

## **House Committee on Civil Law and Procedure**

Minutes of Meeting  
2021 Regular Session  
April 19, 2021

### **I. CALL TO ORDER**

Representative Gregory A. Miller, chairman of the House Committee on Civil Law and Procedure, called the meeting to order at 10:23 a.m. in Room 4, in the state capitol in Baton Rouge, Louisiana.

### **II. ROLL CALL**

#### **MEMBERS PRESENT:**

Representative Gregory A. Miller, chairman  
Representative Beryl A. Amedée  
Representative Michael Charles Echols  
Representative Lawrence "Larry" Frieman  
Representative Sam L. Jenkins, Jr.  
Representative Michael T. Johnson, vice chairman  
Representative Mandie Landry  
Representative Joseph A. Marino, III  
Representative Richard James Nelson  
Representative Thomas A. Pressly  
Representative Clay Schexnayder, ex officio

#### **MEMBERS ABSENT:**

Representative Robby Carter  
Representative Wilford Dan Carter, Sr.  
Representative Julie Emerson  
Representative Valarie Hodges  
Representative Patrick O. Jefferson  
Representative Ed Larvadain, III  
Representative Nicholas Muscarello, Jr.  
Representative Alan Seabaugh

#### **STAFF MEMBERS PRESENT:**

Annie Smith, attorney  
Amy Pirtle, attorney  
Megan Sanders, committee administrative assistant

Diane Merritt, committee administrative assistant

**ADDITIONAL ATTENDEES PRESENT:**

Zachary Gonzales, attorney  
Maddie Murphy, clerk  
Vivian Hurst, sergeant at arms

**III. DISCUSSION OF LEGISLATION**

**House Bill No. 55 by Representative Freeman**

*This is a continuation of the discussion on House Bill No. 55 from a meeting held on April 13, 2021. Please check for the prior action to complete the record of discussion and motions on House Bill No. 55.*

Representative Freeman presented House Bill No. 55, which provides relative to protective orders.

Representative Mike Johnson offered an amendment to change the punishment for perjury. Representative Mike Johnson offered a motion to adopt the proposed amendment. Without objection, the amendment was adopted by a vote of 9 yeas, 0 nays, and 1 abstention. Representatives Amedée, Echols, Frieman, Jenkins, Mike Johnson, Landry, Marino, Nelson, and Pressly voted yea. Representative Gregory Miller abstained.

Representative Gregory Miller offered amendments to:

- (1) Require the petitioner to date the petition.
- (2) Require the petitioner to sign the petition before a witness who shall sign and print his name.

Representative Gregory Miller offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 9 yeas, 0 nays, and 1 abstention. Representatives Amedée, Echols, Frieman, Jenkins, Mike Johnson, Landry, Marino, Nelson, and Pressly voted yea. Representative Gregory Miller abstained.

Debbie Hudnall, Louisiana Clerks of Court Association, 10202 Jefferson Highway, Bldg. A, Baton Rouge, LA 70809, (225) 293-1162, spoke for information only on House Bill No. 55.

Brandi Melissa, P.O. Box 1147, Baton Rouge, LA 70821, spoke in support of House Bill No. 55 and provided two photos, Exhibits A and B, which are included in the committee records.

Representative Jenkins offered a motion to report House Bill No. 55 with amendments. Without objection, House Bill No. 55 was reported with amendments by a vote of 9 yeas, 0 nays, and 1 abstention. Representatives Amedée, Echols, Frieman, Jenkins, Mike Johnson, Landry, Marino, Nelson, and Pressly voted yea. Representative Gregory Miller abstained.

Witness cards submitted by individuals who did not speak are as follows: 5 in support and 1 for information only. Witness cards are included in the committee records.

### **House Bill No. 188 by Representative Beaulieu**

Representative Beaulieu presented House Bill No. 188, which provides with respect to healthcare records.

Danny Ford, MAIFA, 532 Spanish Town Rd., Baton Rouge, LA 70802, (225) 247-4100, spoke in support of House Bill No. 188.

