

2024 Regular Session

HOUSE BILL NO. 305

BY REPRESENTATIVES ORGERON, AMEDEE, BAYHAM, BERAULT, BILLINGS,
BOURRIAQUE, BRAUD, CARRIER, WILFORD CARTER, CARVER, COX,
CREWS, DEWITT, DOMANGUE, EGAN, FONTENOT, MIKE JOHNSON,
KERNER, ST. BLANC, THOMPSON, WYBLE, AND ZERINGUE

1 AN ACT

2 To amend and reenact R.S. 49:214.5.4(E)(1), (3), (4)(introductory paragraph) and (b), and
3 (5)(a)(introductory paragraph) and (b) and (F) and to enact R.S. 49:214.5.4(K),
4 relative to proceeds from alternative energy production in the coastal area; to provide
5 for disposition of revenues; to provide for restrictions on the use of revenues; to
6 provide for effectiveness; and to provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 49:214.5.4(E)(1), (3), (4)(introductory paragraph) and (b), and
9 (5)(a)(introductory paragraph) and (b) and (F) are hereby amended and reenacted to read as
10 follows:

11 §214.5.4. Funding and resource allocation

12 * * *

13 E.(1) Subject to Article VII, Sections 9(B) and 10.1 of the Constitution of
14 Louisiana, in each fiscal year, the federal revenues that are received by the state
15 generated from Outer Continental Shelf energy production, including but not limited
16 to oil and gas activity, wind energy, solar energy, tidal energy, wave energy,
17 geothermal energy, and other alternative or renewable energy production or sources,
18 and eligible, as provided by federal law, to be used for the purposes provided in this

1 Subsection shall be deposited and credited by the treasurer to the Coastal Protection
2 and Restoration Fund.

3 * * *

4 (3) In each year, no more than ten percent of the federal revenues received
5 by the state generated from Outer Continental Shelf ~~oil and gas activity~~ energy
6 production may be used for the purposes of infrastructure directly impacted by
7 coastal wetlands losses.

8 (4) In each fiscal year, at least two hundred thousand dollars but no more
9 than seven percent of the federal revenues received by the state generated from Outer
10 Continental Shelf ~~oil and gas activity~~ energy production may be used for
11 administrative costs or fees. The provisions of this Paragraph shall not apply to the
12 following:

13 * * *

14 (b) Any securitization or other monetizing of all or any portion of the federal
15 revenues received by the state generated from Outer Continental Shelf ~~oil and gas~~
16 ~~activity~~ energy production.

17 * * *

18 (5)(a) Beginning with Fiscal Year 2022, a portion of the total federal
19 revenues received by the state generated from Outer Continental Shelf ~~oil and gas~~
20 ~~activity~~ energy production shall be allocated solely for hurricane protection projects,
21 including operation and maintenance, that are included in or consistent with the
22 master plan as follows:

23 * * *

24 (b) If the total federal revenues received by the state generated from Outer
25 Continental Shelf ~~oil and gas activity~~ energy production are less than one hundred
26 million dollars in any fiscal year, then the minimum allocations contained in
27 Subparagraph (a) of this Paragraph shall not apply.

28 * * *

29 F. The money in the fund shall be invested as provided by law and any
30 earnings realized on investment of money in the fund shall be deposited in and

1 credited to the fund. Revenues derived from integrated coastal protection programs,
 2 projects, or activities shall be deposited in and credited to the fund. Money from
 3 other sources, such as donations, appropriations, or dedications, may be deposited
 4 in and credited to the fund; however, the balance of the fund which, exclusive of
 5 federal revenues received as provided for in Subsection E of this Section and state
 6 revenues as provided in Subsection K of this Section, consists of mineral revenues
 7 from severance taxes, royalty payments, bonus payments, or rentals shall not exceed
 8 five hundred million dollars. Any unexpended money remaining in the fund at the
 9 end of the fiscal year shall be retained in the fund.

10 * * *

11 Section 2. R.S. 49:214.5.4(K) is hereby enacted to read as follows:

12 * * *

13 K.(1) Subject to Article VII, Sections 9(B) and 10.1 of the Constitution of
 14 Louisiana, in each fiscal year, the revenues that are received by the state generated
 15 upon state lands or waterbottoms located in the coastal area from alternative or
 16 renewable energy production or sources, including but not limited to wind energy,
 17 solar energy, tidal energy, wave energy, and geothermal energy, shall be deposited
 18 and credited by the treasurer to the Coastal Protection and Restoration Fund.

19 (2) Such revenues shall be used only for the purposes of integrated coastal
 20 protection, including but not limited to coastal wetlands conservation, coastal
 21 restoration, hurricane protection, or for infrastructure directly impacted by coastal
 22 wetlands losses.

23 (3) In each year, no more than ten percent of the revenues received by the
 24 state generated upon state lands or waterbottoms located in the coastal area from
 25 alternative or renewable energy production or sources, including but not limited to
 26 wind energy, solar energy, tidal energy, wave energy, and geothermal energy, may
 27 be used for the purposes of infrastructure directly impacted by coastal wetlands
 28 losses.

29 Section 3.(A) The provisions of this Section and Section 2 of this Act shall become
 30 effective upon signature by the governor or, if not signed by the governor, upon expiration

1 of the time for bills to become law without signature by the governor, as provided by Article
 2 III, Section 18 of the Constitution of Louisiana. If vetoed by the governor and subsequently
 3 approved by the legislature, this Section and Section 2 of this Act shall become effective on
 4 the day following such approval.

5 (B) The provisions of Section 1 of this Act shall take effect and become operative
 6 if and when the proposed amendment of Article VII of the Constitution of Louisiana
 7 contained in the Act which originated as House Bill No. 300 of this 2024 Regular Session
 8 of the Legislature is adopted at a statewide election and becomes effective.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____