMLE, COMLEX-USA, SPEX, or COMVEX-USA examination; and/or

2. the physician provide medical documentation satisfactory to the board that the physician is then physically and mentally capable of practicing medicine with reasonable skill and safety to patients.

D. The fee otherwise required for annual renewal of licensure will be reduced by one-half in favor of a physician who holds a retired physician license to practice medicine issued by the board pursuant to §§418D.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:1270, 37:1280 and 37:1281.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Medical Examiners, LR 16:523 (June 1990), amended LR 27:848 (June 2001), LR 31:1584 (July 2005), LR 51:

## **Subchapter K. Continuing Medical Education**

### **§435. Continuing Medical Educational Requirement**

A. Subject to the waiver of and exceptions to CME prescribed by §§445 and 447 and the special requirements attendant to initial renewal of licensure specified in §449, every physician seeking the renewal or reinstatement of licensure, except for a physician seeking a retired physician license renewal pursuant to §417.D, shall annually evidence and document, in a manner specified by the board, the successful completion of not less than 20 hours of board

approved CME. A physician seeking a retired physician license renewal pursuant to §417.D shall annually evidence and document, in a manner specified by the board, the successful completion of not less than 10 hours of board approved CME.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:1270 and 37:1270(A)(8).

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Medical Examiners, LR 26:695 (April 2000), amended by the Department of Health, Board of Medical Examiners LR 47:731 (June 2021), LR 51:

### **§447. Exceptions to the Continuing Medical Education Requirements**

A. Except as provided in §449, the CME requirements prescribed by this Subchapter prerequisite to renewal or reinstatement of licensure shall not be applicable to a physician:

1. engaged in active military service longer than one year's duration outside of Louisiana;

2. who has held an initial Louisiana license on the basis of examination for less than one year; full compliance is required beginning with the first renewal after the initial exemption renewal year;

3. who has within the past year been certified or recertified by a member board of the American Board of Medical Specialties or a specialty board recognized by the AOA;

4. who is in a residency training program approved by the board; or

5. who holds a reduced fee license in accordance with §418 of these rules.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:1270 and 37:1270(A)(8).

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Medical Examiners, LR 26:697 (April 2000), amended LR 31:1585 (July 2005), amended by the Department of Health, Board of Medical Examiners LR 47:732 (June 2021), LR 51:

### **Family Impact Statement**

In compliance with Act 1183 of the 1999 Regular Session of the Louisiana Legislature, the impact of the proposed amendments on the family has been considered. It is not anticipated that the proposed amendments will have any impact on family formation, stability or 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 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**

It is not anticipated that the proposed amendments will have any adverse impact on small businesses as defined in the Regulatory Flexibility Act, R.S. 49:978.1 et seq.

### **Provider Impact Statement**

In compliance with HCR 170 of the 2014 Regular Session of the Louisiana Legislature, the impact of the proposed amendments on organizations that provide services for individuals with developmental disabilities has been considered. It is not anticipated that the proposed

amendments will have any impact on the staffing, costs or overall ability of such organizations to provide the same level of services, as described in HCR 170.

**Public Comments**

Interested persons may submit written data, views, arguments, information or comments on the proposed amendments to Jacintha Duthu, LSBME, 630 Camp Street, New Orleans, LA 70130. She is responsible for responding to inquiries. Written comments will be accepted until 4 p.m., Thursday, April 24, 2025.

**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 Thursday, April 24, 2025 at 9 a.m., at the office of the LSBME, 630 Camp Street, New Orleans, LA 70130. Any person wishing to attend should call in advance to confirm.

Vincent A. Culotta, Jr., M.D.,  
Executive Director

**FISCAL AND ECONOMIC IMPACT STATEMENT FOR ADMINISTRATIVE RULES**

**RULE TITLE: Physicians; Retired Physician License**

**I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENT UNITS (Summary)**

The proposed changes will result in a one-time publication expense estimated at \$1,000 in FY 25 for the Louisiana State Board of Medical Examiners (LSBME) to cover the costs of publishing the notice of intent and proposed rule revision. Additionally, the addition of the *Retired Physician License* section and amendments to the *Reduced Renewal Fees for Certain Physicians* section are expected to incur additional expenses due to the required modifications to the online LSBME application system.

These changes are also anticipated to increase workload, paperwork, and processing time for the Department of Licensure. However, since the number of physicians who will apply for or renew licenses under these provisions is unknown, it is not currently possible to estimate the associated costs and workload impact.

**II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS (Summary)**

There will be a decrease in revenue collections for the LSBME based on the number of physicians who choose not to renew their unrestricted active licenses. However, the exact reduction in revenue cannot be anticipated, as the number of physicians opting not to renew is unknown.

**III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS, SMALL BUSINESSES, OR NONGOVERNMENTAL GROUPS (Summary)**

The proposed amendments will benefit the public by enabling physicians who might have otherwise fully retired to maintain an active license at a reduced fee. This allows experienced professionals to continue offering voluntary medical services, thereby increasing access to care, particularly in underserved communities. By providing a structured pathway for retired physicians to remain engaged in practice, the amendments help retain valuable medical expertise within the healthcare system.

**IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)**

It is not anticipated that the proposed changes will have any impact on competition or employment.

Vincent A. Culotta, Jr. M.D.  
Executive Director  
2503#021

Patrice Thomas  
Deputy Fiscal Officer  
Legislative Fiscal Office

**NOTICE OF INTENT**

**Department of Health  
Board of Medical Examiners**

Rules of Procedure; Complaints and Investigations  
(LAC 46:XLV.9703, 9707, and 9709)

Notice is hereby given that in accordance with the Louisiana Administrative Procedure Act, R.S. 49:950 et seq., and pursuant to the authority vested in the Board of Medical Examiners (board) by the Louisiana Medical Practice Act, R.S. 37:1270, the board proposes to amend §9703 to define the “Executive Director” position and “sufficient cause”; to amend §9707.B and §9709.A to ensure that the language comports with the law, R.S. 37:1285.2 on the same topic; to amend §9709.B.3 to add a provision that ensures licensee-respondents will receive notice where the board elects to utilize prior complaints in investigation and adjudication proceedings; and to revise §9709.D to eliminate unnecessary language. The proposed amendments are set forth below.

**Title 46**

**PROFESSIONAL AND OCCUPATIONAL STANDARDS**

**Part XLV. Medical Professions**

**Subpart 5. Rules of Procedure**

**Chapter 97. Complaints and Investigations**

**§9703. Definitions**

A. As used in this Chapter, the following terms shall have the meanings specified.

\*\*\*

*Executive Director*—a physician possessing qualifications specified by the board who serves as the Chief Executive Officer of the Agency.

\*\*\*

*Sufficient Cause*—information received by the Board pursuant to La. R.S. 37:1285(A)(2) and Rule 9705 which indicates that a violation of the law or of a rule administered by the board may have occurred.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:1261-1292 and 37:1270(A)(5).

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Medical Examiners, LR 41:2628 (December 2015), amended by the Department of Health, Board of Medical Examiners, LR 46:339 (March 2020), amended LR 51:

**§9707. Complaint Processing**

A. ...

B. Upon delegation by the DOI, any staff member of the board, except the executive director, may act as the lead investigator on any complaint.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:1261-1292 and 37:1270(A)(5).

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Medical Examiners, LR 41:2628 (December 2015), amended LR 42:571 (April 2016), amended LR 51:

### §9709. Preliminary Review

A. A preliminary review shall be initiated to determine if information received by the board pursuant to La. R.S. 37:1285.2 and Rule 9705 is jurisdictional and whether sufficient cause exists to warrant formal investigation only upon one or more of the following:

1. - 3. ...

B. A preliminary review is initiated upon the receipt, review and assignment of a case number at the direction of the DOI or the assigned investigator. During a preliminary review such action may be initiated and taken as deemed necessary or appropriate and additional information may be obtained to assist in the determination. As part of the preliminary review:

1. - 2. ...

3. the licensee may be provided the opportunity to respond to the complaint or provide related information; provided, at the time of the first communication from the board to a licensee regarding a complaint the licensee shall be provided:

a. ....

b. notice that the licensee may, at his own expense, retain legal counsel of his choice to represent his interest;

c. notice that past complaints and investigations may be utilized in all phases of the disciplinary process; and,

d. such other information as may be deemed appropriate.

C. ...

D. Preliminary review of a complaint shall be completed as promptly as possible within ninety days of initiation unless extended by the board for satisfactory cause. However, this period shall not apply to information received from local, state or federal agencies or officials relative to on-going criminal, civil or administrative investigations or proceedings.

E. - F.2.c. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:1261-1292 and 37:1270(A)(5) and 37:1285.2.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Medical Examiners, LR 41:2628 (December 2015), amended LR 42:571 (April 2016), amended by the Department of Health, Board of Medical Examiners, LR 46:340 (March 2020), amended LR 51:

#### Family Impact Statement

In compliance with Act 1183 of the 1999 Regular Session of the Louisiana Legislature, the impact of the proposed amendments on the family has been considered. It is not anticipated that the proposed amendments will have any impact on family, formation, stability or 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 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

It is not anticipated that the proposed amendments will have any adverse impact on small businesses as defined in the Regulatory Flexibility Act, R.S. 49:978.1 et seq.

### Provider Impact Statement

In compliance with HCR 170 of the 2014 Regular Session of the Louisiana Legislature, the impact of the proposed amendments on organizations that provide services for individuals with developmental disabilities has been considered. It is not anticipated that the proposed amendments will have any impact on the staffing, costs or overall ability of such organizations to provide the same level of services, as described in HCR 170.

#### Public Comments

Interested persons may submit written data, views, arguments, information or comments on the proposed amendments to Jacintha Duthu, LSBME, 630 Camp Street, New Orleans, LA 70130. She is responsible for responding to inquiries. Written comments will be accepted until 4 p.m., Thursday, April 24, 2025.

#### 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 Thursday, April 24, 2025 at 9 a.m., at the office of the LSBME, 630 Camp Street, New Orleans, LA 70130. Any person wishing to attend should call in advance to confirm.

Vincent A. Culotta, Jr., M.D.  
Executive Director

### FISCAL AND ECONOMIC IMPACT STATEMENT FOR ADMINISTRATIVE RULES RULE TITLE: Rules of Procedure; Complaints and Investigations

#### I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENT UNITS (Summary)

Other than the costs of rulemaking, the proposed rule change is not anticipated to impact the LSBME or any state or local governmental unit, including adjustments in workload and paperwork requirements. The proposed changes will result in a one-time publication expense estimated at \$1,000, in FY 25 for the Louisiana State Board of Medical Examiners (LSBME) for the costs of publishing the notice of intent and proposed rule revision.

#### II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS (Summary)

The proposed rule changes are not anticipated to impact 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 are no anticipated economic benefits or losses resulting from the proposed rule.

#### IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

The proposed rule changes will have no effect on competition or employment.

Vincent A. Culotta, Jr. M.D.  
Executive Director  
2503#038

Patrice Thomas  
Deputy Fiscal Officer  
Legislative Fiscal Office



**NOTICE OF INTENT**

**Department of Health  
Licensed Professional Counselors Board of Examiners**

Certificate of Completion for LPC-S Renewal  
(LAC 46:LX.707)

In accordance with the applicable provisions of the Louisiana Administrative Procedures Act (R.S.49:950 et seq.) and through the authority of the Mental Health Counselor Licensing Act (R.S. 37:1101 et seq.), the Licensed Professional Counselors Board of Examiners proposes to require LPC Board-Approved Supervisor to complete the bi-annual supervisor orientation as part of their renewal requirements. The Licensed Professional Counselors Board of Examiners hereby gives Notice of Intent to propose changes to Chapter 7, Section 707 for publication in the March 20, 2025, edition of the *Louisiana Register* with the effective date of April 1, 2026.

**Title 46**

**PROFESSIONAL AND OCCUPATIONAL  
STANDARDS REVISED**

**Part LX. Professional Counselors Subpart 1. Licensed  
Professional Counselors**

**Chapter 7. Application and Renewal Requirements  
for Licensed Professional Counselors**

**§707. Renewal Requirements for Licensed  
Professional Counselors and Board Approved  
Supervisors**

A. ...

1. A licensee must accrue 40 clock hours of continuing education by every renewal period every two years. Of the 40 clock hours of continuing education, three clock hours must be accrued in ethics, three hours must be accrued in social and cultural foundations, and six clock hours must be accrued in diagnosis (assessment, diagnosis, and treatment under the *Diagnostic and Statistical Manual of Mental Disorders 5*, as published by the American Psychiatric Association). A board-approved supervisor must accrue three clock hours (of the required 40 clock hours of continuing education) in supervision and complete the bi-annual supervisor orientation provided on the website.

A.2. - D. 8. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:1101-1123.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Licensed Professional Counselors Board of Examiners, LR 41:719 (April 2015); amended by the Department of Health, Licensed Professional Counselors Board of Examiners LR 50:1851 (December 2024), effective April 1, 2027; LR 51:

**Family Impact Statement**

In compliance with Act 1183 of the 1999 Regular Session of the Louisiana Legislature, the impact of these rules on family has been considered. This proposal to create licensee statuses has no impact on family functioning, stability, or autonomy as described in R.S. 49:972.

**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 change should not have any known or foreseeable impact on providers as defined by HCR 170 of 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 to Jamie S. Doming, Licensed Professional Counselors Board of Examiners, 11410 Lake Sherwood Avenue North Suite A, Baton Rouge, LA 70816 by April 10, 2025, at 5 p.m.

Jamie S. Doming  
Executive Director

**FISCAL AND ECONOMIC IMPACT STATEMENT  
FOR ADMINISTRATIVE RULES  
RULE TITLE: Certificate of Completion for LPC-S  
Renewal**

- I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENT UNITS (Summary)  
Other than the cost of rulemaking, there are no estimated implementation costs or savings for state or local government units resulting from the promulgation of the proposed rule change. The cost for the Louisiana Licensed Professional Counselors Board of Examiners is approximately \$900 in FY 25 for the notice and rule publication in the *Louisiana Register*.
- II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS (Summary)  
The proposed rule changes are not anticipated to impact 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 are no anticipated economic benefits or losses resulting from the proposed rule. There will be no monetary cost associated with the required additional bi-annual supervisor orientation.
- IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)  
The proposed rule changes will have no effect on competition or employment.

## NOTICE OF INTENT

### Department of Health Licensed Professional Counselors Board of Examiners

Teaching Continuing Education for LPCs  
(LAC 46:LX.707)

In accordance with the applicable provisions of the Louisiana Administrative Procedures Act (R.S.49:950 et seq.) and through the authority of the Mental Health Counselor Licensing Act (R.S. 37:1101 et seq.), the Licensed Professional Counselors Board of Examiners proposes to permit Licensed Professional Counselors (LPCs) to obtain continuing education hours by teaching coursework.

The Licensed Professional Counselors Board of Examiners hereby gives Notice of Intent to propose changes to Chapter 7, Section 707 for publication in the March 20, 2025, edition of the *Louisiana Register*.

#### Title 46

### PROFESSIONAL AND OCCUPATIONAL STANDARDS REVISED

#### Part LX. Professional Counselors

#### Subpart 1. Licensed Professional Counselors

### Chapter 7. Application and Renewal Requirements for Licensed Professional Counselors

#### §707. Renewal Requirements for Licensed Professional Counselors and Board Approved Supervisors

A. - B.2.i. ...

j. Teaching a clinical mental health counseling course that is included in one of the 14 approved content areas (§707.C), in an institution accredited by a regional accrediting association. 10 hours of continuing education may be earned for the first time the individual teaches the course, or 5 hours of continuing education may be earned if the individual is teaching the course after the first time.

C. - D.8. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:1101-1123.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Licensed Professional Counselors Board of Examiners, LR 41:719 (April 2015), amended by the Department of Health, Licensed Professional Counselors Board of Examiners LR 50:1851 (December 2024), effective April 1, 2027, LR 51:

#### Family Impact Statement

In compliance with Act 1183 of the 1999 Regular Session of the Louisiana Legislature, the impact of these rules on family has been considered. This proposal to create licensee statuses has no impact on family functioning, stability, or autonomy as described in R.S. 49:972.

#### 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 change should not have any known or foreseeable impact on providers as defined by HCR 170 of 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 to Jamie S. Doming, Licensed Professional Counselors Board of Examiners, 11410 Lake Sherwood Avenue North Suite A, Baton Rouge, LA 70816 by April 10, 2025, at 5 p.m.

Jamie S. Doming  
Executive Director

## FISCAL AND ECONOMIC IMPACT STATEMENT FOR ADMINISTRATIVE RULES

### RULE TITLE: Teaching Continuing Education for LPCs

#### I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENT UNITS (Summary)

The estimated implementation costs for the Louisiana Licensed Professional Counselors Board of Examiners are approximately \$900 in FY 25 for the notice and rule publication in the *Louisiana Register*. There are no other estimated implementation costs or savings for state or local government units resulting from the promulgation of the proposed rule changes.

#### II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS (Summary)

The proposed rule changes are not anticipated to impact 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)

Applicants for license renewal may benefit from the proposed change, which provides an additional mode for obtaining continuing education. Teaching at the graduate level does not require preapproved coursework, and licensees can earn up to ten hours through this method.

The proposed rule changes may result in a minimal decrease in revenue for accredited providers of continuing education coursework or professional associations, as licensees will have an additional option to obtain continuing education hours under the proposed changes.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

The proposed rule changes may result in increased competition among continuing education providers as there will be more options for preapproved coursework and an additional method for accruing hours. The proposed rule changes are not expected to affect employment.

Jamie S. Doming  
Executive Director  
2503#025

Patrice Thomas  
Deputy Fiscal Officer  
Legislative Fiscal Office

**NOTICE OF INTENT**

**Department of Health  
Radiologic Technology Board of Examiners**

Radiologic Technologists  
(LAC 46:LXVI.901, 1131, 1201, and 1205)

Editor's Note: The following Notice of Intent is being repromulgated to correct an error upon submission. The original Notice of Intent can be viewed in the January 20, 2025 Louisiana Register on pages 154-159.

Notice is hereby given that the Radiologic Technology Board of Examiners, pursuant to the authority of the Louisiana R.S. 37:3207 and in accordance with the provisions of the Louisiana Administrative Procedures Act, R.S. 49:950 et seq., intends to amend its rules governing temporary permits, LAC 46:LXVI. The proposed Rule changes are made in conjunction with R.S. 37: §3220 and §1127, which allow for the promulgation of rules related to permits with specific purposes and restrictions as to the type of radiologic activities that may be engaged and the types of services that may be provided to patients. Many urgent care centers throughout the state have a dire need for Limited X-ray Machine Operators (LXMO), who may perform x-rays on patients treated in a private physician office, private clinic, and/or an urgent care center. In conjunction with its authority, the board has voted to promulgate rules to address the professional needs of medical providers in the state. The LXMO permits will be issued for a specified time frame and will apply only to persons who are working in a private physician office, private clinic, or urgent care center as outlined in these rules.

**Title 46  
PROFESSIONAL AND OCCUPATIONAL  
STANDARDS**

**Part LXVI. Radiologic Technologists**

**Chapter 9. General Provisions**

**§901. Definitions**

\*\*\*

*Limited X-Ray Machine Operator*—an individual other than a radiologic technologist who performs diagnostic x-ray procedures on selected anatomical sites as noted in §1131.

\*\*\*

*Urgent Care Center*—a walk in facility focused on the delivery of medical care for minor illnesses and injuries in an ambulatory setting.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37: 3207 and 3220

HISTORICAL NOTE: Promulgated by the Department of Health and Human Resources, Radiologic Technology Board of Examiners, LR 11:872 (September 1985), amended by the

Department of Health and Hospitals, Radiologic Technology Board of Examiners, LR 23:71 (January 1997), LR 38:97 (January 2012), LR 40:2263 (November 2014), amended by the Department of Health, Radiologic Technology Board of Examiners, LR 42:2189 (December 2016), amended by the Department of Health, Radiologic Technology Board of Examiners, LR 51:

**Chapter 11. Licensure**

**§1131. Limited X-ray Machine Operator Permit (LXMO)**

A. The board may issue a temporary permit to an applicant seeking to practice as a limited x-ray machine operator for the purpose of obtaining the clinical experience requirements in order to qualify to sit for the required American Registry of Radiologic Technologists (ARRT) Limited Scope of Radiography certification examination.

1. Necessity of Limited X-ray Machine Operator Permit (LXMO)

a. No person shall assume or use the title or designation "limited x-ray machine operator" unless he holds a current permit in accordance with the provisions of these rules and regulations.

b. Every Limited x-ray machine operator shall have his permit at work. It shall be displayed or shall be on file. The permit shall be available for inspection at any time upon request by the board.

2. Scope of Practice for Limited X-ray Machine Operator (LXMO). The limited x-ray machine operator permit allows the individual to perform the following exams:

- a. chest;
- b. extremities;
  - i. upper—fingers, hand, wrist, forearm, elbow, humerus and shoulder girdle;
  - ii. lower—toes, foot, calcaneus, ankle, tibia/fibula, knee/patella, femur, and hip;
- c. abdomen;
- d. skull/sinuses;
  - i. skull;
  - ii. paranasal sinuses;
  - iii. facial bones (orbits, nasal bones);
- e. spine;
  - i. cervical spine;
  - ii. thoracic spine;
  - iii. lumbar spine;
  - iv. sacrum, coccyx, and sacroiliac joints.

3. Qualifications. To be eligible for a permit under this Chapter, an applicant shall:

- a. be at least 18 years of age;
- b. be of good moral character;
- c. have successfully completed a four-year course of study in a secondary school approved by the state Board of Elementary and Secondary Education, passed an approved equivalency test, or have graduated from a secondary school outside Louisiana having comparable approval;
- d. shall submit evidence of enrollment in an official LXMO program approved by the board;
- e. be a citizen of the United States or possess valid and current legal authority to work in the United States duly issued by the United States Citizenship and Immigration Services (USCIS) of the United States, Department of Homeland Security, under and pursuant to the Immigration and Nationality Act (66 stat. 163) and the commissioner's regulations thereunder (8 CFR);

f. self-report any legal, regulatory, licensing, permitting, transgression, and/or accusation and the outcome of such proceedings to the board.

4. Exemption. A limited licensed Private Radiologic Technologist (PRT) with the Louisiana State Board of Medical Examiners who was licensed between January 1, 2025, and the effective date of this rule shall be issued a temporary permit to practice as a limited x-ray machine operator, however in order to obtain a two-year limited x-ray machine operator permit, the PRT must comply with the requirements as stated in this Rule.

5. Educational Requirements

a. An applicant shall have attended and successfully completed an educational program and formal training meeting the following standards in preparation for the position of limited x-ray machine operator prior to making an application for a permit:

- i. a board-approved course of radiological study and safety;
- ii. a board-approved clinical training program;
- iii. paid the applicable fees prescribed in these rules.

6. Application for Permit

a. Temporary Work Permit. Requests for application for a temporary permit form shall be requested and submitted to the state board.

b. Limited X-ray Machine Operator Permit. Requests for application for a Limited X-ray Machine Operator permit form shall be requested and submitted to the state board.

