



LOUISIANA WILDLIFE FEDERATION

The voice of Louisiana's wildlife and natural resources since 1940.

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Resolution 4, 2026

SUBJECT: Legislative Bill Providing Limited Immunity for Purple Martin Conservationists

WHEREAS, according to the U.S. Fish and Wildlife Service, bird watching is one of the most popular outdoor activities in the country, with over 45 million people aged 16 or older (ⁱ-18% of the U.S. population) taking part each year, bringing \$41 billion in annual revenue to the U.S. economy through the purchase of equipment (e.g., binoculars), bird feeding stations, nesting structures, and travels;ⁱ and

WHEREAS, for birdwatchers, Purple Martins are one of the most popular songbirds in the U.S., entertaining many with their acrobatics, but they also provide a great benefit to humans by often feeding heavily on winged insects, particularly those which are considered pests, including carpenter ant queens, Red Imported Fire Ants, termites, wasps and mosquitoes;ⁱⁱ and

WHEREAS, a base ecological energetics model providing quantitative estimates of Purple Martin insect consumption estimated that Purple Martins consumed 412 billion insects per year, including termites and fire ants, with a biomass of 115,860 metric tons per year;ⁱⁱⁱ and

WHEREAS, because “active Purple Martin colonies across the United States ... offer aesthetic benefits, foster tourism, maintain ecological diversity, and provide immense educational opportunity for children and adults alike,” the U.S. Congress passed a resolution designating August 10, 2024, as “Purple Martin Conservation Day;”^{iv} and

WHEREAS, the eastern subspecies of Purple Martin (*Progne subis subis*), the subspecies which breeds in Louisiana, used to primarily nest in hollow trees, but due to a loss of habitat, now has a unique, long-standing relationship with humans, relying almost entirely on nest boxes and other human-made structures for nesting,^v and, in fact, Purple Martin houses and hollowed out gourds were documented in Native American^{vi} and colonial American villages^{vii} as far back as the late 1700's, and before; and

WHEREAS, Louisiana Purple Martin conservationists who maintain nesting structures and submit “Adult Scout Arrival Reports” for migrating Purple Martins are located in 128 locations all over the State of Louisiana, from Shreveport, to Monroe, to Lake Charles, to Lafayette, to Port Sulphur, to Port Fourchon, and to New Orleans as well as many towns and cities in between;^{viii} and

WHEREAS, Purple Martin populations in the U.S. have declined by 24.1% over the last 55 years, with 2.8 million birds lost, which declines can be partially attributed to habitat loss and competition with non-native, invasive species like the English House Sparrow and European Starling;^{ix} and

WHEREAS, Louisiana has lost about 44% of its population of Purple Martins over the last 20 years;^x and

WHEREAS, national conservationist organizations have expressed concerns about the aging population of Purple Martin conservationists, coupled with the lack of conservationists in younger generations, which is likely to result in a deficit of Purple Martin housing in the future, and possibly the extinction of the eastern subspecies;^{xi} and

WHEREAS, the U.S. Fish and Wildlife Service does not include the Purple Martin among nuisance swallows,^{xii} and has stated that, "Nest or bird removal applications must be justified with strong, compelling reasons such as a health or safety hazard towards humans and/or birds or damage to property;"^{xiii} and

WHEREAS, Courts elsewhere in the country have found that Purple Martins are not a nuisance as a matter of law,^{xiv} but some communities around the country have ignored this caselaw; and

WHEREAS, under these circumstances, Purple Martins and the conservationists who seek to provide nesting areas now require legal protection from such unwarranted prosecution.

