

NOTICE OF INTENT

Louisiana Economic Development Office of Economic Development

Small and Emerging Business Development Program (LAC 19:II.Chapters 1 and 3)

Louisiana Economic Development, Office of Economic Development, authorized by and pursuant to the provision of the Administrative Procedure Act, R.S. 49:950 et seq., and R.S. 36:104, hereby gives notice of their intent to amend and propose the rules for the administration of the Small and Emerging Business Development Program.

The purpose of this regulation is to implement the Administrative Rules and Regulations of the Office of Governor Executive Order No. JML 25-038 to align regulations with the agency's mission and as required by R.S. 51:942, et seq.

Title 19

CORPORATIONS AND BUSINESS

Part II. Small and Emerging Business Development

Program

Chapter 1. General Provisions

§101. Statement of Policy

A. In accordance with the provisions of R.S. 51:941-945 and the provisions of the Administrative Procedure Act, R.S. 49:950-970 as amended, Louisiana Economic Development's Small and Emerging Business Development Program administers these regulations which are intended to prescribe the procedures for qualifying and certifying small and emerging businesses; to provide for bonding and other financial assistance; to provide for technical and managerial assistance; to provide for a business mentor-protégé program; to recognize achievements for small and emerging businesses; and to facilitate access to state agency procurement.

AUTHORITY NOTE: Promulgated in accordance with R.S. 51:942.

HISTORICAL NOTE: Promulgated by the Department of Economic Development, Office of the Secretary, Division of Economically Disadvantaged Business Development, LR 23:49 (January 1997), amended by the Department of Economic Development, Office of Business Development, LR 29:542 (April 2003), LR 30:753 (April 2004), amended by Louisiana Economic Development, Office of Economic Development, LR 51:

§105. Definitions

A. When used in these regulations, the following terms shall have meanings as set forth below.

Assistant Secretary—Repealed.

Designee—Repealed.

Deputy Secretary—the deputy secretary of Louisiana Economic Development.

Deputy Undersecretary—the deputy undersecretary of Louisiana Economic Development.

Director—Repealed.

Louisiana Economic Development (LED)—formerly Department of Economic Development.

Secretary—the Secretary of Louisiana Economic Development.

Undersecretary—Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 51:942.

HISTORICAL NOTE: Promulgated by the Department of Economic Development, Office of the Secretary, Division of Economically Disadvantaged Business Development, LR 23:50 (January 1997), amended LR 24:430 (March 1998), amended by the Department of Economic Development, Office of Business Development, LR 29:542 (April 2003), LR 30:753 (April 2004), LR 33:2030 (October 2007), LR 36:51 (January 2010), amended by Louisiana Economic Development, Office of Economic Development, LR 51:

§107. Eligibility Requirements for Certification

A. - C.6. ...

D. Requirement for Certification. Must have an e-mail address and appropriately complete the on-line application located on a website designated by LED.

AUTHORITY NOTE: Promulgated in accordance with R.S. 51:942.

HISTORICAL NOTE: Promulgated by the Department of Economic Development, Office of the Secretary, Division of Economically Disadvantaged Business Development, LR 23:50 (January 1997), amended LR 24:430 (March 1998), LR 25:1084 (June 1999), LR 26:1572 (August 2000), amended by the Department of Economic Development, Office of Business Development, LR 29:542 (April 2003), LR 30:754 (April 2004), LR 33:2030 (October 2007), LR 36:52 (January 2010), amended by Louisiana Economic Development, Office of Economic Development, LR 51:

§111. Eligibility Requirements for Certification

A. ...

B. Certification in the SEBD Program is accomplished on-line on a website designated by LED. Applicants must have an e-mail address to become certified in the SEBD Program.

C. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 51:942.

HISTORICAL NOTE: Promulgated by the Department of Economic Development, Office of the Secretary, Division of Economically Disadvantaged Business Development, LR 23:52 (January 1997), amended by the Department of Economic Development, Office of Business Development, LR 29:543 (April 2003), LR 30:755 (April 2004), LR 33:2030 (October 2007), amended by Louisiana Economic Development, Office of Economic Development, LR 51:

§113. Certification Application Procedure

A. - B. ...

C. SEBD Program staff, notifies the applicant by e-mail of the decision whether or not to grant certification.

AUTHORITY NOTE: Promulgated in accordance with R.S. 51:942.

HISTORICAL NOTE: Promulgated by the Department of Economic Development, Office of the Secretary, Division of Economically Disadvantaged Business Development, LR 23:52 (January 1997), amended by the Department of Economic Development, Office of Business Development, LR 29:544 (April 2003), LR 30:755 (April 2004), LR 33:2031 (October 2007), amended by Louisiana Economic Development, Office of Economic Development, LR 51:

§115. Duration of Certification; Graduation through Growth

A. The maximum amount of time that a firm may be granted certification by the SEBD Program is unlimited until the firm graduates, by growing to exceed the eligibility requirements for certification, as provided in §107, or is terminated from the program by LED.