7. Follow-Up to Application Submission

a. Incomplete Applications. Applications which are received with incomplete data may cause postponement. "Incomplete notices" are provided to those who did not submit all information requested on the application form.

b. Finding of Ineligibility. If information is received indicating ineligibility, the applicant is notified of the deficiencies. The application is retained on an inactive basis and may be reactivated at the applicant's request whenever the requirements have been met. The application fee is not refundable, however, there is no additional charge for reactivating the application.

8. Modifications to Submitted Information

a. Address or Name Changes. If a temporary limited x-ray machine operator permit applicant must change the mailing address which was entered on the application form, the individual must inform the board in writing. Changes in the permitter's name are to be handled in the same manner, but must be accompanied by documentary evidence of the change (e.g., copy of marriage certificate, legal name change form, etc.).

9. Re-Examination

a. An applicant who fails to pass the ARRT examination in Limited Scope of Radiography within the issued one-year time frame of the temporary permit shall become ineligible for an extension of that temporary permit. The Board will hold the original application for permit up to one year with no additional fee.

10. Issuance of Limited X-ray Machine Operator Permit (LXMO). If the qualifications, requirements and procedures prescribed or incorporated by these rules and

regulations are met to the satisfaction of the board, the board shall issue to the applicant a permit to engage in the practice of limited x-ray machine operation in the state of Louisiana.

a. The board may issue a temporary permit to an applicant seeking to practice limited x-ray machine operation for the purpose of obtaining the clinical experience requirements in order to qualify to sit for the required American Registry of Radiologic Technologists (ARRT) Limited Scope of Practice in Radiography certification examination, provided that the applicant:

- i. has submitted a board approved clinical training agreement to the board;
- ii. satisfies the applicable fees prescribed in these rules.
- iii. upon payment a temporary one-year work permit shall be issued one time only and for the time listed on the temporary work permit.

b. The temporary permit issued under this section shall expire, and thereby become null and void and to no effect on the earliest of the following dates:

- i. 12 months from the date on which it was issued;
- ii. the date on which the board gives notice to the permit holder of its final action granting or denying issuance of a limited x-ray machine operator permit;

c. The temporary permit holder who has:

- i. successfully and competently completed the required clinical training;
- ii. has successfully passed the American Registry of Radiologic Technologists (ARRT) Limited Scope of Radiography exam for Louisiana will then be granted a two-year limited x-ray machine operator permit.

11. Renewal. The board will require that those limited x-ray machine operators applying for renewal of permits shall have, in the preceding two-year period, participated in and completed the continuing education requirements, and/or board-approved alternatives as set forth in these rules. Every person permitted under the provision of this Chapter, shall maintain certification and document of on-going compliance with the board.

12. Biannual Application for Permit Renewal

a. Notification for the renewal of the permit will be mailed to each limited x-ray machine operator whose permit to practice limited x-ray machine operation will expire that May 31 with the permit fee due. Renewal season is March 1 through May 31.

b. Notification for renewal of permit shall be mailed prior to expiration by the board to each person holding a permit issued under these rules and regulations. Such notification shall be mailed to the most recent address as reflected in the official records of the board.

c. The Limited x-ray machine operator is responsible for renewal in the event of not receiving mailed notification. Every limited x-ray machine operator permitted by this board shall renew his/her permit every two years upon application and payment of a renewal fee.

d. Limited x-ray machine operator permits issued under this Section which have expired may be renewed by the board. The Limited x-ray machine operator permit issued under this section shall expire, and thereby become null and void and to no effect on the earliest of the following dates:

- i. 24 months from the date on which it was issued;
- ii. the date on which the board gives notice to the permit holder of its final action granting or denying issuance of a Limited X-Ray Machine Operator Permit

**B. LXMO Continuing Education Requirements**

1. Any limited x-ray machine operator who fails to meet the continuing education requirements for renewal and pay appropriate fees by May 31 shall be placed on expired status. The limited x-ray machine operator shall no longer be considered as holding a valid permit in the state of Louisiana.

2. Limited X-ray Machine Operator. Twelve hours of continuing education credits must be earned per permitting term to meet the continuing education requirements. Credits earned in excess of 12 per permitting term may not be carried over into the next permitting term.

3. Documentation. A limited x-ray machine operator is required to maintain proof of participation in continuing education activities and is required to attest to this participation on the form provided. Said documentation shall be submitted to the board as part of the renewal process. Failure to provide documentation acceptable to the board will result in an expired status. The board will accept copies of documents. Original documents shall be kept by the limited x-ray machine operators for two years after the end of the permitting term for the purpose of further verification should the board choose to audit the permittees' submissions.

C. Permitting Term Schedule. Since the permitting term is defined as that period from June 1 of the renewal or issuance of permit year to the second May 31 to occur after that date, the continuing education credits must be earned in the two years prior to the second occurrence of May 31.

D. Expiration of Limited X-ray Machine Operator Permit. Every permit issued by the board under this Chapter, the expiration date of which is not stated thereon or provided by these rules, shall become null and void on May 31, of the second year following the year of issuance. The timely submission of an accurate and complete application for renewal of a permit, appropriate documentation of completion of required continuing education hours and payment of appropriate fees shall operate to continue the expiring permit pending issuance of the renewal permit.

E. Complaint. If a complaint is made to the board, the board shall notify the limited x-ray machine operator of the complaint and determine if there should be any action taken on the permit issued under this section. The board shall require the permit holder to abide by a code of ethics adopted by the board.

F. Applicants for LXMO Renewal Who Fail to Meet CE Requirements. A limited x-ray machine operator who applies for renewal of permit, but who fails to meet the renewal requirements within the previous permitting term, will automatically be transferred to an expired status. Individuals who are listed as having an expired status, due to failure to meet these renewal requirements, will be published on the website managed by the board and will be reported in response to any inquiries regarding the limited x-ray machine operator's status with the Louisiana State Radiologic Technology Board of Examiners.

1. A limited x-ray machine operator whose permit has been placed on expired status for failure to meet continuing education requirements may be returned to an approved status by payment of the appropriate fees and expenses as specified in this section and completing the required continuing education hours in the six months (on or before December 31) following the May 31 expiration date and paying the delinquency fee. Any hours completed or other requirements met while the permit is expired may not be used to meet the continuing education requirements for the subsequent permit term.

G. Minimum Standards for the Accreditation of LXMO Education Programs. Limited x-ray machine operator programs must be approved by the board. The licensed technologist and/or program director shall submit evidence of compliance with minimum standards of education for the accreditation of educational programs to the board upon forms provided by the board.

H. LXMO Code of Ethics. A LXMO Code of Ethics will be adopted by the board and shall be sent to each limited x-ray machine operator candidate.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:3207 and 3220.

HISTORICAL NOTE: Promulgated by the Department of Health, Radiologic Technology Board of Examiners, LR 51:

**Chapter 12. Continuing Education Requirements**

**§1201. Definitions**

\* \* \*

*Active Status*—radiologic technologists or limited x-ray machine operators who maintain their license or permit by submitting appropriate continuing education, paying an initial or renewal fee, and are listed in good standing with the LSRTBE.

*Advanced Level CPR*—Repealed.

\* \* \*

*Approved Continuing Education Activity*—an educational activity which has received approval through a recognized continuing education evaluation/mechanism.

1. Other activities that meet the definition of an approved continuing education activity are the approved entry-level exams. Examples are:

- a. ARRT examination in radiography;
- b. ARRT examination in Limited Scope of Radiography for Limited X-ray Machine Operator permits only
- c. ARRT or NMTCB examination in nuclear medicine technology;
- d. ARRT examination in radiation therapy technology;
- e. MDCB examination in dosimetry;
- f. ARDMS examination in diagnostic medical sonography; vascular technology or diagnostic cardiac sonography.

2. The advanced-level examinations considered acceptable continuing education activity are:

- a. ARRT examination in cardiovascular; interventional technology;
- b. ARRT examination in mammography;
- c. ARRT examination in computed tomography;
- d. ARRT examination in magnetic resonance imaging;

e. other ARRT examinations as developed and implemented.

3. Within their licensing period, technologists who pass an entry-level examination for a discipline in which they are not certified and for which they are eligible, or one of the advanced-level examinations that they have not previously passed and for which they are eligible, have met the continuing education requirement for that licensing period.

**CAMRT**—Canadian Association of Medical Radiation Technologists.

**Category A and A+ Credit**—educational activity which is planned, organized, and administered to enhance the knowledge and skills of the licensed or permitted individual and provides services to patients, the public, or medical profession.

**Continuing Education (CE)**—educational activities which serve to improve and expand the knowledge and skills underlying professional performance that a radiologic technologist or limited x-ray machine operator uses to provide services for patients, the public or the medical profession. A contact hour credit is awarded for each 50 to 60 minute educational activity. Activities longer than one hour will be assigned whole or partial CE credit based on the 50-minute hour. Educational activities of 30 to 49 minutes of duration will be awarded half a credit. An activity that lasts less than 30 minutes will receive no credit.

**Continuing Education (CE) Activity**—a learning activity that is planned, organized, and administered to maintain and enhance the professional knowledge and skills underlying professional performance that a technologist or limited x-ray machine operator uses to provide services for patients, the public, or the medical profession. Activities meeting this definition may qualify as either category A or A+ credit depending upon whether they have been submitted to review and approval.

\* \* \*

**Eligible for Renewal Status**—a radiologic technologist or limited x-ray machine operator who has completed all requirements for the renewal of a Louisiana radiologic technologist license or limited x-ray machine operator permit is considered to be eligible for renewal status.

**Expired Status**—a radiologic technologist or limited x-ray machine operator who fails to meet the continuing education requirements for renewal and pay appropriate fees by May 31 shall be placed on expired status. The radiologic technologist or limited x-ray machine operator shall no longer be considered as holding a valid license or permit in the state of Louisiana.

**Inactive Status**—classification of license or permit where the LSRTBE waives renewal fees to those licensees or permitted individuals who confirm in writing to the board that they are not actively employed in the state of Louisiana as radiologic technologists or limited x-ray machine operators.

\* \* \*

**Permitting**—the process of granting a permit attesting to the demonstration of limited qualifications in a profession.

**Permitting Term**—the LSRTBE issues permits to limited x-ray machine operators for two-year terms. All renewal permits are issued on June first and expire on May 31 of the second year of its issuance.

**Recognized Continuing Education Evaluation Mechanism (RCEEM)**—Repealed.

\* \* \*

**Temporary Permit for Limited X-ray Machine Operator**—a LSRTBE issued permit that is granted to qualified applicants for one year.

**Temporary Permit for Radiologic Technologists**— a LSRTBE issued permit that is granted to qualified individuals for 90 days.

**AUTHORITY NOTE:** Promulgated in accordance with R.S. 37: 3207 and 3220.

**HISTORICAL NOTE:** Promulgated by the Department of Health and Hospitals, Radiologic Technology Board of Examiners, LR 21:178 (February 1995), amended LR 23:71 (January 1997), LR 40:2264 (November 2014), amended by the Department of Health, Radiologic Technology Board of Examiners, LR 42:2190 (December 2016), amended by the Department of Health, Radiologic Technology Board of Examiners LR 51:

### **§1205. Continuing Education Requirements**

A. Radiologic technologist, nuclear medicine technologist, radiation therapy technologist and fusion technologist must complete 24 hours of continuing education credits must be earned per licensing term to meet the continuing education requirements. Credits earned in excess of 24 per licensing term may not be carried over into the next licensing term. The continuing education requirement is independent of the number of licenses held by an individual (i.e., a radiologic technologist certified in both radiography and radiation therapy technology needs only 24 credits).

**AUTHORITY NOTE:** Promulgated in accordance with R.S. 37:3207 and 3220.

**HISTORICAL NOTE:** Promulgated by the Department of Health and Hospitals, Radiologic Technology Board of Examiners, LR 21:180 (February 1995), amended LR 23:71 (January 1997), LR 40:2264 (November 2014), amended LR 42:2190 (December 1), LR 40:2264 (November 2014), amended by the Department of Health, Radiologic Technology Board of Examiners LR 51:

### **Family Impact Statement**

After considering R.S. 49:972, it is anticipated that 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**

It is anticipated that 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 is 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**

After considering HCR 170 of the 2014 Regular Legislative Session, it is anticipated that the proposed Rule should not have any known or foreseeable impact 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 to the Executive Director, Louisiana State Radiologic Technology Board of Examiners, at 3108 Cleary Avenue, Suite 207, Metairie, LA 70002, or via email to [execdirector@lsrtbe.org](mailto:execdirector@lsrtbe.org). Comments will be accepted until 3 p.m. on February 10, 2025.

**Public Hearing**

No public hearing on this proposed Rule has been scheduled. If a public hearing is needed, all interested parties will be afforded an opportunity to submit data, views, or arguments either orally or in writing. Interested parties may submit a written request to conduct a public hearing to the Executive Director, Louisiana State Radiologic Technology Board of Examiners, at 3108 Cleary Avenue, Suite 207, Metairie, LA 70002, or via email to [execdirector@lsrtbe.org](mailto:execdirector@lsrtbe.org); however, such request must be received no later than 3 p.m. on February 10, 2025. Any person wishing to attend should call to confirm that a hearing is being held by calling 504-838-5231.

Hollie Taranto, M.B.A., R.T. (R)  
Executive Director

**FISCAL AND ECONOMIC IMPACT STATEMENT  
FOR ADMINISTRATIVE RULES  
RULE TITLE: Radiologic Technologists**

**I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENT UNITS (Summary)**

The estimated implementation costs for the Louisiana State Radiologic Technology Board of Examiners are approximately \$1,500 in FY 25 for the notice and rule publication in the *Louisiana Register*. There are no other estimated implementation costs or savings for state or local government units resulting from the promulgation of the proposed rule change.

**II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS (Summary)**

The proposed rule change is not anticipated to impact 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 are no anticipated economic benefits or losses resulting from the proposed rule.

**IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)**

There is no anticipated effect on competition and employment.

Hollie Taranto  
Executive Director  
2503#007

Patrice Thomas  
Deputy Fiscal Officer  
Legislative Fiscal Office

**NOTICE OF INTENT**

**Department of Health  
Radiologic Technology Board of Examiners**

Radiologic Technologists  
(LAC 46:LXVI.1217)

Notice is hereby given that the Radiologic Technology Board of Examiners, pursuant to the authority of the Louisiana R.S. 37:3207 and in accordance with the provisions of the Louisiana Administrative Procedures Act, R.S. 49:950 et seq., intends to amend its rules governing fees and expenses, (LAC 46:LXVI.1217). The proposed Rule changes are made in conjunction with R.S. 37: §3218, which allow for the promulgation of a reasonable fee schedule for the issuance, renewal, or reinstatement of any license or permit, for administration of examinations for licensure, or for any other administrative function provided for in this Chapter.

**Title 46**

**PROFESSIONAL AND OCCUPATIONAL  
STANDARDS**

**Part LXVI. Radiologic Technologists**

**Chapter 12. Continuing Education Requirements**

**§1217. Fee and Expenses**

A. The rules of this Chapter prescribe the fees and costs applicable to the licensing of radiologic technologists and permitting of Limited X-ray Machine Operators (LXMO).

B. For processing applications for licensure and permits, the following fees shall be payable to the board:

1. initial two-year radiographer, nuclear medicine, radiation therapy or fusion technologist license, \$150;
2. duplicate license, \$25;
3. biennial renewal of license, 2 years, or biennial renewal of LXMO permit, 2 years, \$150;
4. issuance of ninety 90-day temporary radiographer, nuclear medicine, or radiation therapy working permit, 1-year temporary fusion technology permit, or 1-year temporary LXMO permit; \$50.00;
5. late fee in addition to the renewal fee for a license or permit placed on an expired status using a postmark date, \$200;
6. reinstatement of a license or LXMO two-year permit that has been revoked or suspended, \$300.

C. - C.5. ...

6. Processing and handling a request for the board's endorsement of licensure or permit status to another state for the purpose of reciprocity, \$50. All requests will be

processed within 5 business days. Requests completed by the board will be mailed or emailed. No verbal responses will be provided;

C.7. - E. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:3207 and 3220.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Radiologic Technology Board of Examiners, LR 21:181 (February 1995), amended LR 40:2266 (November 2014), amended by the Department of Health, Radiologic Technology Board of Examiners, LR 42:2191 (December 2016), amended by the Department of Health, Radiologic Technology Board of Examiners, LR 51:

#### **Family Impact Statement**

After considering R.S.49:972, it is anticipated that the proposed Rule change will have no significant effect on the:

1. family stability;
2. authority rights of parents regarding the education and supervision of their children;
3. family function;
4. family earnings and family budget;
5. behavior and personal responsibility of children; or,
6. ability of the family or a local government to perform the function as contained in the proposed Rule.

#### **Poverty Impact Statement**

After considering R.S.49:973, it is anticipated that the proposed Rule change will have no significant effect on the:

1. household income, assets, and financial security;
2. early childhood or education development;
3. employment or workforce development;
4. taxes and tax credits; or
5. child and dependent care, health care, nutrition, transportation, and utilities assistance.

#### **Provider Impact Statement**

After considering HCR 170 of the 2014 Regular Legislative Session, it is anticipated that the proposed Rule change will have no effect on the:

1. staffing level requirements or qualifications required to provide the same level of service,
2. total direct and indirect effect on the cost to the provider to provide the same level of service; or
3. overall effect on the ability of the provider to provide the same level of service.

#### **Public Comments**

Interested persons may submit written comments on the proposed Rule to: Executive Director, Louisiana State Radiologic Technology Board of Examiners, at 3108 Cleary Avenue, Suite 207, Metairie, LA 70002, 504-838-5231. The Executive Director is responsible for responding to inquiries. Written comments will be accepted until 3 p.m. on April 10, 2025.

#### **Public Hearing**

No public hearing on this proposed Rule has been scheduled. If a public hearing is needed, all interested parties will be afforded an opportunity to submit data, views, or arguments either orally or in writing. Interested parties may submit a written request to conduct a public hearing to the Executive Director, Louisiana State Radiologic Technology Board of Examiners, at 3108 Cleary Avenue, Suite 207, Metairie, LA 70002, or via email to [execdirector@lsrtbe.org](mailto:execdirector@lsrtbe.org); however, such request must be received no later than 3 p.m. on April 10, 2025. Any person wishing to attend should call

to confirm that a hearing is being held by calling 504-838-5231.

Hollie Taranto, M.B.A., R.T.(R)  
Executive Director

### **FISCAL AND ECONOMIC IMPACT STATEMENT FOR ADMINISTRATIVE RULES RULE TITLE: Radiologic Technologists**

#### **I ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENTAL UNITS (Summary)**

The cost for the Louisiana Radiologic Technology Board of Examiners is approximately \$900 in FY 25 for the notice and rule publication in the Louisiana Register. The board operates on self-generating revenue primarily from licensing renewal fees. Other than the cost of rulemaking, there are no estimated implementation costs or savings for state agencies resulting from the promulgation of the proposed rule changes.

#### **II ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS (Summary)**

The proposed rule change will increase the radiologic technology license renewal fee from \$100 to \$150 per two-year period. It will also raise the temporary permit fee from \$10 to \$50 and establish an initial, one-year Limited X-ray Machine Operator temporary permit fee of \$50, and a Limited X-Ray Machine Operator (LXMO) two-year permit fee of \$150. Additionally, the late and administrative fee schedule will be updated. Currently late fees are determined by the time of the licensure renewal. The proposed late fee will be \$200, no matter when the time of renewal. The administrative fee change reflects the verification fee increasing from \$25 to \$50. These changes are expected to generate an additional \$163,000 to \$185,000 in self-generated revenue each fiscal year, starting in FY 26. The increased revenue will support the Board's general operating expenses and fund upgrades to office infrastructure, enhancing efficiency and improving the licensing and permitting experience for applicants.

#### **III ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS, SMALL BUSINESSES, OR, SMALL BUSINESSES, OR NON-GOVERNMENTAL GROUPS (Summary)**

The current radiologic technology licensing fee is \$100 for a two-year period. Proposed changes to the rule will increase the licensing fee to \$150 for a two-year period. In addition, the proposed changes will establish a Limited X-Ray Machine Operator (LXMO) temporary permit fee of \$50, and a two-year LXMO permit fee of \$150. The proposed rule changes will update administrative fees for certain services or transactions, resulting in a potential cost for licenses and permit holders in line with the board's cost of delivering those services. Currently late fees are determined by the time of the licensure renewal. The proposed late fee will be \$200, no matter when the time of renewal. The administrative fee change reflects the verification fee increasing from \$25 to \$50. The increase in fees is due to an increase in operating expenses of the board and in the future will be used by the board to upgrade its operational infrastructure which will create increased efficiency, greater consistency, and easier access of data to licensees and permit holders.

#### **IV ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)**

The proposed rule changes will have no effect on competition or employment.

Hollie Taranto  
Executive Director  
2503#036

Patrice Thomas  
Deputy Fiscal Officer  
Legislative Fiscal Office



**NOTICE OF INTENT**

**Department of Public Safety and Corrections  
Office of Motor Vehicles**

Driving Schools (LAC 55:III.159)

Under the authority of R.S. 32:402.1(A)(1) and R.S. 40:1461, and in accordance with the provisions of the Administrative Procedure Act, R.S. 49:961 et seq., the Office of Motor Vehicles hereby proposes to amend sections in Chapter 1, regarding driving schools. The amended section, §159 changes verbiage saying fines may be assessed and adds a schedule of fines. This is in accordance with Act 579 of the 2024 Regular Session. This Rule shall become effective upon the promulgation of the permanent Rule in the *Louisiana Register*.

**Title 55**

**PUBLIC SAFETY**

**Part III. Motor Vehicles**

**Chapter 1. Driver's License**

**Subchapter A. General Requirements**

**§159. Suspension, Revocation and Penalty Assessment**

A. All regulations outlined in this Chapter shall be adhered to by the driving school and its employees. The Office of Motor Vehicles may fine, suspend or revoke any driving school license, instructor license, examiner license, owner license or third-party tester agreement issued under these rules and regulations upon discovery of satisfactory evidence of violations. If the violation involves the owner of the driving school or other management staff, then the driving school may be assessed fines, or the license may be suspended or revoked, or both. If the violation involves the instructor, then the instructor may be assessed fines, or the license may be suspended or revoked, or both. Fines will be assessed based on the schedule of fines. If the fine is not paid within 30 days of the mailing of the notice of the fine, or an administrative hearing is not requested, the license, the contract, or both may be suspended or revoked.