Representative Gregory Miller offered an amendment to specify that life, health, disability, or long-term care insurers may request health records. Representative Gregory Miller offered a motion to adopt the proposed amendments. After a brief recess, Representative Gregory Miller withdrew the amendments.

Representative Gregory Miller offered amendments to specify that life, health, disability, or long-term care insurers may request health records and to authorize life, health, disability, or long-term care insurers to request health records for underwriting purposes only. Representative Gregory Miller offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 9 yeas, 0 nays, and 1 abstention. Representatives Amedée, Echols, Frieman, Jenkins, Mike Johnson, Marino, Nelson, Pressly, and Schexnayder voted yea. Representative Gregory Miller abstained.

Representative Echols offered a motion to report House Bill No. 188 with amendments. Without objection, House Bill No. 188 was reported with amendments by a vote of 9 yeas, 0 nays, and 1 abstention. Representatives Amedée, Echols, Frieman, Jenkins, Mike Johnson, Marino, Nelson, Pressly, and Schexnayder voted yea. Representative Gregory Miller abstained.

### **House Bill No. 385 by Representative Beaulieu**

*This is a continuation of the discussion on House Bill No. 385 from a meeting held on April 14, 2021. Please check for the prior action to complete the record of discussion and motions on House Bill No. 385.*

Representative Beaulieu presented House Bill No. 385, which provides for the removal of abandoned manufactured housing units.

Representative Gregory Miller offered amendments to:

- (1) Define "abandoned manufactured home", "abandoned movable property", and "manufactured home".
- (2) Limit the privilege over abandoned manufactured homes to such homes not encumbered by a mortgage, lien, privilege, or security interest.
- (3) Remove the requirement that a copy of the notice be sent by certified mail to any known holder of any security interest in the abandoned manufactured home.
- (4) Require the owner of the immovable property to certify that the abandoned manufactured home has no mortgage, lien, privilege, or security interest encumbering it.
- (5) Add that in the event of a sale of the abandoned manufactured property, the buyer takes the property subject to any mortgages, liens, privileges, and security interests.
- (6) Change references from "manufactured home" and "movable property" to "abandoned manufactured home" and "abandoned movable property".

Representative Gregory Miller offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 9 yeas, 0 nays, and 1 abstention. Representatives Amedée, Echols, Frieman, Jenkins, Mike Johnson, Marino, Nelson, Pressly, and Schexnayder voted yea. Representative Gregory Miller abstained.

Representative Gregory Miller offered an amendment to make technical changes. Representative Gregory Miller offered a motion to adopt the proposed amendment. Without objection, the amendment was adopted by a vote of 9 yeas, 0 nays, and 1 abstention. Representatives Amedée, Echols, Frieman, Jenkins, Mike Johnson, Marino, Nelson, Pressly, and Schexnayder voted yea. Representative Gregory Miller abstained.

Representative Echols offered a motion to report House Bill No. 385 with amendments. Without objection, House Bill No. 385 was reported with amendments by a vote of 9 yeas, 0 nays, and 1 abstention. Representatives Amedée, Echols, Frieman, Jenkins, Mike Johnson, Marino, Nelson, Pressly, and Schexnayder voted yea. Representative Gregory Miller abstained.

Witness cards submitted by individuals who did not speak are as follows: 2 for information only. Witness cards are included in the committee records.

#### **IV. OTHER BUSINESS**

There was no other business.

## **V. ANNOUNCEMENTS**

There were no announcements.

## **VI. ADJOURNMENT**

Representative Pressly offered a motion to adjourn. Without objection, the motion passed by a vote of 10 yeas and 0 nays. Representatives Gregory Miller, Amedée, Echols, Frieman, Jenkins, Mike Johnson, Marino, Nelson, Pressly, and Schexnayder voted yea.

The meeting was adjourned at 11:36 a.m.

Respectfully submitted,

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