

RÉSUMÉ DIGEST

ACT 358 (HB 348)

2019 Regular Session

Bourriague

Existing law requires that the comprehensive agreement incorporate the duties of the private entity under existing law and authorizes the agreement to contain other terms and conditions that the authority and responsible public entity determine serve the public purpose of existing law.

Existing law specifies that the comprehensive agreement may contain, without limitation, provisions under which the authority agrees to provide notice of default and cure rights for the benefit of the private entity and the parties providing financing for the qualifying transportation facility and other lawful terms and conditions to which the private entity, the authority, and the responsible public entity mutually agree to, including provisions regarding unavoidable delays.

New law adds that the comprehensive agreement may also contain provisions for the authority to retain liability for damages arising from personal injury or property damage to third parties occurring on an existing state-owned highway or transportation facility, or portions thereof.

Effective June 11, 2019.

(Amends R.S. 48:250.4(A) and 2084.6(D))