<b>Driving School Fine Schedule</b>		
The following range of fines that may be set for violations cited under the corresponding provision of statutory law, rules, or contract provisions. When citing specific violations, the Office of Motor Vehicles (OMV) will set the fine within the corresponding range. OMV reserves the right to evaluate each violation to determine the appropriate sanction based upon the severity of the conduct up to and including suspension or revocation of the license and contract. The previous imposition of a fine is not a prerequisite for the suspension or the revocation of a license or contract.		
<b>Violation</b>	<b>First Violation (per student unless indicated otherwise)</b>	<b>Second or Subsequent Violation (per student unless indicated otherwise)</b>
For a driver education course, failure to provide a minimum of 30 hours of classroom instruction. §144	\$25 - \$100	\$100 - \$500
For a pre-licensing course, failure to provide a minimum of 6 hours of classroom instruction. §144	\$25 - \$100	\$100 - \$500
Failure to provide 8 hours of actual driving instruction. §144	\$25 - \$100	\$100 - \$500
A driving school advertising without having first obtained a license and contract with OMV. §144	\$25 - \$100	\$100 - \$500
No person shall hold himself for remuneration as a qualified or licensed instructor without obtaining a license and contract from OMV. §144	\$25 - \$100	\$100 - \$500
Failure to maintain Qualifications for a Driving School Owner/Administrator during the period of the current license and contract. §145A	\$25 - \$100 (per qualification requirement)	\$100 - \$500 (per qualification requirement)
Failure to maintain Qualifications for Instructor. §145B	\$25 - \$100 (per qualification requirement)	\$100 - \$500 (per qualification requirement)
Non-compliance with Application Process and Fees for Private Driving Schools and Instructors §146.	\$25 - \$100 (per requirement)	\$100 - \$500 (per requirement)
Failure to comply with location requirements. §147A.	\$25 - \$100	\$100 - \$500
Failure to comply with bond requirements. §147B.	\$25 - \$100	\$100 - \$500
Failure to comply with classroom requirements. §147C.	\$25 - \$100	\$100 - \$500
Failure to comply with examination requirements. §147D	\$25 - \$100	\$100 - \$500
Failure to comply with Regulations and Policies for Secondary and Alternative School Driver Education Courses. §150.	\$25 - \$100 (per requirement)	\$100 - \$500 (per requirement)
Failure to comply with Regulations for All Driver Education Providers. §151.	\$50 - \$200 (per requirement)	\$200 - \$1000 (per requirement)
Failure to comply with School Policies and Course Specifications. §152	\$50 - \$200 (per requirement)	\$200 - \$1000 (per requirement)
Failure to comply with Parental Orientation. §153	\$25 - \$100	\$100 - \$500
Failure to comply with Driver Education Curriculum requirements. §154	\$50 - \$200	\$200 - \$1000
Failure to comply with Third-Party Tester/Examiner Requirements. §155.	\$50 - \$200	\$200 - \$1000
Failure to comply with Application Process and Fees for Third-Party Testers/Examiners. §156.	\$25 - \$100	\$100 - \$500

Failure to comply with General Regulations for Third-Party Testers. §157.	\$50 - \$200	\$200 - \$1000
Non-compliance with a provision of contract.	\$50 - \$200	\$200 - \$1000
Non-compliance with any statutory requirement in R.S. 32:402.1, R.S. 32:408, R.S. 32:408.1, or R.S. 40:1461 et seq.	\$50 - \$200	\$200 - \$1000

A.1. - A.6. ...

**B. Appeal Rights**

**1. Notice of Suspension, Revocation or Fine**

a. A currently licensed owner/instructor whose license and third-party tester agreement is revoked or suspended, or who has been assessed a fine, shall be notified in writing by DPS either by email or mail.

B.2. - B.2.d. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 32:402.1(A) (1) and R.S. 40:1461.

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Office of Motor Vehicles, LR 43:1780 (September 2017), amended LR 45:1604 (November 2019), amended LR 51:

**Family Impact Statement**

The proposed Rule is not anticipated to have an impact on family formation, stability, and autonomy as described in R.S. 49:972.

**Poverty Impact Statement**

The proposed Rule is not anticipated to have an impact on poverty as defined by R.S. 49:973.

**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 is not anticipated to have an impact on providers of services funded by the state as described in HCR 170 of the 2014 Regular Legislative Session.

**Public Comments**

All interested persons may submit written comments through April 11, 2025, to Stephen A. Quidd, Executive Management Officer, Office of Motor Vehicles, Louisiana Department of Public Safety and Corrections, at P. O. Box 64886, Baton Rouge, LA 70896, delivered to 7979 Independence Blvd., Suite 301, Baton Rouge, LA 70806, or faxed to (225)925-6303.

**Public Hearing**

A public hearing on the proposed Rule will be held on April 29, 2025, at the Louisiana Department of Public Safety and Corrections, Office of Motor Vehicles Headquarters, 7979 Independence Blvd., Suite 301, Baton Rouge, La. 70806, (225) 925-6281, beginning at 9 a.m. All interested persons will be afforded an opportunity to submit data, views, or arguments, orally or in writing, at said hearing. Individuals with disabilities who require special services should contact the above number at least seven working days in advance of the hearing. For assistance, call (225) 925-6281 (voice and TDD). Any interested person should call before coming to the public hearing as the hearing will be cancelled if the requisite number of comments, as provided in R.S.49:961(B), are not received.

Daniel G. Casey  
Commissioner

**FISCAL AND ECONOMIC IMPACT STATEMENT  
FOR ADMINISTRATIVE RULES  
RULE TITLE: Driving Schools**

**I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENT UNITS (Summary)**

The proposed rule is not anticipated to result in any costs or savings for the Office of Motor Vehicles (OMV).

To properly enforce statutory and contractual obligations of driving school owners and instructors, OMV proposes to amend Section 159(A) (Suspension, Revocation and Penalty Assessment) of Part III, Chapter 1 of Title 55 (Public Safety) of the Louisiana Administrative Code. Specifically, the proposed rule provides a fine schedule to levy against driving school owners and instructors who violate the provisions governing driving schools.

**II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS (Summary)**

To the extent persons, firms, or employees violate current statute, administrative rules, contract terms, or department policy, fines collected by OMV may increase by a maximum of approximately \$58,400 annually. OMV will set fines within the corresponding range below when citing the listed violations. OMV reports an average of 128 violations occurred between FY 22 and FY 24. It is unknown if all future violations will receive a fine. To the extent each violation includes the maximum fine and that 68% of violations are first occurrences, state revenue may increase by a maximum of approximately \$58,400 annually (87 average 1st violations annually x \$200 maximum 1st occurrence fine = \$17,400) + (41 average 2nd violations annually x \$1,000 maximum 2nd occurrence fine = \$41,000).

Violations - (1st occurrence: \$25 - \$100; 2nd occurrence: \$100 - \$500)

- For a driver education course, failure to provide a minimum of 30 hours of classroom instruction. Section 144
- For a pre-licensing course, failure to provide a minimum of 6 hours of classroom instruction. Section 144
- Failure to provide 8 hours of actual driving instruction. Section 144
- A driving school advertising without having first obtained a license and contract with OMV. Section 144
- No person shall hold himself for remuneration as a qualified or licensed instructor without obtaining a license and contract from OMV. Section 144
- Failure to maintain Qualifications for a Driving School Owner/ Administrator during the period of the current license and contract. Section 145A
- Failure to maintain Qualifications for Instructor. Section 145B
- Non-compliance with Application Process and Fees for Private Driving Schools and Instructors Section 146.
- Failure to comply with location requirements. Section 147A.
- Failure to comply with bond requirements. Section 147B.
- Failure to comply with classroom requirements. Section 147C.

- Failure to comply with examination requirements. Section 147D
  - Failure to comply with Regulations and Policies for Secondary and Alternative School Driver Education Courses. Section 150.
  - Failure to comply with Parental Orientation. Section 153
  - Failure to comply with Application Process and Fees for Third-Party Testers/Examiners. Section 156
  - Violations - (1st occurrence: \$50 - \$200; 2nd occurrence: \$200 - \$1,000)
  - Failure to comply with Regulations for All Driver Education Providers. Section 151.
  - Failure to comply with. School Policies and Course Specifications. Section 152
  - Failure to comply with Driver Education Curriculum requirements. Section 154
  - Failure to comply with Third-Party Tester/Examiner Requirements. Section 155.
  - Failure to comply with General Regulations for Third-Party Testers. Section 157.
  - Non-compliance with a provision of contract.
  - Non-compliance with any statutory requirement in R.S. 32:402.1, R.S. 32:408, R.S. 32:408.1, or R.S. 40:1461 et seq.
- III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS, SMALL BUSINESSES, OR, NONGOVERNMENTAL GROUPS (Summary)
- To the extent persons, firms, or employees violate current statute, administrative rules, contract terms, or department policy, they may incur fines ranging from \$25 to \$1,000 based on the classification of the offense and whether it is the 1st or 2nd and subsequent violation.
- IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)
- Implementation of this proposed rule is not anticipated to have an effect on competition and employment.

Daniel Casey  
Commissioner  
2503#037

Patrice Thomas  
Deputy Fiscal Officer  
Legislative Fiscal Office

## NOTICE OF INTENT

### Department of Public Safety and Corrections Office of Motor Vehicles

#### Ignition Interlock Devices (LAC 55:III.Chapter 4)

In compliance with Act 462 of the 2023 legislative session, the Office of Motor Vehicles previously proposed to amend sections 403, 411, and 451 of Part III, Chapter 4 (Ignition Interlock Devices), and to adopt a new Section, §419, Title 55 (Public Safety) of the *Louisiana Administrative Code*. Specifically, that rule proposed to amend the requirements for ignition interlock providers to report records regarding the installation and removal of ignition interlock devices as well as reporting violations of ignition interlock requirements. After meeting with industry representatives, it was agreed additional amendment were needed. This proposal further amends the definition section, amends the monitoring requirement, corrects inconsistencies in the reporting requirement, and changes reporting entry on removal to transactions adds to what can be reported in that entry. This Rule shall become effective upon the promulgation of the permanent Rule in the *Louisiana Register*.

## Title 55

### PUBLIC SAFETY

#### Part III. Motor Vehicles

#### Chapter 4. Ignition Interlock Devices

##### Subchapter A. Specifications for Electronic Reporting Of Interlock Device Installation/Removal

#### Chapter 4. Specifications for Electronic Reporting Of Interlock Device Installation/Removal

##### §401. Introduction

A. Effective August 15, 2011, Act 192 of the 2011 Regular Session of the Louisiana Legislature requires ignition interlock device reports to be submitted electronically. The person whose driving privilege is restricted pursuant to this Section, or which has been reinstated pursuant to R.S. 32:667(I), shall have the system monitored by the manufacturer, at the manufacturer's expense, for proper use at least every thirty days, and more frequently as the court may order, on the operation of each interlocking ignition device in the person's vehicles. A report of such monitoring shall be issued by the manufacturer to the court and the department within fourteen days after the system is monitored. However, the report issued to the department shall be in an electronic format specified by the department.

**AUTHORITY NOTE:** Promulgated in accordance with R.S. 32:378.2(H).

**HISTORICAL NOTE:** Promulgated by the Department of Public Safety and Corrections, Office of Motor Vehicles, LR 40:2604 (December 2014), amended by the Department of Public Safety and Corrections, Office of Motor Vehicles, LR 51:

##### §403. Definitions

**Authorized Manufacturer**—name of manufacturers approved by State Police Applied Technology.

**Authorized Removal**—a removal at the end of the period the ignition interlock device is required as a condition of reinstatement or for a hardship or restricted driver's license lease term for the ignition interlock device, or in cases in which the motor vehicle in which the device is installed is sold or otherwise transferred to a licensed new or used motor vehicle dealer. An authorized removal also includes private sales except in cases where the motor vehicle is sold or otherwise transferred to person who resides in the same household as the person who is required to have an ignition interlock device, or is sold or otherwise transferred to a person who is related to the person who is required to have an ignition interlock device. An authorized removal includes the removal of the ignition interlock devices from a vehicle which has been declared a total loss as defined in the state's title law.

**Business Days**—business days are Monday through Friday, between 8 a.m. and 4:30 p.m. central time. Business days do not include Saturday, Sunday or state holidays, any other holiday declared by the governor, or days when state offices in East Baton Rouge Parish are declared closed by the Commissioner of Administration.

**Department**—Department of Public Safety and Corrections, Office of Motor Vehicles.

**Edit Error**—a record submitted by an authorized manufacturer unacceptable for filing purposes due to the absence of information in a required field or the presence of invalid information in the key data fields is an edit error.

Key data fields are identified and detailed in §405. A record which is returned to an authorized manufacturer as an edit error is not a filing. The record shall be corrected and re-reported within 15 business days of the return-date.

**Installation Date**—the date the interlock device was installed in the vehicle.

**Return Filing Report**—a report prepared by the department for an authorized manufacturer following completion of processing and editing of data. The report will contain any error records or, if no errors are found, a message stating “No Errors in File”. It is the responsibility of the authorized manufacturer to review and take the necessary corrective action as required by these rules and regulations. If the file cannot be processed, no return report will be sent. The file must be corrected and all of the filing records must be resubmitted. None of the filing records submitted with an incomplete or incorrect header record will be accepted.

**Test File Indicator**—if the submitted file is a test file, the test file indicator must be set in the header record to insure that the test records are not uploaded to the database. The IT staff must be contacted to schedule a test prior to the test file being uploaded to the server.

**Transaction Date**—the date the interlock device was removed or a violation established in R.S. 32:378.2(M)(2) occurred.

**Unauthorized Removal**—the ignition interlock device is removed prior to the time period for which the person is required to have an ignition interlock device. An unauthorized removal does not include instances where the ownership of the vehicle is transferred as provided in “Authorized Removal.”

**AUTHORITY NOTE:** Promulgated in accordance with R.S. 32:378.2(H).

**HISTORICAL NOTE:** Promulgated by the Department of Public Safety and Corrections, Office of Motor Vehicles, LR 40:2604 (December 2014), amended LR 51:

**§405. Record Formats**

A. The following format shall be used by an authorized manufacturer for submitting electronic filing of the report required by R.S. 32:378.2(H).

1. Header Record

Char Pos	Type	Data Description	Format
1 - 4	Num (4)	Manufacturer Code	
5 - 12	Num (8)	Date Created	CCYYMMDD
13 - 19	Num (7)	Number of Records in Filing	9999999
20 - 20	Alpha (1)	Test File Indicator	T (Test) or P (Production)
21 - 176	Alpha (156)	Filler	Spaces
177 - 177	Num (1)	Record Type	3 (Header)

2. Interlock Filing Record

Char Pos	Type	Data Description	Format
1 - 9	Num (9)	Driver’s License Number	Right justified, zero fill if not available
10 - 49	A/N (40)	Driver Name	Last, First
50 - 57	Num (8)	Driver DOB	CCYYMMDD
58 - 77	A/N (20)	Driver Street	
78 - 92	Alpha (15)	Driver City	
93 - 94	Alpha (2)	Driver State	

Char Pos	Type	Data Description	Format
95 - 99	Num (5)	Driver Zip Code	
100 - 116	A/N (17)	VIN	
117 - 119	A/N (3)	Installer ID Code	
120 - 139	A/N (20)	Manufacturer’s Name	
140 - 159	A/N (20)	Machine Serial Number	
160 - 167	Num (8)	Installation Date	CCYYMMDD
168 -175	Num (8)	Transaction Date	CCYYMMDD
176 - 176	Num (1)	Reporting Type	1, 2, 3, 4, 5, 6, 7, or 8
177 - 177	Num (1)	Record Type	1 (Data Record)

**AUTHORITY NOTE:** Promulgated in accordance with R.S. 32:378.2(H).

**HISTORICAL NOTE:** Promulgated by the Department of Public Safety and Corrections, Office of Motor Vehicles, LR 40:2604 (December 2014) ; amended by the Department of Public Safety and Corrections, Office of Motor Vehicles, LR 51:

**§411. Interlock Filing Record**

A. The following fields are required unless otherwise noted. The filing records must have a record type = “1”. If an error on any of the required fields is encountered, a description of the error will be written to the return report. These records will not be processed and must be corrected and resent:

1 - 6. ...

7. driver zip code—the zip code of the person whose driver’s license is being submitted (required);

8. - 12. ...

13. transaction date—the date the interlock device was removed, or a violation established in R.S. 32:378.2(M)(2) occurred. (Required);

14. reporting type—reporting types are “1” = Authorized Removal, “2” = Tampered, “3” = Failed to start test, “4” = Rolling retest failed, “5” = Install (required) “6”= Failure to have interlock serviced two or more times, “7” = Unauthorized Removal, “8” = circumventing the device;

15. ...

**AUTHORITY NOTE:** Promulgated in accordance with R.S. 32:378.2(H).

**HISTORICAL NOTE:** Promulgated by the Department of Public Safety and Corrections, Office of Motor Vehicles, LR 40:2605 (December 2014), amended LR 51:

**§413. Reporting Instructions**

A. The Louisiana Department of Public Safety and Corrections utilizes the move it server as the method of exchanging electronic data for interlock installation and transaction reporting. The “information exchange” service allows secure electronic data transfer between the department and each authorized manufacturer. Any authorized manufacturer not currently reporting to OMV on the move it server shall send an e-mail a request to access this system to Interlock@dps.la.gov for the purpose of reporting interlock installations/removals electronically.

B. - E. ...

**AUTHORITY NOTE:** Promulgated in accordance with R.S. 32:378.2(H).

**HISTORICAL NOTE:** Promulgated by the Department of Public Safety and Corrections, Office of Motor Vehicles, LR 40:2606 (December 2014), amended LR 51:

**§415. Error Messages**

A. The following error message will be sent for submissions by an authorized manufacturer:

1. driver’s license number: If the license is missing, invalid or does not match the DOB and/or driver name, the

filing record will be sent to OMV to add manually. No error will be sent back to the authorized manufacturer.

2. driver name: "name required"—This is a required field. The correct format is Last, First

3. driver DOB:

a. "date of birth required"—This is a required field.

b. "DOB must be numeric"—This is a numeric field.

c. "DOB format is CCYYMMDD"—All dates are CCYYMMDD.

d. "DOB greater than today's date"—date of birth > process date

4. driver street: "driver street required"—This is a required field.

5. driver city: "driver city required"—This is a required field.

6. driver state: "driver state required"—This is a required field.

7. driver zip code:

a. "driver zip code required"—This is a required field.

b. "driver zip code must be numeric"—This is a numeric field.

8. VIN: "VIN required"—This is a required field.

9. manufacturer's name: "manufacturer's name required"—This is a required field.

10. machine serial number: "serial required"—This is a required field.

11. installation date:

a. "installation date required"—This is a required field.

b. "installation date must be numeric"—This is a numeric field.

c. "installation date format is CCYYMMDD"—All dates are CCYYMMDD.

d. "installation Date > today's date" - Installation date cannot be in the future.

e. "installation date > transaction date"—Transaction date cannot be prior to the installation date.

12. transaction date:

a. "transaction date required"—This is a required field.

b. "transaction date must be numeric"—This is a numeric field.

c. "transaction date format is CCYYMMDD"—All dates are CCYYMMDD.

d. "transaction date > today's date"—transaction date cannot be in the future.

e. "transaction date < installation date"—Transaction date cannot be prior to the installation date.

13. reporting type:

a. "reporting type is required"—this is a required field.

b. "reporting type is invalid"—this field must have a value of 1, 2, 3, 4, 5 6, 7, or 8.

14. record type: "record type required"—This is a required field.

AUTHORITY NOTE: Promulgated in accordance with R.S. 32:378.2(H).

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Office of Motor Vehicles, LR 40:2606 (December 2014), amended Promulgated by the Department of Public Safety and Corrections, Office of Motor Vehicles, amended LR 51:

### **Subchapter B. Credit for Suspension Time or Condition of Reinstatement Time for Installation of an Ignition Interlock Device**

#### **§451. Requirements to Receive Credit toward Suspension Time or Condition of Reinstatement Time**

A. Effective August 1, 2019, an individual who had an ignition interlock device installed by an interlock manufacturer approved by Louisiana State Police, Applied Technology Unit, as a requirement of bail, a part of a pre-trial diversion program, or a term of suspended or deferred sentence pursuant to Code of Criminal Procedure Article 894, for an offense involving the operation of a motor vehicle while under the influence of alcohol, drugs, or a combination of alcohol and drugs and is arrested or subsequently convicted for such an offense, shall receive credit towards suspension time or any reinstatement requirement that may be imposed upon complying with the requirements of this Subchapter.

B. A person seeking to receive credit towards suspension time for having an approved and functioning ignition interlock device installed on the motor vehicle the person operates shall:

1. make a request at your local Office of Motor Vehicle;

2. submit the completed application for ignition interlock restriction form signed by the applicant;

3. submit documentation from the court having jurisdiction over the prosecution of the person for an offense involving the operation of a motor vehicle while under the influence of alcohol, drugs, or a combination of alcohol and drugs, or from the prosecutor administering the pre-trial diversion program, that the person is required to install an ignition interlock device on the motor vehicle as a requirement of the court or the prosecutor, as the case may be;

4. submit the completed approved form from the ignition interlock manufacturer verifying compliance with R.S. 32:378.2(M)(2).

C. Applicant may apply for a driver's license with the interlock restriction provided their record is valid status. They will be required to show the interlock installment/lease agreement, proof of registration and insurance, and will be required to pay a duplicate license fee to add the restriction to the driver's license.

AUTHORITY NOTE: Promulgated in accordance with R.S. 32:378.2(M)

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Office of Motor Vehicles, LR 46:187 (February 2020); amended by the Department of Public Safety and Corrections, Office of Motor Vehicles, LR 51:

### Family Impact Statement

The proposed Rule is not anticipated to have an impact on family formation, stability, and autonomy as described in R.S. 49:972.

### Poverty Impact Statement

The proposed Rule is not anticipated to have an impact on poverty as defined by R.S. 49:973.

### 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 is not anticipated to have an impact on providers of services funded by the state as described in HCR 170 of the 2014 Regular Legislative Session.

### Public Comments

All interested persons may submit written comments through April 11, 2025, to Stephen A. Quidd, Executive Management Officer, Office of Motor Vehicles, Louisiana Department of Public Safety and Corrections, at P. O. Box 64886, Baton Rouge, LA 70896, delivered to 7979 Independence Blvd., Suite 301, Baton Rouge, LA 70806, or faxed to (225)925-6303.

### Public Hearing

A public hearing on the proposed Rule will be held on April 29, 2025, at the Louisiana Department of Public Safety and Corrections, Office of Motor Vehicles Headquarters, 7979 Independence Blvd., Suite 301, Baton Rouge, La. 70806, (225) 925-6281, beginning at 9 a.m. All interested persons will be afforded an opportunity to submit data, views, or arguments, orally or in writing, at said hearing. Individuals with disabilities who require special services should contact the above number at least seven working days in advance of the hearing. For assistance, call (225) 925-6281 (voice and TDD). Any interested person should call before coming to the public hearing as the hearing will be cancelled if the requisite number of comments, as provided in R.S.49:961(B), are not received.

Daniel G. Casey  
Commissioner

## FISCAL AND ECONOMIC IMPACT STATEMENT FOR ADMINISTRATIVE RULES

### RULE TITLE: Ignition Interlock Devices

#### I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENT UNITS (Summary)

The proposed rule is not anticipated to result in any costs or savings for the Office of Motor Vehicles (OMV).

OMV proposes to amend Title 55 (Public Safety), Part III, Chapter 4 (Specifications for Electronic Reporting of Interlock Device Installation/Removal), Sections 401, 403, 405, 411, 413, 415, and 451 of the Louisiana Administrative Code. Specifically, this proposed rule:

- Updates the requirement that interlocking ignition devices shall be monitored by the manufacturer for proper use from bi-monthly to every thirty (30) days.

