

Regular Session, 2012

HOUSE BILL NO. 649

BY REPRESENTATIVE JIM MORRIS

MINERALS: Provides for the remediation of certain oil field sites

1 AN ACT

2 To amend and reenact R.S. 30:29(H), relative to the evaluation and remediation of oilfield
3 sites and exploration and production sites; to provide for certain claims; and to
4 provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 30:29(H) is hereby amended and reenacted to read as follows:

7 §29. Remediation of oilfield sites and exploration and production sites

8 * * *

9 H. This Section shall not preclude an owner of land from pursuing a judicial
10 remedy or receiving a judicial award for private claims suffered as a result of
11 environmental damage, except as otherwise provided in this Section. Nor shall it
12 preclude a judgment ordering damages for or implementation of additional
13 remediation in excess of the requirements of the plan adopted by the court pursuant
14 to this Section as may be required in accordance with the terms of an express
15 contractual provision. Any award granted in connection with the judgment for
16 additional remediation is not required to be paid into the registry of the court. This
17 Section shall not be interpreted to create any cause of action or to impose additional
18 implied obligations under the ~~mineral code~~ Mineral Code or arising out of a mineral
19 lease.

20 * * *

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

Jim Morris

HB No. 649

Abstract: Provides that landowners may pursue private claims.

Present law does not preclude an owner of land from pursuing a judicial remedy or receiving a judicial award for private claims suffered as a result of environmental damage nor preclude a judgment ordering damages for or implementation of additional remediation in excess of the requirements of the plan as may be required in accordance with the terms of an express contractual provision. Any award granted in connection with the judgment for additional remediation is not required to be paid into the registry of the court.

Present law provides that present law shall not be interpreted to create any cause of action or additional obligations under the Mineral Code or arising out of a mineral lease.

Proposed law retains present law.

(Amends R.S. 30:29(H))