

House Committee on Civil Law and Procedure

Minutes of Meeting
2020 First Extraordinary Session
June 22, 2020

I. CALL TO ORDER

Representative Gregory A. Miller, chairman of the House Committee on Civil Law and Procedure, called the meeting to order at 11:57 a.m. in Room 6, in the state capitol in Baton Rouge, Louisiana.

II. ROLL CALL

MEMBERS PRESENT:

Representative Gregory A. Miller, chairman
Representative Beryl A. Amedée
Representative Phillip R. DeVillier
Representative Michael Charles Echols
Representative Julie Emerson
Representative Lawrence "Larry" Frieman
Representative Patrick O. Jefferson
Representative Sam L. Jenkins, Jr.
Representative Michael T. Johnson, vice chairman
Representative Mandie Landry
Representative Richard James Nelson

MEMBERS ABSENT:

Representative Robby Carter
Representative Wilford Dan Carter, Sr.
Representative Cedric B. Glover
Representative Valarie Hodges
Representative Nicholas Muscarello, Jr.
Representative Thomas A. Pressly
Representative Alan Seabaugh

STAFF MEMBERS PRESENT:

Annie Smith, attorney
Amy Pirtle, attorney
Diane Merritt, committee assistant

ADDITIONAL ATTENDEES PRESENT:

Myrtis Jarrell, sergeant at arms
Maddie Murphy, clerk
Danny Leming, sergeant at arms

The meeting was recessed at 11:58 a.m. and reconvened at 2:16 p.m.

III. DISCUSSION OF LEGISLATION**House Bill No. 58 by Representative Firment**

On behalf of Representative Firment, Representative Gregory Miller offered a motion to voluntarily defer action on House Bill No. 58, which provides relative to limitations of liability due to the COVID-19 public health emergency. Without objection, action on House Bill No. 58 was voluntarily deferred by a vote of 10 yeas, 0 nays, and 1 abstention. Representatives Amedee, DeVillier, Echols, Emerson, Frieman, Jefferson, Jenkins, Mike Johnson, Landry, and Nelson voted yea. Representative Gregory Miller abstained.

Senate Bill No. 11 by Senator Fesi

On behalf of Senator Fesi, Representative Gregory Miller presented Senate Bill No. 11, which provides relative to civil liability and certain actions for nullity involving fraud.

Representative Gregory Miller offered amendments to change "must" to "shall" and clarify that the prescriptive period to bring the action to annul the judgment begins when the fraudulent action is discovered. Representative Gregory Miller offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 10 yeas, 0 nays, and 1 abstention. Representatives Amedee, DeVillier, Echols, Emerson, Frieman, Jefferson, Jenkins, Mike Johnson, Landry, and Nelson voted yea. Representative Gregory Miller abstained.

Representative Gregory Miller offered a motion to report Senate Bill No. 11 with amendments. Without objection, Senate Bill No. 11 was reported with amendments by a vote of 10 yeas, 0 nays, and 1 abstention. Representatives Amedee, DeVillier, Echols, Emerson, Frieman, Jefferson, Jenkins, Mike Johnson, Landry, and Nelson voted yea. Representative Gregory Miller abstained.

Witness cards received from individuals who did not speak are as follows: 1 in support. Witness cards are included in the committee records.

IV. OTHER BUSINESS

There was no other business.

V. ANNOUNCEMENTS

There were no announcements.

VI. ADJOURNMENT

The meeting was adjourned at 2:29 p.m.

Respectfully submitted,

Chairman Gregory A. Miller
House Committee on Civil Law and Procedure