• Provides for the definition of Authorized Removal, Installation Date, Transaction Date, and Unauthorized Removal.

• Updates and adds options to be selected under the 'reporting type' field required on interlock filing records.

• Establishes that filing records with missing, invalid, or driver's license numbers that do not match the DOB and/or driver name will be sent to OMV to be added manually.

• Removes the list of violations from the administrative code which are present in current statute regarding individuals receiving credit towards suspension time or any reinstatement requirement imposed.

#### 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 person, small businesses, or non-governmental groups.

#### IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

Implementation of this proposed rule is not anticipated to have an effect on competition and employment.

Daniel Casey  
Commissioner  
2503#039

Patrice Thomas  
Deputy Fiscal Officer  
Legislative Fiscal Office

## NOTICE OF INTENT

### Department of Revenue Tax Policy and Planning Division

#### Income Tax Withholding Tables (LAC 61:I.1501)

Under the authority of Revised Statute 47:32, 112, 295 and 1511, and in accordance with the provisions of the Administrative Procedures Act, Revised Statute 49:950 et seq., the Department of Revenue, Tax Policy and Planning Division, proposes to amend LAC 61:I.1501 relative to individual income tax withholding tables and formulas.

The primary purpose of this proposed amendment is to update the withholding tables and formulas due to the new flat three percent individual income tax rate provided by Act 11 of the 2024 Third Extraordinary Session of the Louisiana Legislature. Act 11 amended R.S. 47:32 to repeal the graduated rates and brackets for individuals in favor of a flat three percent tax rate applicable to all taxable income for tax years beginning on or after January 1, 2025. This proposed amendment will allow the secretary to administer the updated individual income tax withholding tables and formulas for tax year 2025.

### Title 61

## REVENUE AND TAXATION

### Part I. Taxes Collected and Administered by the Secretary of Revenue

#### Chapter 15. Income: Withholding Tax §1501. Income Tax Withholding Tables

A. - B.1. ...

2. With the use of the information obtained from Form R-1300(L-4), *Employee's Withholding Exemption Certificate*, determine which column of the tables to use.

a. If your employee does not claim a standard deduction, use the column in the table designated 0.

b. If your employee utilizes the filing status of Single Individual or Married-Separate the column in the table designated 1.

c. If your employee utilizes the filing status of Married-Joint, Qualified Surviving Spouse, or Head of Household, use the column in the table designated 2.

**C. Withholding Tax Tables**

1. For the purposes of the withholding tax tables:

a. Filers utilizing a filing status of Single Individual or Married-Separate are allowed a standard deduction in the amount of \$12,500.00;

b. Filers utilizing a filing status of Married-Joint, Qualified Surviving Spouse, or Head of Household are allowed a standard deduction in an amount equal to 200 percent of the dollar amount provided for single individuals.

2. Withholding Tables-Effective on or after January 1, 2025:

Daily Louisiana Income Tax Withholding Table				
Standard Deduction:		0	1	2
Salary Range:				
Min	Max			
0.00	10.00	0.15	0.00	0.00
10.01	12.00	0.34	0.00	0.00
12.01	14.00	0.40	0.00	0.00
14.01	16.00	0.46	0.00	0.00
16.01	18.00	0.53	0.00	0.00
18.01	20.00	0.59	0.00	0.00
20.01	22.00	0.65	0.00	0.00
22.01	24.00	0.71	0.00	0.00
24.01	26.00	0.77	0.00	0.00
26.01	28.00	0.83	0.00	0.00
28.01	30.00	0.90	0.00	0.00
30.01	32.00	0.96	0.00	0.00
32.01	34.00	1.02	0.00	0.00
34.01	36.00	1.08	0.00	0.00
36.01	38.00	1.14	0.00	0.00
38.01	40.00	1.21	0.00	0.00
40.01	42.00	1.27	0.00	0.00
42.01	44.00	1.33	0.00	0.00
44.01	46.00	1.39	0.00	0.00
46.01	48.00	1.45	0.00	0.00
48.01	50.00	1.51	0.03	0.00
50.01	52.00	1.58	0.09	0.00
52.01	54.00	1.64	0.15	0.00
54.01	56.00	1.70	0.21	0.00
56.01	58.00	1.76	0.28	0.00
58.01	60.00	1.82	0.34	0.00
60.01	62.00	1.88	0.40	0.00
62.01	64.00	1.95	0.46	0.00
64.01	66.00	2.01	0.52	0.00
66.01	68.00	2.07	0.58	0.00

Daily Louisiana Income Tax Withholding Table				
Standard Deduction:		0	1	2
Salary Range:				
Min	Max			
68.01	70.00	2.13	0.65	0.00
70.01	72.00	2.19	0.71	0.00
72.01	74.00	2.26	0.77	0.00
74.01	76.00	2.32	0.83	0.00
76.01	78.00	2.38	0.89	0.00
78.01	80.00	2.44	0.96	0.00
80.01	82.00	2.50	1.02	0.00
82.01	84.00	2.56	1.08	0.00
84.01	86.00	2.63	1.14	0.00
86.01	88.00	2.69	1.20	0.00
88.01	90.00	2.75	1.26	0.00
90.01	92.00	2.81	1.33	0.00
92.01	94.00	2.87	1.39	0.00
94.01	96.00	2.94	1.45	0.00
96.01	98.00	3.00	1.51	0.03
98.01	100.00	3.06	1.57	0.09
100.01	102.00	3.12	1.64	0.15
102.01	104.00	3.18	1.70	0.21
104.01	106.00	3.24	1.76	0.27
106.01	108.00	3.31	1.82	0.34
108.01	110.00	3.37	1.88	0.40
110.01	112.00	3.43	1.94	0.46
112.01	114.00	3.49	2.01	0.52
114.01	116.00	3.55	2.07	0.58
116.01	118.00	3.62	2.13	0.64
118.01	120.00	3.68	2.19	0.71
120.01	122.00	3.74	2.25	0.77
122.01	124.00	3.80	2.32	0.83
124.01	126.00	3.86	2.38	0.89
126.01	128.00	3.92	2.44	0.95
128.01	130.00	3.99	2.50	1.01
130.01	132.00	4.05	2.56	1.08
132.01	134.00	4.11	2.62	1.14
134.01	136.00	4.17	2.69	1.20
136.01	138.00	4.23	2.75	1.26
138.01	140.00	4.30	2.81	1.32
140.01	142.00	4.36	2.87	1.39
142.01	144.00	4.42	2.93	1.45
144.01	146.00	4.48	2.99	1.51
146.01	148.00	4.54	3.06	1.57
148.01	150.00	4.60	3.12	1.63
150.01	152.00	4.67	3.18	1.69
152.01	154.00	4.73	3.24	1.76
154.01	156.00	4.79	3.30	1.82
156.01	158.00	4.85	3.37	1.88
158.01	160.00	4.91	3.43	1.94
160.01	162.00	4.97	3.49	2.00
162.01	164.00	5.04	3.55	2.07
164.01	166.00	5.10	3.61	2.13
166.01	168.00	5.16	3.67	2.19

Daily Louisiana Income Tax Withholding Table				
Standard Deduction:		0	1	2
Salary Range:				
Min	Max			
168.01	170.00	5.22	3.74	2.25
170.01	172.00	5.28	3.80	2.31
172.01	174.00	5.35	3.86	2.37
174.01	176.00	5.41	3.92	2.44
176.01	178.00	5.47	3.98	2.50
178.01	180.00	5.53	4.05	2.56
180.01	182.00	5.59	4.11	2.62
182.01	184.00	5.65	4.17	2.68
184.01	186.00	5.72	4.23	2.75
186.01	188.00	5.78	4.29	2.81
188.01	190.00	5.84	4.35	2.87
190.01	192.00	5.90	4.42	2.93
192.01	194.00	5.96	4.48	2.99
194.01	196.00	6.03	4.54	3.05
196.01	198.00	6.09	4.60	3.12
198.01	200.00	6.15	4.66	3.18
200.01	202.00	6.21	4.73	3.24
202.01	204.00	6.27	4.79	3.30
204.01	206.00	6.33	4.85	3.36
206.01	208.00	6.40	4.91	3.43
208.01	210.00	6.46	4.97	3.49
210.01	212.00	6.52	5.03	3.55
212.01	214.00	6.58	5.10	3.61
214.01	216.00	6.64	5.16	3.67
216.01	218.00	6.71	5.22	3.73
218.01	220.00	6.77	5.28	3.80
220.01	222.00	6.83	5.34	3.86
222.01	224.00	6.89	5.41	3.92
224.01	226.00	6.95	5.47	3.98
226.01	228.00	7.01	5.53	4.04
228.01	230.00	7.08	5.59	4.10
230.01	232.00	7.14	5.65	4.17
232.01	234.00	7.20	5.71	4.23
234.01	236.00	7.26	5.78	4.29
236.01	238.00	7.32	5.84	4.35
238.01	240.00	7.39	5.90	4.41
240.01	242.00	7.45	5.96	4.48
242.01	244.00	7.51	6.02	4.54
244.01	246.00	7.57	6.08	4.60
246.01	248.00	7.63	6.15	4.66
248.01	250.00	7.69	6.21	4.72
250.01	252.00	7.76	6.27	4.78
252.01	254.00	7.82	6.33	4.85
254.01	256.00	7.88	6.39	4.91
256.01	258.00	7.94	6.46	4.97
258.01	260.00	8.00	6.52	5.03
260.01	262.00	8.06	6.58	5.09
262.01	264.00	8.13	6.64	5.16
264.01	266.00	8.19	6.70	5.22
266.01	268.00	8.25	6.76	5.28

Daily Louisiana Income Tax Withholding Table				
Standard Deduction:		0	1	2
Salary Range:				
Min	Max			
268.01	270.00	8.31	6.83	5.34
270.01	272.00	8.37	6.89	5.40
272.01	274.00	8.44	6.95	5.46
274.01	276.00	8.50	7.01	5.53
276.01	278.00	8.56	7.07	5.59
278.01	280.00	8.62	7.14	5.65
280.01	282.00	8.68	7.20	5.71
282.01	284.00	8.74	7.26	5.77
284.01	286.00	8.81	7.32	5.84
286.01	288.00	8.87	7.38	5.90
288.01	290.00	8.93	7.44	5.96
290.01	292.00	8.99	7.51	6.02
292.01	294.00	9.05	7.57	6.08
294.01	296.00	9.12	7.63	6.14
296.01	298.00	9.18	7.69	6.21
298.01	300.00	9.24	7.75	6.27
300.01	302.00	9.30	7.82	6.33
302.01	304.00	9.36	7.88	6.39
304.01	306.00	9.42	7.94	6.45
306.01	308.00	9.49	8.00	6.52
308.01	310.00	9.55	8.06	6.58
310.01	312.00	9.61	8.12	6.64
312.01	314.00	9.67	8.19	6.70
314.01	316.00	9.73	8.25	6.76
316.01	318.00	9.80	8.31	6.82
318.01	320.00	9.86	8.37	6.89
320.01	322.00	9.92	8.43	6.95
322.01	324.00	9.98	8.50	7.01
324.01	326.00	10.04	8.56	7.07
326.01	328.00	10.10	8.62	7.13
328.01	330.00	10.17	8.68	7.19
330.01	332.00	10.23	8.74	7.26
332.01	334.00	10.29	8.80	7.32
334.01	336.00	10.35	8.87	7.38
336.01	338.00	10.41	8.93	7.44
338.01	340.00	10.48	8.99	7.50
340.01	342.00	10.54	9.05	7.57
342.01	344.00	10.60	9.11	7.63
344.01	346.00	10.66	9.17	7.69
346.01	348.00	10.72	9.24	7.75
348.01	350.00	10.78	9.30	7.81
350.01	352.00	10.85	9.36	7.87
352.01	354.00	10.91	9.42	7.94
354.01	356.00	10.97	9.48	8.00
356.01	358.00	11.03	9.55	8.06
358.01	360.00	11.09	9.61	8.12
360.01	362.00	11.15	9.67	8.18
362.01	364.00	11.22	9.73	8.25
364.01	366.00	11.28	9.79	8.31
366.01	368.00	11.34	9.85	8.37



Daily Louisiana Income Tax Withholding Table				
Standard Deduction:		0	1	2
Salary Range:				
Min	Max			
368.01	370.00	11.40	9.92	8.43
370.01	372.00	11.46	9.98	8.49
372.01	374.00	11.53	10.04	8.55
374.01	376.00	11.59	10.10	8.62
376.01	378.00	11.65	10.16	8.68
378.01	380.00	11.71	10.23	8.74
380.01	382.00	11.77	10.29	8.80
382.01	384.00	11.83	10.35	8.86
384.01	386.00	11.90	10.41	8.93
		<i>(Add 3.09% for amounts in excess of \$386)</i>		

Weekly Louisiana Income Tax Withholding Table				
Standard Deduction:		0	1	2
Salary Range:				
Min	Max			
710.01	730.00	22.25	14.82	7.39
730.01	750.00	22.87	15.44	8.01
750.01	770.00	23.48	16.06	8.63
770.01	790.00	24.10	16.67	9.25
790.01	810.00	24.72	17.29	9.86
810.01	830.00	25.34	17.91	10.48
830.01	850.00	25.96	18.53	11.10
850.01	870.00	26.57	19.15	11.72
870.01	890.00	27.19	19.76	12.34
890.01	910.00	27.81	20.38	12.95
910.01	930.00	28.43	21.00	13.57
930.01	950.00	29.05	21.62	14.19
950.01	970.00	29.66	22.24	14.81
970.01	990.00	30.28	22.85	15.43
990.01	1,010.00	30.90	23.47	16.04
1,010.01	1,030.00	31.52	24.09	16.66
1,030.01	1,050.00	32.14	24.71	17.28
1,050.01	1,070.00	32.75	25.33	17.90
1,070.01	1,090.00	33.37	25.94	18.52
1,090.01	1,110.00	33.99	26.56	19.13
1,110.01	1,130.00	34.61	27.18	19.75
1,130.01	1,150.00	35.23	27.80	20.37
1,150.01	1,170.00	35.84	28.42	20.99
1,170.01	1,190.00	36.46	29.03	21.61
1,190.01	1,210.00	37.08	29.65	22.22
1,210.01	1,230.00	37.70	30.27	22.84
1,230.01	1,250.00	38.32	30.89	23.46
1,250.01	1,270.00	38.93	31.51	24.08
1,270.01	1,290.00	39.55	32.12	24.70
1,290.01	1,310.00	40.17	32.74	25.31
1,310.01	1,330.00	40.79	33.36	25.93
1,330.01	1,350.00	41.41	33.98	26.55
1,350.01	1,370.00	42.02	34.60	27.17
1,370.01	1,390.00	42.64	35.21	27.79
1,390.01	1,410.00	43.26	35.83	28.40
1,410.01	1,430.00	43.88	36.45	29.02
1,430.01	1,450.00	44.50	37.07	29.64
1,450.01	1,470.00	45.11	37.69	30.26
1,470.01	1,490.00	45.73	38.30	30.88
1,490.01	1,510.00	46.35	38.92	31.49
1,510.01	1,530.00	46.97	39.54	32.11
1,530.01	1,550.00	47.59	40.16	32.73
1,550.01	1,570.00	48.20	40.78	33.35
1,570.01	1,590.00	48.82	41.39	33.97
1,590.01	1,610.00	49.44	42.01	34.58
1,610.01	1,630.00	50.06	42.63	35.20
1,630.01	1,650.00	50.68	43.25	35.82
1,650.01	1,670.00	51.29	43.87	36.44
1,670.01	1,690.00	51.91	44.48	37.06
1,690.01	1,710.00	52.53	45.10	37.67

Weekly Louisiana Income Tax Withholding Table				
Standard Deduction:		0	1	2
Salary Range:				
Min	Max			
0.00	50.00	0.77	0.00	0.00
50.01	70.00	1.85	0.00	0.00
70.01	90.00	2.47	0.00	0.00
90.01	110.00	3.09	0.00	0.00
110.01	130.00	3.71	0.00	0.00
130.01	150.00	4.33	0.00	0.00
150.01	170.00	4.94	0.00	0.00
170.01	190.00	5.56	0.00	0.00
190.01	210.00	6.18	0.00	0.00
210.01	230.00	6.80	0.00	0.00
230.01	250.00	7.42	0.00	0.00
250.01	270.00	8.03	0.61	0.00
270.01	290.00	8.65	1.22	0.00
290.01	310.00	9.27	1.84	0.00
310.01	330.00	9.89	2.46	0.00
330.01	350.00	10.51	3.08	0.00
350.01	370.00	11.12	3.70	0.00
370.01	390.00	11.74	4.31	0.00
390.01	410.00	12.36	4.93	0.00
410.01	430.00	12.98	5.55	0.00
430.01	450.00	13.60	6.17	0.00
450.01	470.00	14.21	6.79	0.00
470.01	490.00	14.83	7.40	0.00
490.01	510.00	15.45	8.02	0.59
510.01	530.00	16.07	8.64	1.21
530.01	550.00	16.69	9.26	1.83
550.01	570.00	17.30	9.88	2.45
570.01	590.00	17.92	10.49	3.07
590.01	610.00	18.54	11.11	3.68
610.01	630.00	19.16	11.73	4.30
630.01	650.00	19.78	12.35	4.92
650.01	670.00	20.39	12.97	5.54
670.01	690.00	21.01	13.58	6.16
690.01	710.00	21.63	14.20	6.77

Weekly Louisiana Income Tax Withholding Table				
Standard Deduction:		0	1	2
Salary Range:				
Min	Max			
1,710.01	1,730.00	53.15	45.72	38.29
1,730.01	1,750.00	53.77	46.34	38.91
1,750.01	1,770.00	54.38	46.96	39.53
1,770.01	1,790.00	55.00	47.57	40.15
1,790.01	1,810.00	55.62	48.19	40.76
1,810.01	1,830.00	56.24	48.81	41.38
1,830.01	1,850.00	56.86	49.43	42.00
1,850.01	1,870.00	57.47	50.05	42.62
1,870.01	1,890.00	58.09	50.66	43.24
1,890.01	1,910.00	58.71	51.28	43.85
1,910.01	1,930.00	59.33	51.90	44.47
1,930.01	1,950.00	59.95	52.52	45.09
		<i>(Add 3.09% for amounts in excess of \$1,950)</i>		

Biweekly Louisiana Income Tax Withholding Table				
Standard Deduction:		0	1	2
Salary Range:				
Min	Max			
0.00	100.00	1.55	0.00	0.00
100.01	140.00	3.71	0.00	0.00
140.01	180.00	4.94	0.00	0.00
180.01	220.00	6.18	0.00	0.00
220.01	260.00	7.42	0.00	0.00
260.01	300.00	8.65	0.00	0.00
300.01	340.00	9.89	0.00	0.00
340.01	380.00	11.12	0.00	0.00
380.01	420.00	12.36	0.00	0.00
420.01	460.00	13.60	0.00	0.00
460.01	500.00	14.83	0.00	0.00
500.01	540.00	16.07	1.21	0.00
540.01	580.00	17.30	2.45	0.00
580.01	620.00	18.54	3.68	0.00
620.01	660.00	19.78	4.92	0.00
660.01	700.00	21.01	6.16	0.00
700.01	740.00	22.25	7.39	0.00
740.01	780.00	23.48	8.63	0.00
780.01	820.00	24.72	9.86	0.00
820.01	860.00	25.96	11.10	0.00
860.01	900.00	27.19	12.34	0.00
900.01	940.00	28.43	13.57	0.00
940.01	980.00	29.66	14.81	0.00
980.01	1,020.00	30.90	16.04	1.19
1,020.01	1,060.00	32.14	17.28	2.42
1,060.01	1,100.00	33.37	18.52	3.66
1,100.01	1,140.00	34.61	19.75	4.90
1,140.01	1,180.00	35.84	20.99	6.13
1,180.01	1,220.00	37.08	22.22	7.37
1,220.01	1,260.00	38.32	23.46	8.60
1,260.01	1,300.00	39.55	24.70	9.84

Biweekly Louisiana Income Tax Withholding Table				
Standard Deduction:		0	1	2
Salary Range:				
Min	Max			
1,300.01	1,340.00	40.79	25.93	11.08
1,340.01	1,380.00	42.02	27.17	12.31
1,380.01	1,420.00	43.26	28.40	13.55
1,420.01	1,460.00	44.50	29.64	14.78
1,460.01	1,500.00	45.73	30.88	16.02
1,500.01	1,540.00	46.97	32.11	17.26
1,540.01	1,580.00	48.20	33.35	18.49
1,580.01	1,620.00	49.44	34.58	19.73
1,620.01	1,660.00	50.68	35.82	20.96
1,660.01	1,700.00	51.91	37.06	22.20
1,700.01	1,740.00	53.15	38.29	23.44
1,740.01	1,780.00	54.38	39.53	24.67
1,780.01	1,820.00	55.62	40.76	25.91
1,820.01	1,860.00	56.86	42.00	27.14
1,860.01	1,900.00	58.09	43.24	28.38
1,900.01	1,940.00	59.33	44.47	29.62
1,940.01	1,980.00	60.56	45.71	30.85
1,980.01	2,020.00	61.80	46.94	32.09
2,020.01	2,060.00	63.04	48.18	33.32
2,060.01	2,100.00	64.27	49.42	34.56
2,100.01	2,140.00	65.51	50.65	35.80
2,140.01	2,180.00	66.74	51.89	37.03
2,180.01	2,220.00	67.98	53.12	38.27
2,220.01	2,260.00	69.22	54.36	39.50
2,260.01	2,300.00	70.45	55.60	40.74
2,300.01	2,340.00	71.69	56.83	41.98
2,340.01	2,380.00	72.92	58.07	43.21
2,380.01	2,420.00	74.16	59.30	44.45
2,420.01	2,460.00	75.40	60.54	45.68
2,460.01	2,500.00	76.63	61.78	46.92
2,500.01	2,540.00	77.87	63.01	48.16
2,540.01	2,580.00	79.10	64.25	49.39
2,580.01	2,620.00	80.34	65.48	50.63
2,620.01	2,660.00	81.58	66.72	51.86
2,660.01	2,700.00	82.81	67.96	53.10
2,700.01	2,740.00	84.05	69.19	54.34
2,740.01	2,780.00	85.28	70.43	55.57
2,780.01	2,820.00	86.52	71.66	56.81
2,820.01	2,860.00	87.76	72.90	58.04
2,860.01	2,900.00	88.99	74.14	59.28
2,900.01	2,940.00	90.23	75.37	60.52
2,940.01	2,980.00	91.46	76.61	61.75
2,980.01	3,020.00	92.70	77.84	62.99
3,020.01	3,060.00	93.94	79.08	64.22
3,060.01	3,100.00	95.17	80.32	65.46
3,100.01	3,140.00	96.41	81.55	66.70
3,140.01	3,180.00	97.64	82.79	67.93
3,180.01	3,220.00	98.88	84.02	69.17
3,220.01	3,260.00	100.12	85.26	70.40
3,260.01	3,300.00	101.35	86.50	71.64

