

PUBLICATION

Governor Jindal Signs Bill Aimed at Ending Suit by Levee Board

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On June 6, 2014, by signing into law SB 469, Louisiana Governor Bobby Jindal took an aggressive step towards stymieing the lawsuit recently filed by the Southeast Louisiana Flood Protection Authority-East against 97 oil and gas companies.

The law, originally offered by Sen. Bret Allain, R-Franklin, retroactively bars the lawsuit by excluding the Southeast Louisiana Flood Protection Authority-East from the types of entities which may bring such a suit. Exactly what will happen next remains uncertain as the constitutionality and legal effects of SB 469 are expected to be challenged in Louisiana and/or Federal courts on multiple grounds.

Prior to Jindal's signing of the bill, Louisiana Attorney General Buddy Caldwell asked Jindal to veto the bill, arguing that it was too broadly written and could have unintended and unforeseen consequences, including possible interference with state and local municipalities' ongoing claims against BP related to the Deepwater Horizon blowout and oil spill. Thus, while the ultimate outcome of the Levee Board lawsuit is still unclear, Governor Jindal and the Louisiana oil and gas lobby are claiming victory and a re-affirmance of Louisiana's support for the oil and gas industry.