

2022 Regular Session

SENATE BILL NO. 114

BY SENATOR CATHEY

COMMERCIAL REGULATIONS. Provides for the "Louisiana Consumer Energy Choice Act". (gov sig)

1 AN ACT

2 To enact Chapter 49 of Title 51 of the Louisiana Revised Statutes of 1950, to be comprised
3 of R.S. 51:3051 through 3053, relative to consumer access to certain energy sources;
4 to prohibit the adoption of local ordinances limiting access to certain energy sources;
5 to provide for definitions; to provide for an effective date; and to provide for related
6 matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. Chapter 49 of Title 51 of the Louisiana Revised Statutes of 1950,
9 comprised of R.S. 51:3051 through 3053, is hereby enacted to read as follows:

10 **CHAPTER 49. LOUISIANA CONSUMER ENERGY CHOICE ACT**

11 **§3051. Short Title**

12 **This Chapter shall be known and may be cited as the "Louisiana**
13 **Consumer Energy Choice Act".**

14 **§3052. Energy source; defined**

15 **For the purposes of this Chapter, "energy source" means any fuel or**
16 **power source used to power an engine, including but not limited to aviation fuel,**
17 **biofuel, compressed natural gas, diesel, electricity to be utilized for the charging**

1 of electric vehicles, gasoline, gas distillates, hydrogen, liquified petroleum gas,
2 and renewable diesel.

3 §3053. Consumer access; prohibitions

4 No local governing authority shall adopt an ordinance, rule, or law that
5 limits consumer access to an energy source or that results in the prohibition of
6 a wholesaler, retailer energy producer, or the related infrastructure that is
7 necessary to provide consumer access to a specific energy source within the
8 jurisdiction of the local governing authority.

9 Section 2. It is the intent of the legislature that the provisions of this Act shall apply
10 both retroactively and prospectively. It is further the intent of the legislature that any
11 ordinance, rule, or law by local governing authority described in Section 1 of this Act shall
12 be void ab initio.

13 Section 3. This Act shall become effective upon signature by the governor or, if not
14 signed by the governor, upon expiration of the time for bills to become law without signature
15 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
16 vetoed by the governor and subsequently approved by the legislature, this Act shall become
17 effective on the day following such approval.

The original instrument and the following digest, which constitutes no part
of the legislative instrument, were prepared by Xavier I. Alexander.

DIGEST

SB 114 Original 2022 Regular Session Cathey

Proposed law establishes the "Louisiana Consumer Energy Choice Act".

Proposed law defines "energy source" as any fuel or power source used to power an engine, including but not limited to aviation fuel, biofuel, compressed natural gas, diesel, electricity, gasoline, gas distillates, hydrogen, liquified petroleum gas, and renewable diesel.

Proposed law provides that no local governing authority shall adopt an ordinance, rule, or law that limits consumer access to an energy source or that results in the prohibition of a wholesaler, retail energy producer, or the related infrastructure that is necessary to provide consumer access to a specific energy source within the local governing authority.

Proposed law provides for retroactive and prospective application.

Effective upon signature of the governor or lapse of time for gubernatorial action.

(Adds R.S. 51:3051-3053)