B. Retention of the firm in the program depends upon time, the firm's progress toward attainment of its business goals, willingness or ability to cooperate, and follow through on recommendations of the SEBD Program staff.

AUTHORITY NOTE: Promulgated in accordance with R.S. 51:942.

HISTORICAL NOTE: Promulgated by the Department of Economic Development, Office of the Secretary, Division of Economically Disadvantaged Business Development, LR 23:52 (January 1997), amended LR 26:1572 (August 2000), amended by the Department of Economic Development, Office of Business Development, LR 29:544 (April 2003), LR 30:755 (April 2004), amended by the House Concurrent Resolution Number 8 of the 2006 Regular Legislative Session, LR 32:1536 (August 2006), amended by the Department of Economic Development, Office of Business Development, LR 33:2031 (October 2007), amended by Louisiana Economic Development, Office of Economic Development, LR 51:

§117. Reports by Certified Small and Emerging Businesses

A. Mandatory Reporting. By letter, or on forms which may be identified or prescribed by the SEBD Program, certified businesses shall continue to report every five years and at times specified by the SEBD Program their financial position and attainment of the business' performance goals. Failure to report or failure to report on a timely basis, as required every five years or as otherwise requested by the SEBD Program staff, shall result in the business' termination of its SEBD certification and from the program.

B. Verification of Eligibility. SEBD Program staff, may take any reasonable means at any time to confirm a certified firm's eligibility, such as by letter, telephone, contact with other governmental agencies, persons, companies, suppliers, or by either announced or unannounced site inspection.

C. Notification of Changes. To continue participation, a certified firm shall provide the SEBD Program, with a written statement of any changes in an address, telephone number, ownership, control, financial status, or major changes in the nature of the operation. Failure to do so may be grounds for termination of eligibility.

D. Evaluation. The SEBD Program staff, as necessary, shall evaluate the information to determine progress, areas for further improvement, resources needed by the firm, and eligibility for continued participation in the program.

AUTHORITY NOTE: Promulgated in accordance with R.S. 51:942.

HISTORICAL NOTE: Promulgated by the Department of Economic Development, Office of the Secretary, Division of Economically Disadvantaged Business Development, LR 23:52 (January 1997), LR 26:1572 (August 2000), amended by the Department of Economic Development, Office of Business Development, LR 29:544 (April 2003), LR 30:755 (April 2004), amended by Louisiana Economic Development, Office of Economic Development, LR 51:

Chapter 3. Developmental Assistance Program

§301. Small Business Bonding Assistance

A - B.1. ...

2. Determination of Additional Assistance. In consultation with the business owner, the SEBD Program staff will determine areas in which the business owner needs additional assistance.

3. Referral to Additional Resources. The SEBD Program will assist the firm obtain technical and/or managerial assistance from other resources, such as small business development centers, procurement centers, consultants, business networks, professional business associations, educational institutions, and other public agencies.

4. Ongoing Evaluation. In conjunction with the small and emerging business firm and appropriate external resources, the SEBD Program will periodically assess the SEB firm's progress toward attainment of its business goals. The SEBD Program, in conjunction with the SEB firm, will determine the effectiveness of assistance being administered. If assistance is ineffective, the SEBD Program staff will investigate and take appropriate action.

5. Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 51:942.

HISTORICAL NOTE: Promulgated by the Department of Economic Development, Office of the Secretary, Division of Economically Disadvantaged Business Development, LR 23:53 (January 1997), LR 26:1573 (August 2000), amended by the Department of Economic Development, Office of Business Development, LR 29:544 (April 2003), LR 30:755 (April 2004), amended by the House Concurrent Resolution Number 8 of the 2006 Regular Legislative Session, LR 32:1536 (August 2006), repealed by Louisiana Economic Development, Office of Economic Development, 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 Statement

The proposed Rule is not anticipated to have an impact on poverty as described in R.S. 49:973.

Provider Impact Statement

The proposed Rule is not anticipated to have an impact on providers of services as described in HCR 170 of the 2014 Regular Legislative Session.

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.

Public Comments

Interested persons should submit written comments on the proposed Rules to Stephanie Hartman, Louisiana Economic Development, 617 North 3rd Street, 11th Floor, Baton Rouge, LA 70802 or via email to Stephanie.Hartman@LA.GOV. All comments must be received no later than close of business day, September 26, 2025.