Biweekly Louisiana Income Tax Withholding Table				
Standard Deduction:		0	1	2
Salary Range:				
Min	Max			
3,300.01	3,340.00	102.59	87.73	72.88
3,340.01	3,380.00	103.82	88.97	74.11
3,380.01	3,420.00	105.06	90.20	75.35
3,420.01	3,460.00	106.30	91.44	76.58
3,460.01	3,500.00	107.53	92.68	77.82
3,500.01	3,540.00	108.77	93.91	79.06
3,540.01	3,580.00	110.00	95.15	80.29
3,580.01	3,620.00	111.24	96.38	81.53
3,620.01	3,660.00	112.48	97.62	82.76
3,660.01	3,700.00	113.71	98.86	84.00
3,700.01	3,740.00	114.95	100.09	85.24
3,740.01	3,780.00	116.18	101.33	86.47
3,780.01	3,820.00	117.42	102.56	87.71
3,820.01	3,860.00	118.66	103.80	88.94
3,860.01	3,900.00	119.89	105.04	90.18
		<i>(Add 3.09% for amounts in excess of \$3,900)</i>		

Semi-Monthly Louisiana Income Tax Withholding Table				
Standard Deduction:		0	1	2
Salary Range:				
Min	Max			
0.00	100.00	1.55	0.00	0.00
100.01	140.00	3.71	0.00	0.00
140.01	180.00	4.94	0.00	0.00
180.01	220.00	6.18	0.00	0.00
220.01	260.00	7.42	0.00	0.00
260.01	300.00	8.65	0.00	0.00
300.01	340.00	9.89	0.00	0.00
340.01	380.00	11.12	0.00	0.00
380.01	420.00	12.36	0.00	0.00
420.01	460.00	13.60	0.00	0.00
460.01	500.00	14.83	0.00	0.00
500.01	540.00	16.07	0.00	0.00
540.01	580.00	17.30	1.21	0.00
580.01	620.00	18.54	2.45	0.00
620.01	660.00	19.78	3.68	0.00
660.01	700.00	21.01	4.92	0.00
700.01	740.00	22.25	6.15	0.00
740.01	780.00	23.48	7.39	0.00
780.01	820.00	24.72	8.63	0.00
820.01	860.00	25.96	9.86	0.00
860.01	900.00	27.19	11.10	0.00
900.01	940.00	28.43	12.33	0.00
940.01	980.00	29.66	13.57	0.00
980.01	1,020.00	30.90	14.81	0.00
1,020.01	1,060.00	32.14	16.04	0.00
1,060.01	1,100.00	33.37	17.28	1.18
1,100.01	1,140.00	34.61	18.51	2.42
1,140.01	1,180.00	35.84	19.75	3.66

Semi-Monthly Louisiana Income Tax Withholding Table				
Standard Deduction:		0	1	2
Salary Range:				
Min	Max			
1,180.01	1,220.00	37.08	20.99	4.89
1,220.01	1,260.00	38.32	22.22	6.13
1,260.01	1,300.00	39.55	23.46	7.36
1,300.01	1,340.00	40.79	24.69	8.60
1,340.01	1,380.00	42.02	25.93	9.84
1,380.01	1,420.00	43.26	27.17	11.07
1,420.01	1,460.00	44.50	28.40	12.31
1,460.01	1,500.00	45.73	29.64	13.54
1,500.01	1,540.00	46.97	30.87	14.78
1,540.01	1,580.00	48.20	32.11	16.02
1,580.01	1,620.00	49.44	33.35	17.25
1,620.01	1,660.00	50.68	34.58	18.49
1,660.01	1,700.00	51.91	35.82	19.72
1,700.01	1,740.00	53.15	37.05	20.96
1,740.01	1,780.00	54.38	38.29	22.20
1,780.01	1,820.00	55.62	39.53	23.43
1,820.01	1,860.00	56.86	40.76	24.67
1,860.01	1,900.00	58.09	42.00	25.90
1,900.01	1,940.00	59.33	43.23	27.14
1,940.01	1,980.00	60.56	44.47	28.38
1,980.01	2,020.00	61.80	45.71	29.61
2,020.01	2,060.00	63.04	46.94	30.85
2,060.01	2,100.00	64.27	48.18	32.08
2,100.01	2,140.00	65.51	49.41	33.32
2,140.01	2,180.00	66.74	50.65	34.56
2,180.01	2,220.00	67.98	51.89	35.79
2,220.01	2,260.00	69.22	53.12	37.03
2,260.01	2,300.00	70.45	54.36	38.26
2,300.01	2,340.00	71.69	55.59	39.50
2,340.01	2,380.00	72.92	56.83	40.74
2,380.01	2,420.00	74.16	58.07	41.97
2,420.01	2,460.00	75.40	59.30	43.21
2,460.01	2,500.00	76.63	60.54	44.44
2,500.01	2,540.00	77.87	61.77	45.68
2,540.01	2,580.00	79.10	63.01	46.92
2,580.01	2,620.00	80.34	64.25	48.15
2,620.01	2,660.00	81.58	65.48	49.39
2,660.01	2,700.00	82.81	66.72	50.62
2,700.01	2,740.00	84.05	67.95	51.86
2,740.01	2,780.00	85.28	69.19	53.10
2,780.01	2,820.00	86.52	70.43	54.33
2,820.01	2,860.00	87.76	71.66	55.57
2,860.01	2,900.00	88.99	72.90	56.80
2,900.01	2,940.00	90.23	74.13	58.04
2,940.01	2,980.00	91.46	75.37	59.28
2,980.01	3,020.00	92.70	76.61	60.51
3,020.01	3,060.00	93.94	77.84	61.75
3,060.01	3,100.00	95.17	79.08	62.98
3,100.01	3,140.00	96.41	80.31	64.22

Semi-Monthly Louisiana Income Tax Withholding Table				
Standard Deduction:		0	1	2
Salary Range:				
Min	Max			
3,140.01	3,180.00	97.64	81.55	65.46
3,180.01	3,220.00	98.88	82.79	66.69
3,220.01	3,260.00	100.12	84.02	67.93
3,260.01	3,300.00	101.35	85.26	69.16
3,300.01	3,340.00	102.59	86.49	70.40
3,340.01	3,380.00	103.82	87.73	71.64
3,380.01	3,420.00	105.06	88.97	72.87
3,420.01	3,460.00	106.30	90.20	74.11
3,460.01	3,500.00	107.53	91.44	75.34
3,500.01	3,540.00	108.77	92.67	76.58
3,540.01	3,580.00	110.00	93.91	77.82
3,580.01	3,620.00	111.24	95.15	79.05
3,620.01	3,660.00	112.48	96.38	80.29
3,660.01	3,700.00	113.71	97.62	81.52
3,700.01	3,740.00	114.95	98.85	82.76
3,740.01	3,780.00	116.18	100.09	84.00
3,780.01	3,820.00	117.42	101.33	85.23
3,820.01	3,860.00	118.66	102.56	86.47
3,860.01	3,900.00	119.89	103.80	87.70
3,900.01	3,940.00	121.13	105.03	88.94
3,940.01	3,980.00	122.36	106.27	90.18
3,980.01	4,020.00	123.60	107.51	91.41
4,020.01	4,060.00	124.84	108.74	92.65
4,060.01	4,100.00	126.07	109.98	93.88
4,100.01	4,140.00	127.31	111.21	95.12
4,140.01	4,180.00	128.54	112.45	96.36
4,180.01	4,220.00	129.78	113.69	97.59
		<i>(Add 3.09% for amounts in excess of \$4,220)</i>		

Monthly Louisiana Income Tax Withholding Table				
Standard Deduction:		0	1	2
Salary Range:				
Min	Max			
0.00	200.00	3.09	0.00	0.00
200.01	280.00	7.42	0.00	0.00
280.01	360.00	9.89	0.00	0.00
360.01	440.00	12.36	0.00	0.00
440.01	520.00	14.83	0.00	0.00
520.01	600.00	17.30	0.00	0.00
600.01	680.00	19.78	0.00	0.00
680.01	760.00	22.25	0.00	0.00
760.01	840.00	24.72	0.00	0.00
840.01	920.00	27.19	0.00	0.00
920.01	1,000.00	29.66	0.00	0.00
1,000.01	1,080.00	32.14	0.00	0.00
1,080.01	1,160.00	34.61	2.42	0.00
1,160.01	1,240.00	37.08	4.89	0.00
1,240.01	1,320.00	39.55	7.36	0.00

Monthly Louisiana Income Tax Withholding Table				
Standard Deduction:		0	1	2
Salary Range:				
Min	Max			
1,320.01	1,400.00	42.02	9.84	0.00
1,400.01	1,480.00	44.50	12.31	0.00
1,480.01	1,560.00	46.97	14.78	0.00
1,560.01	1,640.00	49.44	17.25	0.00
1,640.01	1,720.00	51.91	19.72	0.00
1,720.01	1,800.00	54.38	22.20	0.00
1,800.01	1,880.00	56.86	24.67	0.00
1,880.01	1,960.00	59.33	27.14	0.00
1,960.01	2,040.00	61.80	29.61	0.00
2,040.01	2,120.00	64.27	32.08	0.00
2,120.01	2,200.00	66.74	34.56	2.37
2,200.01	2,280.00	69.22	37.03	4.84
2,280.01	2,360.00	71.69	39.50	7.31
2,360.01	2,440.00	74.16	41.97	9.78
2,440.01	2,520.00	76.63	44.44	12.26
2,520.01	2,600.00	79.10	46.92	14.73
2,600.01	2,680.00	81.58	49.39	17.20
2,680.01	2,760.00	84.05	51.86	19.67
2,760.01	2,840.00	86.52	54.33	22.15
2,840.01	2,920.00	88.99	56.80	24.62
2,920.01	3,000.00	91.46	59.28	27.09
3,000.01	3,080.00	93.94	61.75	29.56
3,080.01	3,160.00	96.41	64.22	32.03
3,160.01	3,240.00	98.88	66.69	34.51
3,240.01	3,320.00	101.35	69.16	36.98
3,320.01	3,400.00	103.82	71.64	39.45
3,400.01	3,480.00	106.30	74.11	41.92
3,480.01	3,560.00	108.77	76.58	44.39
3,560.01	3,640.00	111.24	79.05	46.87
3,640.01	3,720.00	113.71	81.52	49.34
3,720.01	3,800.00	116.18	84.00	51.81
3,800.01	3,880.00	118.66	86.47	54.28
3,880.01	3,960.00	121.13	88.94	56.75
3,960.01	4,040.00	123.60	91.41	59.23
4,040.01	4,120.00	126.07	93.88	61.70
4,120.01	4,200.00	128.54	96.36	64.17
4,200.01	4,280.00	131.02	98.83	66.64
4,280.01	4,360.00	133.49	101.30	69.11
4,360.01	4,440.00	135.96	103.77	71.59
4,440.01	4,520.00	138.43	106.24	74.06
4,520.01	4,600.00	140.90	108.72	76.53
4,600.01	4,680.00	143.38	111.19	79.00
4,680.01	4,760.00	145.85	113.66	81.47
4,760.01	4,840.00	148.32	116.13	83.95
4,840.01	4,920.00	150.79	118.60	86.42
4,920.01	5,000.00	153.26	121.08	88.89
5,000.01	5,080.00	155.74	123.55	91.36
5,080.01	5,160.00	158.21	126.02	93.83
5,160.01	5,240.00	160.68	128.49	96.31
5,240.01	5,320.00	163.15	130.96	98.78

Monthly Louisiana Income Tax Withholding Table				
Standard Deduction:		0	1	2
Salary Range:				
Min	Max			
5,320.01	5,400.00	165.62	133.44	101.25
5,400.01	5,480.00	168.10	135.91	103.72
5,480.01	5,560.00	170.57	138.38	106.19
5,560.01	5,640.00	173.04	140.85	108.67
5,640.01	5,720.00	175.51	143.32	111.14
5,720.01	5,800.00	177.98	145.80	113.61
5,800.01	5,880.00	180.46	148.27	116.08
5,880.01	5,960.00	182.93	150.74	118.55
5,960.01	6,040.00	185.40	153.21	121.03
6,040.01	6,120.00	187.87	155.68	123.50
6,120.01	6,200.00	190.34	158.16	125.97
6,200.01	6,280.00	192.82	160.63	128.44
6,280.01	6,360.00	195.29	163.10	130.91
6,360.01	6,440.00	197.76	165.57	133.39
6,440.01	6,520.00	200.23	168.04	135.86
6,520.01	6,600.00	202.70	170.52	138.33
6,600.01	6,680.00	205.18	172.99	140.80
6,680.01	6,760.00	207.65	175.46	143.27
6,760.01	6,840.00	210.12	177.93	145.75
6,840.01	6,920.00	212.59	180.40	148.22
6,920.01	7,000.00	215.06	182.88	150.69
7,000.01	7,080.00	217.54	185.35	153.16
7,080.01	7,160.00	220.01	187.82	155.63
7,160.01	7,240.00	222.48	190.29	158.11
7,240.01	7,320.00	224.95	192.76	160.58
7,320.01	7,400.00	227.42	195.24	163.05
7,400.01	7,480.00	229.90	197.71	165.52
7,480.01	7,560.00	232.37	200.18	167.99
7,560.01	7,640.00	234.84	202.65	170.47
7,640.01	7,720.00	237.31	205.12	172.94
7,720.01	7,800.00	239.78	207.60	175.41
7,800.01	7,880.00	242.26	210.07	177.88
7,880.01	7,960.00	244.73	212.54	180.35
7,960.01	8,040.00	247.20	215.01	182.83
8,040.01	8,120.00	249.67	217.48	185.30
8,120.01	8,200.00	252.14	219.96	187.77
8,200.01	8,280.00	254.62	222.43	190.24
8,280.01	8,360.00	257.09	224.90	192.71
8,360.01	8,440.00	259.56	227.37	195.19
		<i>(Add 3.09% for amounts in excess of \$8,440)</i>		

Annual Louisiana Income Tax Withholding Table				
Standard Deduction:		0	1	2
Salary Range:				
Min	Max			
3,700.01	4,100.00	120.51	0.00	0.00
4,100.01	4,500.00	132.87	0.00	0.00
4,500.01	4,900.00	145.23	0.00	0.00
4,900.01	5,300.00	157.59	0.00	0.00
5,300.01	5,700.00	169.95	0.00	0.00
5,700.01	6,100.00	182.31	0.00	0.00
6,100.01	6,500.00	194.67	0.00	0.00
6,500.01	6,900.00	207.03	0.00	0.00
6,900.01	7,300.00	219.39	0.00	0.00
7,300.01	7,700.00	231.75	0.00	0.00
7,700.01	8,100.00	244.11	0.00	0.00
8,100.01	8,500.00	256.47	0.00	0.00
8,500.01	8,900.00	268.83	0.00	0.00
8,900.01	9,300.00	281.19	0.00	0.00
9,300.01	9,700.00	293.55	0.00	0.00
9,700.01	10,100.00	305.91	0.00	0.00
10,100.01	10,500.00	318.27	0.00	0.00
10,500.01	10,900.00	330.63	0.00	0.00
10,900.01	11,300.00	342.99	0.00	0.00
11,300.01	11,700.00	355.35	0.00	0.00
11,700.01	12,100.00	367.71	0.00	0.00
12,100.01	12,500.00	380.07	0.00	0.00
12,500.01	12,900.00	392.43	6.18	0.00
12,900.01	13,300.00	404.79	18.54	0.00
13,300.01	13,700.00	417.15	30.90	0.00
13,700.01	14,100.00	429.51	43.26	0.00
14,100.01	14,500.00	441.87	55.62	0.00
14,500.01	14,900.00	454.23	67.98	0.00
14,900.01	15,300.00	466.59	80.34	0.00
15,300.01	15,700.00	478.95	92.70	0.00
15,700.01	16,100.00	491.31	105.06	0.00
16,100.01	16,500.00	503.67	117.42	0.00
16,500.01	16,900.00	516.03	129.78	0.00
16,900.01	17,300.00	528.39	142.14	0.00
17,300.01	17,700.00	540.75	154.50	0.00
17,700.01	18,100.00	553.11	166.86	0.00
18,100.01	18,500.00	565.47	179.22	0.00
18,500.01	18,900.00	577.83	191.58	0.00
18,900.01	19,300.00	590.19	203.94	0.00
19,300.01	19,700.00	602.55	216.30	0.00
19,700.01	20,100.00	614.91	228.66	0.00
20,100.01	20,500.00	627.27	241.02	0.00
20,500.01	20,900.00	639.63	253.38	0.00
20,900.01	21,300.00	651.99	265.74	0.00
21,300.01	21,700.00	664.35	278.10	0.00
21,700.01	22,100.00	676.71	290.46	0.00
22,100.01	22,500.00	689.07	302.82	0.00
22,500.01	22,900.00	701.43	315.18	0.00
22,900.01	23,300.00	713.79	327.54	0.00
23,300.01	23,700.00	726.15	339.90	0.00

Annual Louisiana Income Tax Withholding Table				
Standard Deduction:		0	1	2
Salary Range:				
Min	Max			
0.00	2,500.00	38.63	0.00	0.00
2,500.01	2,900.00	83.43	0.00	0.00
2,900.01	3,300.00	95.79	0.00	0.00
3,300.01	3,700.00	108.15	0.00	0.00

Annual Louisiana Income Tax Withholding Table				
Standard Deduction:		0	1	2
Salary Range:				
Min	Max			
23,700.01	24,100.00	738.51	352.26	0.00
24,100.01	24,500.00	750.87	364.62	0.00
24,500.01	24,900.00	763.23	376.98	0.00
24,900.01	25,300.00	775.59	389.34	3.09
25,300.01	25,700.00	787.95	401.70	15.45
25,700.01	26,100.00	800.31	414.06	27.81
26,100.01	26,500.00	812.67	426.42	40.17
26,500.01	26,900.00	825.03	438.78	52.53
26,900.01	27,300.00	837.39	451.14	64.89
27,300.01	27,700.00	849.75	463.50	77.25
27,700.01	28,100.00	862.11	475.86	89.61
28,100.01	28,500.00	874.47	488.22	101.97
28,500.01	28,900.00	886.83	500.58	114.33
28,900.01	29,300.00	899.19	512.94	126.69
29,300.01	29,700.00	911.55	525.30	139.05
29,700.01	30,100.00	923.91	537.66	151.41
30,100.01	30,500.00	936.27	550.02	163.77
30,500.01	30,900.00	948.63	562.38	176.13
30,900.01	31,300.00	960.99	574.74	188.49
31,300.01	31,700.00	973.35	587.10	200.85
31,700.01	32,100.00	985.71	599.46	213.21
32,100.01	32,500.00	998.07	611.82	225.57
32,500.01	32,900.00	1,010.43	624.18	237.93
32,900.01	33,300.00	1,022.79	636.54	250.29
33,300.01	33,700.00	1,035.15	648.90	262.65
33,700.01	34,100.00	1,047.51	661.26	275.01
34,100.01	34,500.00	1,059.87	673.62	287.37
34,500.01	34,900.00	1,072.23	685.98	299.73
34,900.01	35,300.00	1,084.59	698.34	312.09
35,300.01	35,700.00	1,096.95	710.70	324.45
35,700.01	36,100.00	1,109.31	723.06	336.81
36,100.01	36,500.00	1,121.67	735.42	349.17
36,500.01	36,900.00	1,134.03	747.78	361.53
36,900.01	37,300.00	1,146.39	760.14	373.89
37,300.01	37,700.00	1,158.75	772.50	386.25
37,700.01	38,100.00	1,171.11	784.86	398.61
38,100.01	38,500.00	1,183.47	797.22	410.97
38,500.01	38,900.00	1,195.83	809.58	423.33
38,900.01	39,300.00	1,208.19	821.94	435.69
39,300.01	39,700.00	1,220.55	834.30	448.05
39,700.01	40,100.00	1,232.91	846.66	460.41
40,100.01	40,500.00	1,245.27	859.02	472.77
40,500.01	40,900.00	1,257.63	871.38	485.13
40,900.01	41,300.00	1,269.99	883.74	497.49
41,300.01	41,700.00	1,282.35	896.10	509.85
41,700.01	42,100.00	1,294.71	908.46	522.21
42,100.01	42,500.00	1,307.07	920.82	534.57
42,500.01	42,900.00	1,319.43	933.18	546.93
42,900.01	43,300.00	1,331.79	945.54	559.29
43,300.01	43,700.00	1,344.15	957.90	571.65

Annual Louisiana Income Tax Withholding Table				
Standard Deduction:		0	1	2
Salary Range:				
Min	Max			
43,700.01	44,100.00	1,356.51	970.26	584.01
44,100.01	44,500.00	1,368.87	982.62	596.37
44,500.01	44,900.00	1,381.23	994.98	608.73
44,900.01	45,300.00	1,393.59	1,007.34	621.09
45,300.01	45,700.00	1,405.95	1,019.70	633.45
45,700.01	46,100.00	1,418.31	1,032.06	645.81
46,100.01	46,500.00	1,430.67	1,044.42	658.17
46,500.01	46,900.00	1,443.03	1,056.78	670.53
46,900.01	47,300.00	1,455.39	1,069.14	682.89
47,300.01	47,700.00	1,467.75	1,081.50	695.25
47,700.01	48,100.00	1,480.11	1,093.86	707.61
48,100.01	48,500.00	1,492.47	1,106.22	719.97
48,500.01	48,900.00	1,504.83	1,118.58	732.33
48,900.01	49,300.00	1,517.19	1,130.94	744.69
49,300.01	49,700.00	1,529.55	1,143.30	757.05
49,700.01	50,100.00	1,541.91	1,155.66	769.41
50,100.01	50,500.00	1,554.27	1,168.02	781.77
50,500.01	50,900.00	1,566.63	1,180.38	794.13
50,900.01	51,300.00	1,578.99	1,192.74	806.49
51,300.01	51,700.00	1,591.35	1,205.10	818.85
51,700.01	52,100.00	1,603.71	1,217.46	831.21
52,100.01	52,500.00	1,616.07	1,229.82	843.57
52,500.01	52,900.00	1,628.43	1,242.18	855.93
52,900.01	53,300.00	1,640.79	1,254.54	868.29
53,300.01	53,700.00	1,653.15	1,266.90	880.65
53,700.01	54,100.00	1,665.51	1,279.26	893.01
54,100.01	54,500.00	1,677.87	1,291.62	905.37
54,500.01	54,900.00	1,690.23	1,303.98	917.73
54,900.01	55,300.00	1,702.59	1,316.34	930.09
55,300.01	55,700.00	1,714.95	1,328.70	942.45
55,700.01	56,100.00	1,727.31	1,341.06	954.81
56,100.01	56,500.00	1,739.67	1,353.42	967.17
56,500.01	56,900.00	1,752.03	1,365.78	979.53
56,900.01	57,300.00	1,764.39	1,378.14	991.89
57,300.01	57,700.00	1,776.75	1,390.50	1,004.25
57,700.01	58,100.00	1,789.11	1,402.86	1,016.61
58,100.01	58,500.00	1,801.47	1,415.22	1,028.97
58,500.01	58,900.00	1,813.83	1,427.58	1,041.33
58,900.01	59,300.00	1,826.19	1,439.94	1,053.69
59,300.01	59,700.00	1,838.55	1,452.30	1,066.05
59,700.01	60,100.00	1,850.91	1,464.66	1,078.41
60,100.01	60,500.00	1,863.27	1,477.02	1,090.77
60,500.01	60,900.00	1,875.63	1,489.38	1,103.13
60,900.01	61,300.00	1,887.99	1,501.74	1,115.49
61,300.01	61,700.00	1,900.35	1,514.10	1,127.85
61,700.01	62,100.00	1,912.71	1,526.46	1,140.21
62,100.01	62,500.00	1,925.07	1,538.82	1,152.57
62,500.01	62,900.00	1,937.43	1,551.18	1,164.93
62,900.01	63,300.00	1,949.79	1,563.54	1,177.29
63,300.01	63,700.00	1,962.15	1,575.90	1,189.65