THEREFORE, BE IT RESOLVED that the Louisiana Wildlife Federation supports the passage of legislation amending Louisiana Revised Statutes Title 56, §112 to create a clear exception and provide immunity from nuisance claims for Purple Martins and for conservation-minded landowners who provide nesting structures on their private property, as set forth in the proposed amendment language referenced below, in order to promote the conservation and stewardship of this beneficial native bird species:

D. Notwithstanding any other law to the contrary including this section, because of the benefits Purple Martins provide to humans in their natural role in insect control, and because their numbers are rapidly decreasing, it shall be the policy of this State henceforth that any persons, organizations and/or corporate entities who, as conservationists, provide housing, nesting and/or breeding gourds, devices, houses and/or structures on their own private property for the benefit of Purple Martins shall be immune to all parish, municipal or local laws, regulations and/or ordinances based upon nuisance or related theories of legal responsibility and liability based upon such activities, and, that they shall therefore not be subject to any fines, penalties, injunctive relief and/or incarceration for such activities. Further, no political subdivision, parish or municipality shall pass or enforce any law, ordinance, regulation, order or rule limiting the number or size of, or causing the removal of, houses, gourds, devices and/or structures on private property intended to provide housing, nesting and/or breeding sites for Purple Martins.

Adopted by the Louisiana Wildlife Federation in Convention Assembled on February 28, 2026, in Lafayette, Louisiana.

ⁱUSFWS: *2016 Birding in the United States: A Demographic and Economic Analysis*, Addendum to the 2016 National Survey of Fishing, Hunting, and Wildlife-Associated Recreation. Report 2016-2. <https://digitalmedia.fws.gov/digital/collection/document/id/2252>

ⁱⁱForsman, A. M. et al. (2022), *Evaluating the impacts of metabarcoding primer selection on DNA characterization of diet in an aerial insectivore, the Purple Martin*. *Ornithology* 139, Issue 1, 11 January 2022, ukab075, <https://doi.org/10.1093/ornithology/ukab075>; Frimeth, J. P. and H. P. Arai. (2011), *Some potential mosquito vectors of the canine heartworm, *Dirofilaria immitis*, in the Calgary region of southern Alberta*. *Canadian Journal of Zoology*. 61(5): 1156-1158. <https://doi.org/10.1139/z83-153>; Helms, J. A., A. P. Godfrey, T. Ames, and E. S. Bridge (2016), *Predator foraging altitudes reveal the structure of aerial insect communities*. *Scientific Reports* 6: 28670. doi: 10.1038/srep28670.

ⁱⁱ Helms, J. A., A. P. Godfrey, T. Ames, and E. S. Bridge (2016b), *Are invasive fire ants kept in check by native aerial insectivores?* *Biology Letters* 12: 20160059.

ⁱⁱ Oniki-Willis, Y., Willis, E.O., Machado, V.L.L. et al. (2022). *Diet of two coexisting martins (Passeriformes: Hirundinidae) from southeastern Brazil*. *Ornithol. Res.* 30, 130–134. <https://doi.org/10.1007/s43388-022-00092-3>

ⁱⁱⁱ Kelly JF, Bridge ES, Frick WF, Chilson PB (2013) *Ecological Energetics of an Abundant Aerial Insectivore, the Purple Martin*. *PLoS ONE* 8(9):e76616. doi:10.1371/journal.pone.0076616

^{iv} S. Res.803, S5790 Congressional Record — Senate (118th Cong. August 1, 2024)

^v Brown, et al. 2021

^{vi} Alexander Wilson, *American Ornithology*, (1808)

^{vii} Naturalist Mark Catesby, *Natural History of Carolina, Florida & the Bahama Islands*

^{viii} Purple Martin Conservation Association website,

<https://www.purplemartin.org/research/scoutreports.php?Y=2025&S=LA>

^{ix} Purple Martin Conservation Association Website, <https://www.purplemartin.org/why/>

^x Affidavit of LSU Professor, Dr. Erik Johnson

^{xi} Jervis, L. L., P. Spicer, W.C. Foster, J. Kelly, and E. Bridge. 2019. *Resisting Extinction: Purple Martins, Death, and the Future*. *Conservation and Society* 17(3):p 227-235, Jul–Sep 2019. | DOI: 10.4103/cs.cs_18_37

^{xii} <https://www.fws.gov/story/nuisance-swallows>

^{xiii} *Ibid.*

^{xiv} See, e.g., *Streetman v. Lowe*, 2017-CA-000092, 2018 Fla. Cir. LEXIS 2058 (Fla. 7 Cir. 1/23/2018)