Public Hearing

A meeting for the purpose of receiving the presentation of oral comments on the Notice of Intent will be held at 10 a.m. on September 29, 2025 in the La Belle Conference Room at the LaSalle Building, 617 North 3rd Street, Baton Rouge, LA 70802. 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 Dawn Thibodeaux at least two working days in advance of the hearing. For assistance, call 225.342.3740 (voice and TDD) or email dawn.thibodeaux@la.gov.

Anne G. Villa:
Deputy Secretary/CFO

**FISCAL AND ECONOMIC IMPACT STATEMENT
FOR ADMINISTRATIVE RULES
RULE TITLE: Small and Emerging Business
Development Program**

**I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO
STATE OR LOCAL GOVERNMENT UNITS (Summary)**

The proposed rule changes are not anticipated to result in any direct material effect on governmental expenditures or savings to state or local governmental units. Any administrative duties brought about by the proposed rule changes will be carried out utilizing existing staff and resources at the LA Economic Development (LED).

The proposed amendment to the rule provides the unlimited certification for businesses certified as small and emerging (Firms), instead of a 10-year certification, until the Firm graduates by exceeding the eligibility requirements of certification or is terminated from the program by LED. The proposed rule better aligns the program guidelines to statutory provisions and administrative practices as required by LA. R.S. 51:942, et seq., and the Office of the Governor Executive Order No. 25-038.

**II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE
OR LOCAL GOVERNMENTAL UNITS (Summary)**

The proposed rule change is not anticipated to affect revenue collections for 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 to directly affected persons, small businesses, or non-governmental groups. The proposed rule allows for an unlimited certification for businesses certified as small and emerging (Firms), instead of a 10-year certification, until the Firm graduates or is terminated from the program by LED; thereby providing the Firm with the benefits of access to technical and managerial assistance to allow for growth and attainment of business goals.

**IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT
(Summary)**

Companies receiving benefits under this program will gain a competitive advantage over small and emerging businesses that do not receive the program's benefits. The proposed rule changes are anticipated to allow participating companies to access technical and managerial assistance over a longer time horizon, which is anticipated to further allow for growth in the businesses and potentially increase employment within the small and emerging businesses.

Anne G. Villa
Deputy Secretary/CFO
2508#043

Alan M. Boxberger
Legislative Fiscal Officer
Legislative Fiscal Office

NOTICE OF INTENT

**Department of Energy and Natural Resources
Office of Conservation**

Pipeline Safety
(LAC 33:V.Chapter 301 and LAC 43:XIII.Chapter 3)

The Department Energy and Natural Resources, Office of Conservation proposes to amend LAC 33:V. and LAC 43:XIII. in accordance with the provisions of the Administrative Procedure Act, R.S. 49:950 et seq., and pursuant to the power delegated under the laws of the state of Louisiana.

The proposed Rule changes are required as a part of the Department Energy and Natural Resources certification agreement with the US Department of Transportation and are intended to adopt existing federal regulations as state regulations. In addition there are state specific changes to LAC 33:V.30146 and LAC 43:VIII.322 to correct a date for the operator registration each year.

Title 33

ENVIRONMENTAL QUALITY

Part V. Hazardous Waste and Hazardous Materials

Subpart 3. Natural Resources

**Chapter 301. Transportation of Hazardous Liquids by
Pipeline**

[49 CFR Part 195]

**Subchapter A. General [49 CFR Part 195 Subpart A]
§30103. Which Pipelines are Covered by this Subpart?**

[49 CFR 195.1]

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

a. a pipeline located in an inlet of the Gulf of America as provided in §30413. [49 CFR 195.1(a)(4)(iii)]

A.5. - B.3.b. ...

4. except for the reporting requirements of Subchapter B of this Subpart, see §30121, transportation of petroleum through an onshore rural gathering line that does not meet the definition of a *regulated rural gathering line* as provided in §30117. This exception does not apply to gathering lines in the inlets of the Gulf of America subject to §30413. [49 CFR 195.1(b)(4)]

B.5. - B.10.b. ...

C. Breakout tanks. Breakout tanks that are subject to this Subpart must comply with requirements that apply specifically to breakout tanks and, to the extent applicable, with requirements that apply to pipeline systems and pipeline facilities. If a conflict exists between a requirement that applies specifically to breakout tanks and a requirement that applies to pipeline systems or pipeline facilities, the requirement that applies specifically to breakout tanks prevails. Anhydrous ammonia breakout tanks need not comply with §§30189.B, 30205.B, 30264.B and E, 30307, 30428.C and D, and 30432.B and C. [49 CFR 195.1(c)]

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:703.

HISTORICAL NOTE: Promulgated by the Department of Natural Resources, Office of Conservation, Pipeline Division, LR 15:629 (August 1989), amended LR 18:861 (August 1992), LR