Annual Louisiana Income Tax Withholding Table				
Standard Deduction:		0	1	2
Salary Range:				
Min	Max			
63,700.01	64,100.00	1,974.51	1,588.26	1,202.01
64,100.01	64,500.00	1,986.87	1,600.62	1,214.37
64,500.01	64,900.00	1,999.23	1,612.98	1,226.73
64,900.01	65,300.00	2,011.59	1,625.34	1,239.09
65,300.01	65,700.00	2,023.95	1,637.70	1,251.45
65,700.01	66,100.00	2,036.31	1,650.06	1,263.81
66,100.01	66,500.00	2,048.67	1,662.42	1,276.17
66,500.01	66,900.00	2,061.03	1,674.78	1,288.53
66,900.01	67,300.00	2,073.39	1,687.14	1,300.89
67,300.01	67,700.00	2,085.75	1,699.50	1,313.25
67,700.01	68,100.00	2,098.11	1,711.86	1,325.61
68,100.01	68,500.00	2,110.47	1,724.22	1,337.97
68,500.01	68,900.00	2,122.83	1,736.58	1,350.33
68,900.01	69,300.00	2,135.19	1,748.94	1,362.69
69,300.01	69,700.00	2,147.55	1,761.30	1,375.05
69,700.01	70,100.00	2,159.91	1,773.66	1,387.41
70,100.01	70,500.00	2,172.27	1,786.02	1,399.77
70,500.01	70,900.00	2,184.63	1,798.38	1,412.13
70,900.01	71,300.00	2,196.99	1,810.74	1,424.49
71,300.01	71,700.00	2,209.35	1,823.10	1,436.85
71,700.01	72,100.00	2,221.71	1,835.46	1,449.21
72,100.01	72,500.00	2,234.07	1,847.82	1,461.57
72,500.01	72,900.00	2,246.43	1,860.18	1,473.93
72,900.01	73,300.00	2,258.79	1,872.54	1,486.29
73,300.01	73,700.00	2,271.15	1,884.90	1,498.65
73,700.01	74,100.00	2,283.51	1,897.26	1,511.01
74,100.01	74,500.00	2,295.87	1,909.62	1,523.37
74,500.01	74,900.00	2,308.23	1,921.98	1,535.73
74,900.01	75,300.00	2,320.59	1,934.34	1,548.09
75,300.01	75,700.00	2,332.95	1,946.70	1,560.45
75,700.01	76,100.00	2,345.31	1,959.06	1,572.81
76,100.01	76,500.00	2,357.67	1,971.42	1,585.17
76,500.01	76,900.00	2,370.03	1,983.78	1,597.53
76,900.01	77,300.00	2,382.39	1,996.14	1,609.89
77,300.01	77,700.00	2,394.75	2,008.50	1,622.25
77,700.01	78,100.00	2,407.11	2,020.86	1,634.61
78,100.01	78,500.00	2,419.47	2,033.22	1,646.97
78,500.01	78,900.00	2,431.83	2,045.58	1,659.33
78,900.01	79,300.00	2,444.19	2,057.94	1,671.69
79,300.01	79,700.00	2,456.55	2,070.30	1,684.05
79,700.01	80,100.00	2,468.91	2,082.66	1,696.41
80,100.01	80,500.00	2,481.27	2,095.02	1,708.77
80,500.01	80,900.00	2,493.63	2,107.38	1,721.13
80,900.01	81,300.00	2,505.99	2,119.74	1,733.49
81,300.01	81,700.00	2,518.35	2,132.10	1,745.85
81,700.01	82,100.00	2,530.71	2,144.46	1,758.21
82,100.01	82,500.00	2,543.07	2,156.82	1,770.57
82,500.01	82,900.00	2,555.43	2,169.18	1,782.93
82,900.01	83,300.00	2,567.79	2,181.54	1,795.29
83,300.01	83,700.00	2,580.15	2,193.90	1,807.65

Annual Louisiana Income Tax Withholding Table				
Standard Deduction:		0	1	2
Salary Range:				
Min	Max			
83,700.01	84,100.00	2,592.51	2,206.26	1,820.01
84,100.01	84,500.00	2,604.87	2,218.62	1,832.37
84,500.01	84,900.00	2,617.23	2,230.98	1,844.73
84,900.01	85,300.00	2,629.59	2,243.34	1,857.09
85,300.01	85,700.00	2,641.95	2,255.70	1,869.45
85,700.01	86,100.00	2,654.31	2,268.06	1,881.81
86,100.01	86,500.00	2,666.67	2,280.42	1,894.17
86,500.01	86,900.00	2,679.03	2,292.78	1,906.53
86,900.01	87,300.00	2,691.39	2,305.14	1,918.89
87,300.01	87,700.00	2,703.75	2,317.50	1,931.25
87,700.01	88,100.00	2,716.11	2,329.86	1,943.61
88,100.01	88,500.00	2,728.47	2,342.22	1,955.97
88,500.01	88,900.00	2,740.83	2,354.58	1,968.33
88,900.01	89,300.00	2,753.19	2,366.94	1,980.69
89,300.01	89,700.00	2,765.55	2,379.30	1,993.05
89,700.01	90,100.00	2,777.91	2,391.66	2,005.41
90,100.01	90,500.00	2,790.27	2,404.02	2,017.77
90,500.01	90,900.00	2,802.63	2,416.38	2,030.13
90,900.01	91,300.00	2,814.99	2,428.74	2,042.49
91,300.01	91,700.00	2,827.35	2,441.10	2,054.85
91,700.01	92,100.00	2,839.71	2,453.46	2,067.21
92,100.01	92,500.00	2,852.07	2,465.82	2,079.57
92,500.01	92,900.00	2,864.43	2,478.18	2,091.93
92,900.01	93,300.00	2,876.79	2,490.54	2,104.29
93,300.01	93,700.00	2,889.15	2,502.90	2,116.65
93,700.01	94,100.00	2,901.51	2,515.26	2,129.01
94,100.01	94,500.00	2,913.87	2,527.62	2,141.37
94,500.01	94,900.00	2,926.23	2,539.98	2,153.73
94,900.01	95,300.00	2,938.59	2,552.34	2,166.09
95,300.01	95,700.00	2,950.95	2,564.70	2,178.45
95,700.01	96,100.00	2,963.31	2,577.06	2,190.81
96,100.01	96,500.00	2,975.67	2,589.42	2,203.17
96,500.01	96,900.00	2,988.03	2,601.78	2,215.53
96,900.01	97,300.00	3,000.39	2,614.14	2,227.89
97,300.01	97,700.00	3,012.75	2,626.50	2,240.25
97,700.01	98,100.00	3,025.11	2,638.86	2,252.61
98,100.01	98,500.00	3,037.47	2,651.22	2,264.97
98,500.01	98,900.00	3,049.83	2,663.58	2,277.33
98,900.01	99,300.00	3,062.19	2,675.94	2,289.69
99,300.01	99,700.00	3,074.55	2,688.30	2,302.05
99,700.01	100,100.00	3,086.91	2,700.66	2,314.41
100,100.01	100,500.00	3,099.27	2,713.02	2,326.77
		<i>(Add 3.09% for amounts in excess of \$100,500)</i>		

3. In place of the withholding tables in Paragraph C.2, employers may use the formulas provided in Subsection D.

D. Income Tax Withholding Formulas. The overall structure of the formulas used to compute the withholding tax is to calculate the tax on the total wage amount and then subtract the amount of tax calculated on the standard

deduction. The correct withholding formula depends upon the standard deduction amount claimed and annual wages.

1. Effective on or after January 1, 2025:

a. Withholding Formula for Taxpayers Not Claiming a Standard Deduction:

W is the withholding tax per pay period.  
S is employee's salary for the pay period.  
N is the number of pay periods.  
 $W = S * .0309$

b. Withholding Formula for Single or Married-Separate Taxpayers Claiming the Standard Deduction:

W is the withholding tax per pay period.  
S is employee's salary for the pay period.  
N is the number of pay periods.  
 $W = (S - (12500 / N)) * .0309$

c. Withholding Formula for Married-Joint Return, Qualified Surviving Spouse, or Head of Household Taxpayers Claiming the Standard Deduction:

W is the withholding tax per pay period.  
S is employee's salary for the pay period.  
N is the number of pay periods.  
 $W = (S - (25000 / N)) * .0309$

AUTHORITY NOTE: Promulgated in accordance with R.S. 47:32, R.S. 47:112, R.S. 47:295 and R.S. 47:1511.

HISTORICAL NOTE: Promulgated by the Louisiana Department of Revenue, Policy Services Division, LR 28:2557 (December 2002), amended LR 35:255 (February 2009), LR 35:1543 (August 2009), LR 44:1062 (June 2018), LR 48:2173 (August 2022), amended by the Department of Revenue, Tax Policy and Planning Division, LR 51:

**Family Impact Statement**

The proposed amendment 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 Impact Statement**

This proposed amendment will have no impact on poverty as described in R.S. 49:973.

**Small Business Analysis**

The proposed amendment is not anticipated 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 amendment 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 these proposed amendments to Christina Junker, Attorney, Tax Policy and Planning Division, Office of Legal Affairs by mail to P.O. Box 44098, Baton Rouge, LA 70804-4098. All comments must be received no later than 4 p.m., April 27, 2025.

**Public Hearing**

A public hearing will be held on April 28, 2025, 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 Christina Junker at the address given above in the Public Comments section, by email at LDRadarequests@la.gov, or by phone at (225) 219-2780.

Richard Nelson  
Secretary

**FISCAL AND ECONOMIC IMPACT STATEMENT  
FOR ADMINISTRATIVE RULES  
RULE TITLE: Income Tax Withholding Tables**

I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENT UNITS (Summary)

The cumulative effect of the revisions to the income tax structure is anticipated to increase one-time expenditures in the Louisiana Department of Revenue (LDR) by \$550,000 SGR in FY 25. These costs are associated with minor system design and specification updates, testing, and system development in support of tax return modifications and processing system modifications. Educating taxpayers may result in minimal additional costs. These costs will be absorbed in LDR's current budget allocation. Other than changes to employee withholding, this proposed amendment will not affect state governmental units and local governmental units. LDR does not have the information necessary to determine the additional costs, if any, to comply with this change, but these costs are expected to be minimal.

Act 11 of the 2024 Third Extraordinary Legislative Session changed the individual income tax rate to three percent, eliminated personal exemptions, dependency credits, and increased a standard deduction effective for taxable years beginning on or after January 1, 2025. This proposal amends the rule that provides individual income tax withholding tables and formulas.

II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS (Summary)

The proposed rule is anticipated to decrease the State General Fund and Self-Generated Revenue in LDR. The change in the tax rate along with other changes made to the tax base by Act 11 of the 2024 Third Extraordinary Session of the Louisiana Legislature is estimated to decrease income tax revenue by \$334 M in FY 25, \$1.2 B in FY 26, and \$1.3 B in FY 27. The impact in FY 25 will depend on the speed at which employers/taxpayers incorporate the new withholding tables into payroll calculations. LDR retains 1% of income tax collections as SGR. SGR in the department will decrease proportionally along with the decrease in income tax revenue.



III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS, SMALL BUSINESSES, OR NONGOVERNMENTAL GROUPS (Summary)

Employers and individual taxpayers will be affected by the proposed action. For employers, LDR does not have the information necessary to determine the additional costs, if any, to comply with this change in withholdings, but these costs are expected to be minimal. The tax burden of individual taxpayers are anticipated to decrease, though the exact impact from Act 11 of 2024 Third Extraordinary Session is subject to the unique circumstances surrounding individual taxpayers' taxable income.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

There is no anticipated impact on competition or employment.

Luke Morris  
Assistant Secretary  
2503#041

Patrice Thomas  
Deputy Fiscal Officer  
Legislative Fiscal Office

**NOTICE OF INTENT**

**Special School District Board of Directors**

Open Meetings Accessibility; ADA  
(LAC 28:I.Chapter 8)

Under the authority of R.S. 42:14(E), 42:17.2, and 17:1945.1, and in accordance with the provisions of the Administrative Procedures Act, R.S. 49:950 et seq., the Special School District Board of Directors proposes to create LAC 28:I.Chapter 8 relative to Louisiana's Open Meetings law.

Act 393 of the 2023 Regular Session amended R.S. 42:17.2 of Louisiana's Open Meetings law to permit certain, eligible public bodies and agencies to conduct its open meetings via electronic means (e.g., videoconference or teleconference). Regardless of its eligibility status, agencies are required by R.S. 42:14(E) to provide electronic or alternate participation in open meetings as an ADA accommodation for board members and people with disabilities. In order to implement such provisions, R.S. 42:14(E) requires agencies to promulgate rules in accordance with the Administrative Procedures Act. Therefore, the primary purpose of this proposed regulation is to promulgate rules as required by R.S. 42:14(E) and 42:17.2.

**Title 28  
EDUCATION**

**Part I. BESE/8(g) Operations**

**Chapter 8. Open Meetings Accessibility; ADA**

**§801. Agency Eligibility**

A. The Special School District Board of Directors meets the below criteria pursuant to Act 393 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. 42:14(E), 42:17.2 and 17:1945.1.

HISTORICAL NOTE: Promulgated by the Special School District Board of Directors, LR 51:

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

A. At least 24 hours prior to the meeting, the following shall be posted on the Special School District'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. 42:14(E), 42:17.2 and 17:1945.1.

HISTORICAL NOTE: Promulgated by the Special School District Board of Directors, LR 51:

**§803. Electronic Meeting Requirements**

A. The Special School District Board of Directors is a public body that primarily focuses on issues dealing with disabilities and is authorized by R.S. 42:17.2.F(2) to conduct successive meetings via electronic means without limitation.

B. 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 Special School District's website.

C. All members of the Special School District Board of Directors, whether participating from the anchor location or via electronic means, shall be counted for the purpose of establishing a quorum and may vote.

D. An online archive of any open meetings conducted via electronic means shall be maintained and available for two years on the Special School District's website.

AUTHORITY NOTE: Promulgated in accordance with R.S. 42:14(E), 42:17.2 and 17:1945.1.

HISTORICAL NOTE: Promulgated by the Special School District Board of Directors, LR 51:

**§804. Disability Accommodations**

A. Although an open meeting may be scheduled as in-person, the Special School District Board of Directors 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 board member 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 designated agency representative to whom a disability accommodation may be submitted.

D. The requestor shall be provided with accommodation, or a viable alternative method, for participation via electronic means as soon as possible following receipt of the request, but no later than the start of the scheduled meeting.

AUTHORITY NOTE: Promulgated in accordance with R.S. 42:14(E), 42:17.2, 42:17.2.1 and 17:1945.1.

HISTORICAL NOTE: Promulgated by the Special School District Board of Directors, LR 51:

### §805. Definitions

*Anchor Location*—the Schools for the Deaf and Visually Impaired, 2888 Brightside Dr., Baton Rouge, LA 70820, Student Activity Center, Room 196, or any other physical location announced in advance.

*Chairman*—the President of the Special School District Board of Directors, or his/her designee.

*Quorum*—a majority of members of the Special School District Board of Directors, including those participating in the meeting via electronic means.

*Recording Secretary*—the member of the Special School District staff responsible for recording the meeting.

*Virtual Meeting*—the same meaning as “*Meeting via electronic means*” as provided in R.S. 42:17.1(D)(1).

AUTHORITY NOTE: Promulgated in accordance with R.S. 42:14(E), 42:17.2.F(2) and 17:1945.1.

HISTORICAL NOTE: Promulgated by the Special School District Board of Directors, LR 51:

### §806. Notifying the Public of a Virtual Meeting

A. The Special School District Board shall post the agenda and identify the meeting as a virtual meeting, and shall include the following:

1. the anchor location for the virtual meeting;
2. an electronic link to access the virtual meeting;
3. instructions for joining the virtual meeting;
4. email address for the public to submit electronic comments prior to the virtual meeting;
5. the final date and time by which members of the public may submit electronic comments prior to the virtual meeting.

B. The electronic link, instructions for joining the virtual meeting, and email address to submit comments, shall be placed on the Special School District website once the agenda is posted.

AUTHORITY NOTE: Promulgated in accordance with R.S. 42:14(E), 42:17.2.F(2) and 17:1945.1.

HISTORICAL NOTE: Promulgated by the Special School District Board of Directors, LR 51:

### §807. Public Comment Before & During a Virtual Meeting

A. Members of the public wishing to participate in a virtual meeting may do so in any of the following manners:

1. a computer using computer video and audio;
2. a computer using computer video and phone audio;
3. a smartphone or smart device using video and audio;
4. a phone using audio only; or
5. attend in person at anchor location room.

B. Members of the public wishing to provide public comment on any agenda item prior to the virtual meeting may do so via email as designated on the agenda and the Special School District website. Such public comment(s) shall include the following information:

1. the individual's name;
2. entity/company represented (if applicable);
3. title/position (if applicable);
4. agenda item for which the comment is provided.

C. Members of the public wishing to provide public comment during the virtual meeting, when applicable, may do so as follows:

1. by using an audio and/or video device at such time when the chairman calls for public comment on that agenda item;

2. by using the "chat" feature, or similar method of providing written comment, during the virtual meeting;

3. if attending the virtual meeting at the anchor location, by filling out a public comment card and providing it to the recording secretary.

D. Pursuant to R.S. 42:17.2(C), all public comments, both those submitted prior to the virtual meeting or during the virtual meeting, will be acknowledged and read into the record at the appropriate time.

AUTHORITY NOTE: Promulgated in accordance with R.S. 42:14(E), 42:17.2.F(2) and 17:1945.1.

HISTORICAL NOTE: Promulgated by the Special School District Board of Directors, LR 51:

### §808. Procedures during a Virtual Meeting

A. Once the meeting is called to order, the chairman shall state that this is a virtual meeting of the Special School District Board of Directors and shall provide the manner in which the public may submit or make comments for the meeting agenda items, including the code for members of the public to unmute themselves.

B. Prior to the introduction of the first agenda item, the chairman shall take roll-call to establish a quorum. Members of the Special School District Board of Directors may either be present at the anchor location or participate via electronic means.

1. A board member must participate via audio and video. As such, any member of the Special School District Board of Directors participating via electronic means must be visually present throughout the meeting.

2. In the event a board member's audio or video capabilities are compromised, he/she may no longer be counted for purposes of a quorum, and thus, may not vote on any agenda item for which the audio or video was compromised.

C. Prior to action on an agenda item, the chairman shall read into the record the following:

1. any public comment received prior to the meeting;
2. any public comment received during the meeting via public comment card, or via "chat" function;
3. profanity and inappropriate language is prohibited and shall not be read into the record.

D. In accordance with R.S. 42:29(A)(5), all votes taken at a virtual meeting shall be by roll call vote.

E. To the extent possible, the Special School District Board of Directors shall follow all procedures that it follows for regular meetings.

F. After the conclusion of a virtual meeting, a recording of the meeting shall be made available to the public via the Special School District's website.

AUTHORITY NOTE: Promulgated in accordance with R.S. 42:14(E), 42:17.2.F(2) and 17:1945.1.

HISTORICAL NOTE: Promulgated by the Special School District Board of Directors, LR 51:

#### Family Impact Statement

In compliance with Act 1183 of the 1999 Regular Session of the Legislature, the impact of this proposed Rule on the family has been considered. This proposed Rule is not anticipated to have an impact on family functioning, stability, or autonomy as described in R.S. 49:972.

#### Poverty Impact Statement

The proposed Rule will have no foreseeable impact on any child, individual or family as described in R.S. 49:973.B.

**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 significant foreseeable impact 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 on the proposed Rule until 5 p.m., April 10, 2025, to Kristy Flynn, President, Special School District Board, 2888 Brightside Dr., Baton Rouge, LA 70820, who is responsible for responding to inquiries regarding this proposed Rule.

Kristy Flynn  
President

**FISCAL AND ECONOMIC IMPACT STATEMENT  
FOR ADMINISTRATIVE RULES  
RULE TITLE: Open Meetings Accessibility; ADA**

**I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENT UNITS (Summary)**

There are no implementation costs expected as a result of the proposed rule change. The Special School District (SSD) is already in possession of the equipment necessary to provide teleconference or video conference participation in its meetings; therefore, there are no implementation costs. The rule change may result savings by eliminating travel costs for board members attending meetings.

**II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS (Summary)**

There is no estimated impact on revenue collections for state or local government 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, 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 anticipated to have an effect on competition and employment.

Kristy Flynn  
President  
2503#042

Patrice Thomas  
Deputy Fiscal Officer  
Legislative Fiscal Office

**NOTICE OF INTENT**

**Department of Treasury  
Board of Trustees of the Louisiana State Employees'  
Retirement System**

**Disability Accommodations for Open Meetings  
(LAC 58:I.4701)**

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 by R.S. 42:14(E), that the Board of Trustees of the Louisiana State Employees' Retirement System proposes to add LAC 58:I.4701, Disability Accommodations for Open Meetings.

**Title 58**

**RETIREMENT**

**Part I. Louisiana State Employees' Retirement System  
Chapter 47. Disability Accommodations for Open Meetings**

**§4701. Disability Accommodations**

A. Louisiana State Employees' Retirement System provides for participation via electronic means on an individualized basis for any person with a disability.

B. A person with a disability is 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 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 agency representative to whom disability accommodation requests may be submitted. Any accommodation request shall be made no later than 24 hours in advance of the scheduled meeting.

D. Upon receipt of an accommodation request, the designated agency representative may ask only if the requestor has an ADA-qualifying disability or is a caregiver of such a person (yes or no).

E. The requestor shall be provided with an accommodation, including any teleconference 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.

F. All disability accommodation requests, whether submitted by telephone or email, shall be documented and included in the system's annual mandatory report pursuant to R.S. 46:2596.

**AUTHORITY NOTE:** Promulgated in accordance with R.S. 42:14(E).

**HISTORICAL NOTE:** Promulgated by the Department of Treasury, Board of Trustees of the Louisiana State Employees' Retirement System, LR 51:

### 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, R.S. 49:974.1 et seq., the economic impact of this proposed Rule on small businesses has been considered. It is anticipated that this proposed Rule will have no 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 have no 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 no impact on the provider's ability to provide the same level of services as described in HCR 170.

### Public Comments

Interested persons may submit written comments to Morgan B. Robertson, Deputy General Counsel, Louisiana State Employees' Retirement System, 8401 United Plaza Blvd., Baton Rouge, LA 70809. Mrs. Robertson is responsible for responding to inquiries regarding this proposed Rule. The deadline for submitting written comments is 4 p.m. on April 10, 2025.

Bernard E. "Trey" Boudreaux, III  
Executive Director

### FISCAL AND ECONOMIC IMPACT STATEMENT FOR ADMINISTRATIVE RULES

#### RULE TITLE: Disability Accommodations for Open Meetings

#### I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENTAL 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. The Louisiana State Employees' Retirement System (LASERS) is already in possession of the equipment necessary to provide teleconference or video conference participation in its meetings; therefore, there are no implementation costs.

LASERS proposes to adopt Chapter 47 (Disability Accommodations for Open Meetings) of Part I, Title 58 (Retirement) of the Louisiana Administrative Code. Specifically, the proposed rule establishes the framework for disability accommodations by:

- Allowing members of the public and participating members of the agency with an ADA-qualifying disability to request accommodation.

- Including contact information for the agency representative who is responsible for disability accommodations in the public notice for meetings.
  - Providing a timeline to meet the requested disability accommodation.
- 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)  
Electronic meetings could potentially reduce expenses to DIRECTLY AFFECTED PERSONS, SMALL BUSINESSES, OR, 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 anticipated to have an effect on competition and employment.

Bernard E. "Trey" Boudreaux III  
Executive Director  
2503#018

Patrice Thomas  
Deputy Fiscal Officer  
Legislative Fiscal Office

### NOTICE OF INTENT

#### Department of Treasury Board of Trustees of the Louisiana State Employees' Retirement System

Election of Both Active and Retired Member Trustees  
(LAC 58:I.401, 403, and 405)

Notice is hereby given, in accordance with the provisions of the Administrative Procedure Act, R.S. 49:950 et seq., that the Board of Trustees of the Louisiana State Employees' Retirement System (LASERS) proposes to amend LAC 58:I §401(B): General Schedule of Elections, §403, Receipt of Nominating Petitions, and §405(F), Election Process. The proposed amendments are necessary to make the Rules consistent with LASERS current business hours, which were changed effective August 1, 2022, at the direction of the LASERS Board of Trustees to better serve members and staff. This proposed rule change complies with and is enabled by R.S. 11:515.

#### Title 58 RETIREMENT

#### Part I. Louisiana State Employees' Retirement System Chapter 4. Rules Common to the Election of Both Active and Retired Member Trustees

#### §401. General Schedule of Elections [Formerly §§301 and 501.B]

- A. - A.2. ...
- B. The schedule for elections shall be as follows:
1. first day in March: nominations shall be opened;
  2. second Tuesday in July: nominations shall be closed. All nominating petitions must be received by the close of business;
  3. Monday following second Tuesday in July: a drawing shall be held to determine candidate positions on a ballot;
  4. fourth Friday in September: the final day that information on candidates and ballots may be mailed;

5. fourth Friday in October: all ballots or electronic votes must be received by the close of business. No faxed ballots shall be accepted;

6. Wednesday following fourth Friday in October: all ballots and electronic votes shall be tallied and verified by this date;

7. regular November meeting: the board shall be presented with the certified ballot count, and if it is accepted, shall authorize publication of results;

8. January following election: newly elected members receive orientation; oaths shall be taken prior to the regular January meeting.

C. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 11:511 and R.S. 11:515.

HISTORICAL NOTE: Promulgated by the Department of Treasury, Board of Trustees of the State Employees' Retirement System, LR 22:373 (May 1996), amended LR 23:996, 997 (August 1997), LR 25:1278 (July 1999), LR 26:2633 (November 2000), LR 33:1151 (June 2007), LR 34:446, 447 (March 2008), LR 37:1615 (June 2011), LR 39:119 (January 2013), LR 51:

#### **§403. Receipt of Nominating Petitions**

A. Signed nominating petitions will be accepted if received by facsimile or emailed by the date nominations are closed so long as original nominating petitions are received by close of business on the first Friday following the close of nominations. If originals are not received by that deadline, the person in whose name they are submitted shall not be qualified as a candidate.

AUTHORITY NOTE: Promulgated in accordance with R.S. 11: 511 and R.S. 11:515.

HISTORICAL NOTE: Promulgated by the Department of Treasury, Board of Trustees of the State Employees' Retirement System, LR 37:1616 (June 2011), LR 51:

#### **§405. Election Process**

**[Formerly §§303.C-I and 503.C-J]**

A. - E. ...

F. If electronic voting methods are utilized, members shall follow the instructions on the election brochure for registering their votes. Votes shall be confidential. Ballots or electronic votes received after the close of business on the fourth Friday in October shall be rejected. Ballots must be returned to the address set forth in the instructions on the election brochure.

G. - I. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 11:511 and R.S. 11:515.

HISTORICAL NOTE: Promulgated by the Department of Treasury, Board of Trustees of the State Employees' Retirement System, LR 22:373 (May 1996), amended LR 23:996, 997 (August 1997), LR 25:1278 (July 1999), LR 26:1490 (July 2000), LR 26:2633 (November 2000), LR 31:946, 947 (April 2005), LR 34:446, 447 (March 2008), LR 37:1616 (June 2011), LR 39:119 (January 2013), LR 41:1772 (September 2015), LR 51:

#### **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, R.S. 49:974.1 et seq., the economic impact of this proposed Rule on small businesses has been considered. It is anticipated that this proposed Rule will have no 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 have no 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 no impact on the provider's ability to provide the same level of services as described in HCR 170.

#### **Public Comments**

Interested persons may submit written comments to Morgan Blanchard Robertson, Deputy General Counsel, Louisiana State Employees' Retirement System, 8401 United Plaza Blvd., Baton Rouge, LA 70809. Mrs. Robertson is responsible for responding to inquiries regarding this proposed Rule. The deadline for submitting written comments is 4 p.m. on April 10, 2025.

Bernard E. "Trey" Boudreaux, III  
Executive Director

### **FISCAL AND ECONOMIC IMPACT STATEMENT FOR ADMINISTRATIVE RULES**

#### **RULE TITLE: Election of Both Active and Retired Member Trustees**

#### **I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENT UNITS (Summary)**

The proposed rule is not anticipated to result in any costs or savings for the Louisiana State Employees' Retirement System (LASERS) or to local governmental units.

LASERS proposed to amend Title 58, Part I, Chapter 4, Section 401-General Schedule of Elections, 403-Receipt of Nominating Petitions, and 405-Election Process of the Louisiana Administrative Code. Specifically, the rule updates language regarding office hours by removing statements indicating the close of business is at 4:30pm Central time.

#### **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 is no anticipated effect on costs or economic benefits to DIRECTLY AFFECTED PERSONS, SMALL BUSINESSES, OR, small businesses, or non-governmental groups.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT  
(Summary)

Implementation of this proposed rule is not anticipated to have an effect on competition and employment.

Bernard E. "Trey" Boudreaux  
Executive Director  
2503#019

Patrice Thomas  
Deputy Fiscal Officer  
Legislative Fiscal Office

**NOTICE OF INTENT**

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

Alligators (LAC 76:V.701)

The Wildlife and Fisheries Commission does hereby give notice of its intent to amend the alligator regulations governing wild alligator season length. The action extends the wild alligator hunting season through December 31.

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 file the final Rule.

**Title 76**

**WILDLIFE AND FISHERIES**

**Part V. Wild Quadrupeds and Wild Birds**

**Chapter 7. Alligators**

**§701. Alligator Regulations**

A. The Department of Wildlife and Fisheries does hereby establish regulations governing the harvest of wild populations of alligators and alligator eggs, raising and propagation of farmed alligators, tanning of skins and regulations governing the selling of hides, alligator parts and farm raised alligators. The administrative responsibility for these alligator programs shall rest with the department secretary, and the assistant secretary, Office of Wildlife.

A.1. - A.6.f.vii. ...

**7. Open Season, Open Areas, and Quotas**

**a. Open seasons are as follows.**

i. The state shall be divided into the east and west alligator hunting zones by the following boundary: beginning at the southwestern most part of Point Au Fer Island thence north along the western boundary of Terrebonne Parish to the Atchafalaya River, thence north along the Atchafalaya River to the East Atchafalaya Protection Levee, thence north along the East Atchafalaya Protection Levee, to Interstate 10, thence east along Interstate 10 to Interstate 12, thence east along Interstate 12 to Interstate 55, thence north along Interstate 55 to the Mississippi state line. The season for taking alligators in the wild shall open on the last Wednesday of August in the east zone and the first Wednesday of September in the west zone and will remain open until December 31 thereafter in each

zone. The secretary shall be authorized to close, extend, delay, or reopen the season as biologically justifiable.

A.7.a.ii - A.18.c. ...

**AUTHORITY NOTE:** Promulgated in accordance with R.S. 56:115 and Title 56 of the Louisiana Revised Statutes, Chapter 1, Part V, Subpart A.

**HISTORICAL NOTE:** Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 16:1070 (December 1990), amended LR 17:892 (September 1991), LR 19:215 (February 1993), LR 20:321 (March 1994), LR 26:1492 (July 2000), LR 28:1996 (September 2002), LR 30:2338 (October 2004), LR 30:2878 (December 2004), LR 31:2267 (September 2005), LR 33:677 (April 2007), LR 35:690 (April 2009), LR 37:2421 (August 2011), LR 39:2291 (August 2013), LR 42:909 (June 2016), LR 43:90 (January 2017), LR46:50 (January 2020), LR46:1398 (October 2020), LR 48:508 (March 2022), LR 48:2992 (December 2022), LR 51:

**Family Impact Statement**

In accordance with Act 1183 of 1999 Regular Session of the Louisiana Legislature, the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission hereby issues 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**

This proposed Rule may have a positive impact on small businesses as described in R.S. 49:965.2 through R.S. 49:965.8.

**Provider Impact Statement**

This Rule has no known impact on providers as described in HCR 170 of 2014.

**Public Comments**

Written comments may be addressed to Jeb Linscombe, Program Manager, Department of Wildlife and Fisheries, 200 Dulles Drive, Lafayette, LA, 70506 or via email to [jlinscombe@wlf.la.gov](mailto:jlinscombe@wlf.la.gov), no later than 4:30 PM on May 1, 2025.

Kevin Sagrera  
Chairman

**FISCAL AND ECONOMIC IMPACT STATEMENT  
FOR ADMINISTRATIVE RULES**

**RULE TITLE: Alligators**

**I ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENTAL UNITS (Summary)**

There is no anticipated impact on the Louisiana Department of Wildlife and Fisheries (LDWF) expenditures as a result of the proposed rule change. The proposed rule change establishes December 31st as the statewide closing date for alligator trapping season.

**II ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS (Summary)**

The proposed rule may have a moderate, positive effect on revenue collections of the LDWF if the lengthening of the season prompts an increase in the issuance of licenses that are required to harvest alligators. Resident Alligator Sport Hunter licenses are available at a fee of \$25. Nonresident Alligator

Sport Hunter licenses are available at a fee of \$150. The LDWF issued an average of 749 resident and 1,294 non-resident alligator sport hunting licenses between license year (LY) 2021 and LY 2023. The number of additional licenses that may be issued under the proposed rule change cannot be assessed with the available data.

### III ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS, SMALL BUSINESSES, OR NON-GOVERNMENTAL GROUPS (Summary)

The proposed rule change is expected to have positive impacts on individuals and small businesses that participate in the harvesting and processing of alligators.

It may also benefit persons who are at risk of negative encounters with alligators to the extent that the proposed lengthening of the alligator trapping season achieves the intended goal of reducing negative human interactions with alligators.

### IV ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

There is no estimated effect on competition and employment due to the proposed rule changes.

Bryan McClinton  
Undersecretary  
2503#032

Patrice Thomas  
Deputy Fiscal Officer  
Legislative Fiscal Office

## NOTICE OF INTENT

### Department of Wildlife and Fisheries Wildlife and Fisheries Commission

#### Bear Hunting Areas, Seasons, Rules, and Bag Limits (LAC 76:XIX.109)

Notice is hereby given that the Wildlife and Fisheries Commission proposes to adopt a Louisiana Black Bear hunting season for the 2025 hunting season. 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 Louisiana Black Bear during 2025 hunting season.

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 file the final Rule.

#### Title 76

### WILDLIFE AND FISHERIES

#### Part XIX. Hunting and WMA Regulations

#### Chapter 1. Resident Game Hunting Season

#### §109. Bear Hunting Areas, Seasons, Rules and Bag Limits

##### A. Bear Hunting Season 2025

1. Hunting is only allowed in Bear Areas 1, 2 and 4.
2. Bear season opens the first Saturday in December and remains open through Sunday following the third Saturday in December.

##### B. General Rules

1. Bears may only be harvested one-half hour before sunrise to one-half hour after sunset.

2. Harvest limit is one bear per harvest permit per season.

3. Bear hunting is limited to still hunt only. The use of dogs when hunting bear is prohibited.

4. Harvest of cubs and females with cubs is prohibited. A cub is defined as any bear 75 pounds or less.

5. Bear hunting is restricted to bona fide resident hunters who are properly licensed, hunter safety certified, and possess a valid bear hunting permit issued by the department. The number of bear harvest permits issued will be determined based on Bear Area specific population estimates and vital rate data acquired at regular intervals. The number of bear harvest permits issued at any given time during the season shall not allow the harvest to exceed the number of bears of either sex in any Bear Area that would compromise the long-term sustainability of the Bear Area population.

6. Harvest of bears without a harvest permit is prohibited. Bear harvest permits will consist of three types in Bear Area 4: Wildlife Management Area (WMA), Private Landowner, and General. Bear harvest permits will consist of two types in Bear Areas 1 and 2: Private Landowner and General. One permit allowed per hunter per season.

a. WMA Permits will authorize bear harvest for specified WMAs.

b. Private Landowner Permits will be allocated to qualifying private landowners, their designee, or lessee in Bear Areas with an open season for that permit year. To qualify for a Private Landowner Permit, applicants must provide evidence of qualifying acreage (40+ contiguous acres), proof of ownership, and payment of property taxes for property within the Bear Area for which they apply. Landowner designees must provide evidence deemed sufficient by the department that they have full agency and authority to act on behalf of a qualifying private landowner. Lessees of qualifying private lands must provide a duly executed and properly recorded lease agreement evidencing they have the right to hunt bear upon the qualifying acreage.

c. General Permits authorize hunting on private property, with landowner permission, within Bear Areas with an open season for that permit year. Individuals receiving a General Permit are responsible for coordinating with landowners to gain permission and access to hunting on their property.

7. Except as otherwise provided by law, bear harvest permits shall only be issued by lottery. Applicants shall apply to LDWF on department-approved applications prior to each season. All applications require a non-refundable application fee. Applicants for the General and WMA Permits must possess a valid resident basic hunting license and bear hunting license, or a combination license conveying equivalent privileges to apply.

a. Applicants not selected will be given an additional preference point for each subsequent year in which they apply. Each preference point serves as an additional lottery opportunity. Preference points are capped at five. Applicants must apply every year in order to earn and retain preference points. Failure to apply in any given year will result in forfeiture of previously acquired

preference points for any subsequent application. Successful lottery applicants are not allowed to apply for another bear permit for two years after being drawn.

8. Transferability of bear permits: Only the private landowner permits are transferrable. Transferees must be a bona fide Louisiana resident who is properly licensed and hunter safety certified. Permits being transferred must be within 21 days of the lottery draw notification. A permit may only be transferred one time. The department shall be notified once a permit has been transferred and provided the transferees name, address, and phone number.

9. Bear hunter training: All successful applicants or transferees will be required to attend a department bear hunter training course prior to hunting. Individuals not attending a department bear hunter training course will be prohibited from hunting. Successful youth applicants must attend bear hunting training with a properly licensed adult. The adult attending the training is responsible for supervising the youth during the bear hunt and must be within arm's reach or within the same stand or blind as the youth. A bear tag will be issued to harvest permit holders upon completion of the training course.

10. Baiting and scent attractants: Baiting is allowed November 1 to the day the season closes. Hunting over raw or processed bait and the use of a scent lure is allowed. No person shall use raw sweet potatoes or chocolate as bait or scent. The use of salt, grain or other feed that could serve as an attractant to deer is prohibited in CWD Control Areas. The department shall provide a list of approved baits to each successful applicant at the bear hunting training course.

11. Harvested bears must be tagged immediately upon harvest and prior to being moved from site of harvest. All successful bear hunters must immediately contact their designated department biologist (see permit) to report their kill and schedule biological data collection.

12. Hunter Orange or Blaze Pink: Any person hunting bears 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 bear from elevated stands on property that is privately owned or to archery bear hunters hunting on lands where firearm hunting is not allowed by agreement of the landowner or lessee. However, anyone hunting bear 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.

13. Harvested bears may be field dressed, but all other portions of the bear shall be removed from the hunting grounds. Thereafter, all edible portions of meat shall be removed from the bear for consumption. "Edible portions" include, at a minimum, all four quarters, all backstraps and tenderloins along the backbone.

14. Methods of take:

a. Bear may be taken with the following firearms, any of which may be fitted with a magnified scope:

i. Centerfire firearms .25 caliber or larger, rimfire firearms .30 caliber or larger, and shotguns 10 gauge and

smaller using slugs, all of which must load exclusively from the breech.

ii. Rifles and pistols, .44 caliber or larger, or shotguns 10 gauge and smaller, all of which must load exclusively from the muzzle, use black powder or approved substitute only, take ball or bullet projectile only, including sabotaged bullets.

iii. Pre-charged pneumatic devices that 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.

b. Bear may be taken by legal archery gear with a minimum draw weight of no less than 30 pounds, including traditional bow, compound bow, crossbow, or any bow drawn, held or released by mechanical means.

c. All other methods of take are prohibited.

#### C. Description of Bear Areas

##### 1. Area 1

a. All of the following parishes:

i. Acadia, Assumption, Cameron, Iberia, Lafayette, Lafourche, St. Mary, Terrebonne, and Vermillion.

b. Portions of the following parishes:

i. Allen—that portion south of US 190 and east of US 165;

ii. Ascension—that portion west of the Mississippi River;

iii. Calcasieu—that portion south of Interstate 10;

iv. Iberville—that portion south of Interstate 10 and west of the Mississippi River;

v. Jefferson—that portion west of the Mississippi River;

vi. Jefferson Davis—that portion south of US 190 and east of US 165;

vii. Orleans—that portion west of the Mississippi River;

viii. Plaquemines—that portion west of the Mississippi River;

ix. St. Charles—that portion west of the Mississippi River;

x. St. James—that portion west of the Mississippi River;

xi. St. John the Baptist—that portion west of the Mississippi River;

xii. St. Martin—that portion south of Interstate 10;

xiii. West Baton Rouge—that portion south of Interstate 10.

##### 2. Area 2

a. All of the following parishes: Pointe Coupee, West Feliciana.

b. Portions of the following parishes:

i. Iberville—that portion north of Interstate 10;

ii. St. Landry—that portion east of Interstate 49;

iii. St. Martin—that portion north of Interstate 10;

iv. West Baton Rouge—that portion north of Interstate 10.

##### 3. Area 3

a. All of the following parishes: Avoyelles, Concordia, LaSalle.



- b. Portions of the following parish:
  - i. Catahoula—that portion west of US Highway 425.
- 4. Area 4
  - a. All of the following parishes: East Carroll, Madison, Tensas, West Carroll.
  - b. Portions of the following parishes:
    - i. Catahoula—that portion east of US Highway 425;
    - ii. Franklin—that portion east of US Highway 425;
    - iii. Richland—that portion east of US Highway 425.
- 5. Area 5
  - a. All of the following parishes: Caldwell, Ouachita, Morehouse, Union.
  - b. Portions of the following parishes:
    - i. Franklin—that portion west of US Highway 425;
    - ii. Richland—that portion west of US Highway 425.
- 6. Area 6
  - a. All of the following parishes: Beauregard, Bienville, Bossier, Caddo, Claiborne, Desoto, Evangeline, Grant, Jackson, Lincoln, Natchitoches, Rapides, Red River, Sabine, Vernon, Webster, Winn.
  - b. Portions of the following parishes:
    - i. Allen—that portion north of US 190 and west of US 165;
    - ii. Calcasieu—that portion north of Interstate 10;
    - iii. Jefferson Davis—that portion north of US 190 and west of US 165;
    - iv. St. Landry—that portion west of Interstate 49.
- 7. Area 7
  - a. All of the following parishes: East Baton Rouge, East Feliciana, Livingston, St. Bernard, St. Helena, St. Tammany, Tangipahoa, Washington.
  - b. Portions of the following parishes:
    - i. Ascension—that portion east of the Mississippi River;
    - ii. Iberville—that portion east of the Mississippi River;
    - iii. Jefferson—that portion east of the Mississippi River;
    - iv. Orleans—that portion east of the Mississippi River;
    - v. Plaquemines—that portion east of the Mississippi River;
    - vi. St. Charles—that portion east of the Mississippi River;
    - vii. St. James—that portion east of the Mississippi River;
    - viii. St. John the Baptist—that portion east of the Mississippi River.

**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 50:1012 (July 2024), amended LR 51:

#### **Family Impact Statement**

In accordance with Act 1183 of 1999 Regular Session of the Louisiana Legislature, the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission hereby issues

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**

This proposed Rule will have no impact on poverty as described in R.S. 49:973.

#### **Small Business Analysis**

This proposed Rule has no known impact on small businesses as described in R.S. 49:965.2 through R.S. 49:965.8.

#### **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 until May 1, 2025, to John Hanks, Office of Wildlife, Department of Wildlife and Fisheries, P. O. Box 98000, Baton Rouge, LA 70898-9000 or via e-mail to [jhanks@wlf.la.gov](mailto:jhanks@wlf.la.gov).

Kevin Sagrera  
Chairman

### **FISCAL AND ECONOMIC IMPACT STATEMENT FOR ADMINISTRATIVE RULES RULE TITLE: Bear Hunting Area, Seasons, Rules, and Bag Limits**

#### **I ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENTAL UNITS (Summary)**

There is no anticipated impact on the Louisiana Department of Wildlife and Fisheries (LDWF) expenditures, resulting from the proposed rule changes.

The proposed rule makes the following changes:

a) Opens Bear Areas 1 and 2 (in south Louisiana) and reopens Bear Area 4 (in northeast Louisiana) to bear hunting during the 2025 season.

b) Limits the number of bear hunting permits to one permit per hunter per season statewide.

c) Changes dates for the transfer of bear permits between private landowners.

d) Changes the earliest date for the placement of bear bait from two weeks before the season-opening to November 1.

e) Clarifies which portions of Jefferson Davis Parish lie within Bear Area 1 and which portion lies within Bear Area 6.

#### **II ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS (Summary)**

The proposed rule changes are anticipated to increase revenue collections to LDWF. These collections are expected to increase as a result of more territory being available to hunt black bears. All persons submitting names for bear lottery applications must remit a fee of \$50 per application. With the expansion of area permitting black bear hunting, an increase in applications and hunting licenses is expected, leading to higher revenue collections. This increase in revenue is unquantifiable because it is not known how many more applications LDWF will receive for the Black Bear Hunting Lottery.

In 2024, when the bear hunt was open only in Bear Area (BA) 4 in northeastern Louisiana, approximately 300 people submitted applications for the general bear lottery, 300 for the wildlife management area lottery, and 350 for the private landowner lottery. The LDWF collected fee revenues of approximately \$47,500 for the 2024 lottery.

Persons submitting applications for the general bear lottery and the wildlife management area lottery must also acquire a bear hunting license at a fee of \$25 per license. Landowners

whose names are drawn in the private landowner lottery must also acquire a bear hunting license. (Landowner applicants whose names are not drawn in the private landowner lottery are not required to acquire a bear hunting license.) Revenue accruing to the LDWF from the issuance of bear hunting licenses in 2024 totaled approximately \$16,225.

III ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS, SMALL BUSINESSES, OR OR NON-GOVERNMENTAL GROUPS (Summary)

The proposed rule changes are expected to benefit hunters by providing sustainable opportunities to harvest black bears in the same area of northeast Louisiana that allowed bear hunting in 2024 and in two additional areas in southern Louisiana. It may offer additional potential income to landowners who receive tags that may be sold to qualified Louisiana resident hunters who seek to pursue bears and to other landowners who lease lands to bear hunters. The proposed rule change may result in additional expenditures for lottery fees and hunting permits if the Louisiana legislature sets fees for bear hunting permits and establishes a lottery.

IV ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

There is no estimated effect on competition and employment as a result of the proposed rule changes.

Bryan McClinton  
Undersecretary  
2503#034

Patrice Thomas  
Deputy Fiscal Officer  
Legislative Fiscal Office

**NOTICE OF INTENT**

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

**Wahoo Harvest Regulations (LAC 76:VII.391)**

The Department of Wildlife and Fisheries and the Wildlife and Fisheries Commission does hereby give notice of intent to promulgate a Rule (LAC 76:VII.391) establishing recreational harvest regulations for wahoo in waters of the state and apply those regulations to federal waters off Louisiana. The Gulf of Mexico Fishery Management Council has been considering management of wahoo in the absence of state regulations. In order to further the conservation of the species and maintain state management authority over the harvest regulations of wahoo, these regulations are necessary.

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**

**§391. Wahoo Harvest Regulations**

**A. Recreational Take and Possession Limits**

1. The recreational bag and possession limit for wahoo, *Acanthocybium solandri*, whether caught within or without Louisiana waters shall be five fish per person, per day.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:6(10), R.S. and R.S. 325.1(A).

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries and Fisheries Commission, LR 51:

**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**

The proposed rule change is anticipated to have no impact on receipts or income of small businesses as described in R.S. 49:965.2 through R.S. 49:965.8.

**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 by May 1, 2025.

Kevin Sagrera  
Chairman

**FISCAL AND ECONOMIC IMPACT STATEMENT  
FOR ADMINISTRATIVE RULES**

**RULE TITLE: Wahoo Harvest Regulations**

I ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENTAL UNITS (Summary)

There is no anticipated impact on the Louisiana Department of Wildlife and Fisheries (LDWF) expenditures resulting from the proposed rule change. The proposed rule change establishes recreational bag and possession limits of five fish per person for wahoo.

II ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS (Summary)

There is no anticipated impact 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 NON-GOVERNMENTAL GROUPS (Summary)

The proposed rule change is anticipated to have little or no impact on persons, small businesses, or non-governmental groups. According to LA Creel data collected by the LDWF, one-half of one percent of the recreational trips with wahoo landings between 2014 and 2024 landed five fish. Some charter boat operations (most of which meet the qualifications of small businesses) may experience a small decrease in landings among their customers. In consideration of the low frequency of encounters with wahoos in Louisiana, the proposed bag and possession limits are unlikely to have a quantifiable negative effect on charter operations' earnings.

IV ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT  
(Summary)

There is no estimated effect on competition and employment due to the proposed rule change.

Bryan McClinton  
Undersecretary  
2503#033

Patrice Thomas  
Deputy Fiscal Officer  
Legislative Fiscal Office

# Potpourri

## POTPOURRI

### Department of Children and Family Services Division of Child Welfare

#### Louisiana's 2025 Annual Progress and Services Report

The Department of Children and Family Services (DCFS) announces opportunities for public review of the state's 2025 Annual Progress and Services Report (APSR). The APSR is a report on the achievement of goals and objectives and/or outcomes for the last year of the 2025-2029 Child and Family Services Plan (CFSP). This plan addresses the use of Title IV-B, Subpart 1 and Subpart 2, Title IV-E Chafee Foster Care Independence Program (CFCIP), Educational and Training Vouchers (ETV), and Child Abuse Prevention & Treatment Act (CAPTA) funds and serves as the applications for additional funds from these federal sources.

Louisiana, through the DCFS, provides services that include child abuse prevention, child protective services, family services-prevention and intervention services, foster care, adoption and the youth transition services. The department will use its allotted funds provided under the Social Security Act, Title IV-B, Subpart 1, entitled the Stephanie Tubbs Jones Child Welfare Services Program, to provide child welfare services to prevent child abuse and neglect, to prevent foster care placement, to reunite families, to arrange adoptions, and to ensure adequate foster care. Title IV-B, Subpart 2, entitled Promoting Safe and Stable Families, funds services to support families and prevent the need for foster care. The CFCIP funds services to assist foster children 15 years of age and older who are likely to remain in foster care until 18 years of age. Former foster care recipients who are 18 years of age who have aged out of foster care, and those who were adopted or entered guardianship at age 16 years of age or older, are also eligible for services. The services include basic living skills training and education and employment opportunities. The CAPTA funding is used to complement and support the overall mission of child welfare with emphasis on developing, strengthening, and carrying out child abuse and neglect prevention and treatment programs and to support Citizen Review Panels statewide.

The DCFS is encouraging public participation in the planning of services and the writing of this document. The report can be found for review on the internet at <http://www.dss.state.la.us/index.cfm?md=pagebuilder&tmp=home&pid=132>, then by clicking on the 2025 APSR link. Inquiries and comments on the plan may be submitted in writing to the DCFS, Attention: Child Welfare Administrator, P.O. Box 3318, Baton Rouge, LA 70821. The deadline for receipt of written comments is May 9, 2025, at 4 p.m.

#### Public Comments

All interested persons will have the opportunity to provide comments and/or recommendations on the plan, orally or in writing, at a public hearing scheduled for Wednesday, May

9, 2025, at 10:30 a.m. This hearing will be held in person at the Louisiana Department of Children and Family Services-State Office, located at 627 North Fourth Street, Baton Rouge, LA 70802, in room 1-129. Interested persons may also join via Microsoft Teams: Join from PC, Mac, Linux, iOS or Android: <https://www.microsoft.com/en-us/microsoft-teams/log-in> Meeting ID: 271855526900 Passcode: Bc3jV2NU or Telephone by dialing USA (872) 239-6160, Conference ID: 821009605#.

Individuals with disabilities who require special services should contact the DCFS Appeals Unit at least seven working days in advance of the hearing. For assistance, call (225) 342-4120 (Voice and TDD).

David N. Matlock  
Secretary

2503#004

## POTPOURRI

### Department of Children and Family Services Division of Child Welfare

#### Social Services Block Grant Intended Use Report

The Department of Children and Family Services (DCFS) announces opportunities for public review of the state's pre-expenditure report on intended uses of Social Services Block Grant (SSBG) funds for the state fiscal year (SFY) beginning July 1, 2025, and ending June 30, 2026. The proposed SFY 2025-2026 SSBG intended use report has been developed in compliance with the requirements of section 2004 of the Social Security Act (SSA), as amended and includes information on the types of activities to be supported and the categories or characteristics of individuals to be served through use of the state's allocation of SSBG funds. Section 2004 of the SSA further requires that the SSBG pre-expenditure report shall be "made public within the state in such manner as to facilitate comment by any person." The DCFS, as the designated state department, will continue to administer programs funded under the SSBG in accordance with applicable statutory requirements and federal regulations. The DCFS, Child Welfare Section (CWS) will be responsible for provision of social services, by direct delivery and vendor purchase, through use of SFY 2025-2026 SSBG expenditures for adoption, child protection, family services, and foster care/residential care services.

Louisiana, through DCFS/CWS, will utilize its allotted funds to provide comprehensive social services on behalf of children and families in fulfillment of legislative mandates for child protection and child welfare programs. These mandated services, and certain other essential social services, are provided without regard to income (WRI) to individuals in need. Individuals to be served also include low-income persons as defined in the intended use report who meet eligibility criteria for services provided through SSBG funding.

**Services designated for provision through SSBG funding for SFY 2025-2026 low income are:**

A. adoption (pre-placement to termination of parental rights);

B. child protective services including assessment, evaluation, social work intervention, shelter care, counseling and referrals for child abuse/neglect reports;

C. family services (social work intervention subsequent to validation of a report of child abuse/neglect, counseling to high risk groups);

D. foster care/residential care services (foster, residential care, and treatment on a 24-hour basis).

Definitions for the proposed services are set forth in the intended use report.

**Persons eligible for SSBG funded services include:**

A. persons WRI, who are in need of adoption services, child protection, family services, and foster care/residential services;

B. individuals WRI who are recipients of Title IV-E adoption assistance;

C. recipients of Supplemental Security Income (SSI) and recipients of Temporary Assistance for Needy Families (TANF) and those persons whose needs were taken into account in determining the needs of TANF recipients;

D. low-income persons (income eligible) whose gross monthly income is not more than 125 percent of the poverty level. A family of four with gross monthly income of not more than \$3250 would qualify as income eligible for services;

E. persons receiving title XIX (Medicaid) benefits and certain Medicaid applicants identified in the proposed plan as eligible groups.

The post expenditure report for the SSBG program for SFY 2025 is included in the SSBG intended use report for SFY 2025-2026. Free copies are available by telephone request to (225) 342-342-5918 or by writing to the Administrator, Child Welfare Section, P.O. Box 3318, Baton Rouge, LA 70821.

The report is available for public review online at <http://www.dss.state.la.us/index.cfm?md=pagebuilder&tmp=home&pid=131>. Then select the 2025-2026 SSBG link. Inquiries and comments on the plan may be submitted in writing to the DCFS, Attention Administrator, P.O. Box 3318, Baton Rouge, LA 70821. The deadline for receipt of written comments is Friday, May 9, 2025, at 4 p.m.

**Public Comments**

All interested persons will have the opportunity to provide comments and/or recommendations on the plan, orally or in writing, at a public hearing scheduled for Friday, May 9, 2025, at 9:30 a.m. This hearing will be held in person at the Louisiana Department of Children and Family Services-State Office located at 627 N. 4th Street, Baton Rouge, LA 70802, in room 1-129. Interested persons may also join via Microsoft Teams: Join from PC, Mac, Linux, iOS or Android: <https://www.microsoft.com/en-us/microsoft-teams/log-in> Meeting ID: 271855526900 Passcode: Bc3jV2NU or Telephone by dialing USA (872) 239-6160, Conference ID: 821009605#.

Individuals with disabilities who require special services should contact the Bureau of Appeals at least seven working days before the hearing. For assistance, call (225) 342-4120 (voice and TDD).

David N. Matlock  
Secretary

2502#003

**POTPOURRI**

**Department of Energy and 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
Alvis Len Randall	Olla	M	Randall EST	002	157828
C. L. Morris	Caddo Pine Island	S	Mathieu	001	51919
ENCO Resources, Inc.	Mermentau, West	L	CIB H VUA; R R Bruce	003	208588
Harvey Sexton	Red River-Bull Bayou	S	Nervis	001	36103
Houston Oil & Mineral Corp.	Calcasieu Pass	L	STINE RA SUA; SL 2497	001	65552
L & L Oil Co.	Jennings, North	L	B N Sweeney Estate	001	111244
Linder Oil Co. A Partnership	Calcasieu Pass	L	SD RA SUA; SL 13736	001	212625
Louis J. Roussel	Caddo Pine Island	S	Kuhn	009	54015
Louis J. Roussel	Caddo Pine Island	S	Kuhn	016	67912
Plymouth Resources Group II Inc	Welsh	L	Farmers Oil Co FEE	001	102007
Plymouth Resources Group II Inc	Welsh	L	CAM 2 SUU; Farmers FEE	003	103583
Plymouth Resources Group II Inc	Welsh	L	MARG H I SUQ;WM D Lee FEE A	008	107474
Plymouth Resources Group II Inc	Welsh	L	WMD Lee FEE A	008D	108379
Plymouth Resources Group II Inc	Welsh	L	CAM 4 SUO; Farmers Oil Co	001-D	108920
Plymouth Resources Group II Inc	Welsh	L	Empire Land	005	217298

Operator	Field	District	Well Name	Well Number	Serial Number
Plymouth Resources Group II Inc	Welsh	L	CIB J RA SUA; Empire Land	005-D	217558
The Carter Oil Company	Bayou Choctaw	L	Wilberts Myrtle Grove	040	74294
Verona Energy, Inc.	Locust Ridge	M	R C Lowry SWD	002	56970
Verona Energy, Inc.	Justina	M	MAS L TUSC SUB; Aaron B Brown	001	65597
Verona Energy, Inc.	Buckhorn	M	MASS SU168; V A Anderson	001	80908
Verona Energy, Inc.	Locust Ridge	M	M D Adams	001	84357
Verona Energy, Inc.	Buckhorn	M	Fisher I SWD	002	86659
Verona Energy, Inc.	Buckhorn	M	Anderson E	018	94959
Verona Energy, Inc.	Buckhorn	M	MASS SU39; Fisher I	013	95075
Verona Energy, Inc.	Buckhorn	M	MASS SU11; Fisher I	006D	100732
Verona Energy, Inc.	Buckhorn	M	BH BUCK SU; Fisher I	006	101722
Verona Energy, Inc.	Buckhorn	M	MASS SU20; Fisher I	014	105707
Verona Energy, Inc.	Buckhorn	M	BH BUCK SU; Fisher I	014D	107945
Verona Energy, Inc.	Chamblee	M	ST SUA; Collins-Noe	001	110517
Verona Energy, Inc.	Lake Formosa	M	Fisher LBR CO SWD	027-13	119012
Verona Energy, Inc.	Justina	M	MAS L TUSC SUA; Fisher LBR	001	148969
Verona Energy, Inc.	Buckhorn	M	MAS SU206; Panola Company	001	152428
Verona Energy, Inc.	Locust Ridge	M	Lowry A	001	187063
Verona Energy, Inc.	Locust Ridge	M	Adams	001	193109
Verona Energy, Inc.	Locust Ridge	M	Lowry B	001	193189

Operator	Field	District	Well Name	Well Number	Serial Number
Verona Energy, Inc.	Locust Ridge	M	McDonald	001	194546
Verona Energy, Inc.	Locust Ridge	M	McDonald	002	200199
Verona Energy, Inc.	Lake Marydale	M	L TUSC RA SUC; ARK-LA Resources	002	209291
Verona Energy, Inc.	Lake Marydale	M	L TUSC RA SUB; ARK-LA Resources	001	219222
Verona Energy, Inc.	Justina	M	Pitts Inc et al	002	232869
Verona Energy, Inc.	Justina	M	Pitts Inc et al	003	235320
Williams Production Company Inc	Tullos Urania	M	Mrs Alonzo Doughty	002	76082
Williams Production Company Inc	Tullos Urania	M	A Doughty	003	192857
Williams Production Company Inc	Tullos Urania	M	A Doughty	001	192722
WLE, LLC MS.	Beekman	M	JF Albright	001	44055
WLE, LLC MS.	Russell Bayou	M	WC Bowhunters LLC	001	254249

Steven M. Giambrone  
Interim Commissioner

2503#016

**POTPOURRI**

**Department of Health  
Licensed Professional Counselors Board of Examiners**

**Notice of Public Hearing  
Request for Comments on Rulemaking**

The Licensed Professional Counselors Board of Examiners hereby gives notice of a public hearing for the purpose of receiving comments on any rule of the board.

The hearing will take place at the board office, 11410 Lake Sherwood Avenue North, Suite A, Baton Rouge, LA 70816, on May 16, 2025, at 2:30 p.m. All interested persons will be afforded an opportunity to submit data, views, or arguments either orally or in writing regarding board rules only. The board will consider fully all written and oral comments. Comments must be received in writing in order to be submitted to the legislative oversight committees. Written comments are to be submitted to Jamie Doming, Executive Director, 11410 Lake Sherwood Avenue North, Suite A, Baton Rouge, LA 70816. The deadline for receipt of written comments is by April 11, 2025.

The hearing site is accessible to people using wheelchairs or other mobility aids. If other reasonable accommodations are required in order to participate in the hearings, please contact the board office at 225-295-8444 to discuss your accessibility needs.

Jamie Doming  
Executive Director

2503#046

**POTPOURRI**  
**Department of Justice**

Occupational Licensing Review Program  
Accepting Participants for FY 2025-2026  
Period of July 1, 2025-June 30, 2026

The Department of Justice is currently accepting occupational licensing boards into the Department of Justice Occupational Licensing Review Program (OLRP) established by R.S. 49:260. This program provides for active state supervision and was established to ensure that participating boards and board members will avoid liability under federal antitrust laws. Participants for the July 1, 2025- June 30, 2026 period will be accepted into the program through May 31, 2025. For information about participating in the program, contact Jessica Weimer, Section Chief, OLRP—Public Protection Division, Louisiana Department of Justice at [olrp@ag.louisiana.gov](mailto:olrp@ag.louisiana.gov).

Jessica Weimer  
Section Chief

2503#008

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

Public Hearing—Substantive Change to Notice of Intent  
2025-2027 Hunting Regulations and Seasons  
(LAC 76:XIX.Chapter 1)

The Department of Wildlife and Fisheries (department) and the Wildlife and Fisheries Commission (commission) published a Notice of Intent to amend its rules in the January 20, 2025 edition of the *Louisiana Register*. The commission proposes to amend the original Notice of Intent to add allowable gear for Primitive Firearms Season, clarify types of sights that may be used when archery hunting, prohibits the use of trail cameras during WMA turkey hunting season, adds designated airboat trails on Maurepas Swamp WMA, adjusts the lottery deer hunt dates for the Becoming an Outdoors Woman (BOW) hunt, opens up a portion of East Carroll Parish to turkey hunting, adjusts the daily limit of female pintail ducks to 1, and adjusts the waterfowl west and east zone hunt dates.

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 amended Notice of Intent, including but not limited to, the filing of the Fiscal and Economic Impact Statement, the filing of the

amended 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 amended proposed Rule, the secretary is authorized and directed to prepare and transmit a summary report to the legislative oversight committees and file the final Rule.

**Title 76**  
**WILDLIFE AND FISHERIES**  
**Part XIX. Hunting and WMA Regulations**  
**Chapter 1. Resident Game Hunting Season**  
**§111. General and Wildlife Management Area**  
**Hunting Rules and Regulations**

A. - C.9.b.ii. ...

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 are designed to have projectiles, ball, shot, or bullet, including sabot bullets, loaded exclusively through the muzzle, or the muzzle end of the cylinder chamber, and is fired by wheel lock, flintlock, percussion cap, or centerfire primer, and other approved primitive firearms.

C.9.d. - E.11. ...

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 are designed to have projectiles, ball, shot, or bullet, including sabot bullets, loaded exclusively through the muzzle, or the muzzle end of the cylinder chamber and is fired by wheel lock, flintlock, percussion cap or centerfire primer 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 or individuals 65 or older 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 equipped with an infrared or laser sight (does not include non-projecting red dot sights) or any sighting device which projects a beam of light to the target or otherwise electronically illuminates the target [R.S. 56:116.1.B.(4)].

E.14. - G.1.q. ...

r. Trail cameras are prohibited during turkey hunting season.

G.1.s. - G.9.e. ...

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, and except airboats allowed on Maurepas Swamp WMA on designated trails. See WMA map for details. 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.9.g.-G.17.r.v. ...

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). 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.

G.17.t. - G.21.c.vi. ...

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), LR. 51:

### §113. General and WMA Turkey Hunting Regulations

A. - F.2.a.iii. ...

#### 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. East Carroll—that portion east of the main line levee to the Mississippi River;

v. Iberia—east of the west Atchafalaya Basin protection levee;

vi. Madison—that portion lying east of US 65 from East Carroll Parish line to US 80 and south of US 80;



vii. 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;

viii. 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.

ix. Tensas—that portion west of the main channel of the Mississippi River;

x. 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;

Exceptions: Indian Bayou area, see federal lands hunting schedule for Indian Bayou dates.

F.4. - G.2.a. ...

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 50:410 (March 2024), LR 50:826 (June 2024), LR 51:

**§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. 6-Sept. 21 Oct. 18-Nov. 30 Dec. 13-Jan. 11 North Zone: Sept. 6-Sept. 28 Oct. 11-Nov. 16 Dec. 20-Jan. 18	15 (in aggregate)	45 (in aggregate)
Woodcock	Dec. 18-Jan. 31	3	9
Teal (Blue-winged, Green-winged and Cinnamon)	Sept. 20-Sept. 28	6	18
King and Clapper Rails	Sept. 20-Sept. 28 Nov. 8-Jan. 7	15 (in aggregate)	45 (in aggregate)
Sora and Virginia Rails	Sept. 20-Sept. 28 Nov. 8-Jan. 7	25 (in aggregate)	75 (in aggregate)

Species	Season Dates	Daily Bag Limit	Possession Limit
Gallinules	Sept. 20-Sept. 28 Nov. 8-Jan. 7	15	45
Snipe	West Zone: Nov. 2-Dec. 7 Dec. 20-Feb. 28 East Zone: Nov. 2-Dec. 7 Dec. 20-Feb. 28	8	24
Ducks, Coots and Mergansers	West Zone: Nov. 8-Nov. 9 (Youth only) Nov. 15-Dec. 7 Dec. 20-Jan. 25 Jan. 31-Feb. 1 (Veteran's only) East Zone: Nov. 15-Nov. 16 (Youth and Veteran's only) Nov. 22-Dec. 8 Dec. 20-Jan. 31	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 3 pintails (no more than 1 female). 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. 15-Dec. 8 Dec. 20-Feb. 7 West Zone: Nov. 8-Dec. 7 Dec. 20-Feb. 1	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. 15-Dec. 8 Dec. 20-Feb. 7 West Zone: Nov. 8-Dec. 7 Dec. 20-Feb. 1	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. 9-Dec. 19 Feb. 8-Mar. 15 West Zone: Dec. 8-Dec. 19 Feb. 2-Mar. 15	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. 13-Sept. 29	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. 1-Dec. 17	
Rails and Gallinule	Nov. 1-Nov. 7 Jan. 8-Jan. 31	
Ducks	Nov. 1-Jan. 31	

D. - H.2. ...

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), LR 51:

**Public Hearing**

In accordance with R.S. 49:966(H)(2), a public hearing on the proposed substantive changes will be held by the Department of Wildlife and Fisheries on April 22, 2025 at 10 a.m. in the Joe L. Herring Louisiana Room of the Wildlife and Fisheries Headquarters Building, 2000 Quail Drive, Baton Rouge, LA, 70808.

Kevin Sagrera  
Chairman

2503#020

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