

## **House Committee on Commerce**

Minutes of Meeting  
2021 Regular Session  
June 1, 2021

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

Representative Paula P. Davis, chairwoman of the House Committee on Commerce, called the meeting to order at 9:05 a.m. in Room 1, in the state capitol in Baton Rouge, Louisiana.

### **II. ROLL CALL**

#### **MEMBERS PRESENT:**

Representative Paula P. Davis, chairwoman  
Representative Royce Duplessis  
Representative Bryan Fontenot  
Representative Brett F. Geymann  
Representative Jonathan Goudeau, I  
Representative Stephanie Hilferty, vice chairwoman  
Representative Edmond Jordan  
Representative Danny McCormick  
Representative Markham Scott McKnight  
Representative Candace N. Newell  
Representative Vincent "Vinney" J. St. Blanc, III  
Representative Phillip Eric Tarver  
Representative Polly Thomas

#### **MEMBERS ABSENT:**

Representative Kenny R. Cox  
Representative Kyle M. Green, Jr.  
Representative Paul Hollis

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

Halie Guidry, legislative analyst  
Charlotte Cravins, attorney  
Allie King, committee administrative assistant  
Nevonda Reed, division director  
Felicie M. Jackson, executive assistant

**ADDITIONAL ATTENDEES PRESENT:**

Myrtis Jarrell, sergeant at arms  
Mia Ditta, clerk

**III. DISCUSSION OF LEGISLATION****Senate Bill No. 43 by Senator Peacock**

Senator Peacock presented Senate Bill No. 43, which provides for the regulation of certain advertisements for legal services.

Representative Davis offered amendments to:

- (1) Revise the restriction of the use of the term "recall" from referring to a product that has not been recalled by a government agency or through an agreement between a manufacturer and a government agency to a product that has not been recalled in accordance with applicable state or federal regulations.
- (2) Remove references to the advertisement being in compliance with proposed law when reviewed by the Rules of Professional Conduct Committee and make the advertisement subject only to the standards set forth in the Rules of Professional Conduct.
- (3) Remove the requirements that must be met in order for a person to pursue a cause of action for deceptive and unfair trade practices for an advertisement that was predetermined by the Rules of Professional Conduct Committee to be in compliance with the Rules of Professional Conduct.
- (4) Add that a person may only pursue a cause of action under proposed law pursuant to the provision of present law authorizing an individual right of action for unfair trade practices if the legal advertisement was not reviewed by the Rules of Professional Conduct Committee.

Representative Davis offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 12 yeas and 0 nays. Representatives Davis, Duplessis, Fontenot, Goudeau, Hilferty, Jordan, McCormick, McKnight, Newell, St. Blanc, Tarver, and Thomas voted yea.

Ms. Karen Eddlemon, Louisiana Coalition for Common Sense, 521 Laurel St., Baton Rouge, LA 70801, (225) 344-0381, spoke in support of Senate Bill No. 43.

Mr. Robert Kleinpeter, Louisiana Association of Justice, 442 Europe St., Baton Rouge, LA 70802, (225) 383-5554, spoke in opposition to Senate Bill No. 43.

Representative Thomas offered a motion to report Senate Bill No. 43 with amendments. Representative Newell offered a substitute motion to voluntarily defer action on Senate Bill No. 43, to which Representative Thomas objected. The administrative assistant called the roll, and the motion failed to pass by a vote of 3 yeas and 9 nays. Representatives Duplessis, Jordan, and Newell voted yea. Representatives Davis, Geymann, Goudeau, Hilferty, McCormick, McKnight, St. Blanc, Tarver, and Thomas voted nay.

The original motion to report Senate Bill No. 43 with amendments was considered, to which Representative Newell objected. The administrative assistant called the roll, and Senate Bill No. 43 was reported with amendments by a vote of 9 yeas and 3 nays. Representatives Davis, Geymann, Goudeau, Hilferty, McCormick, McKnight, St. Blanc, Tarver, and Thomas voted yea. Representatives Duplessis, Jordan, and Newell voted nay.

Witness cards submitted by individuals who did not speak are as follows: 7 in support. Witness cards are included in the committee records.

Statements submitted in accordance with House Rule 14.33 in lieu of appearing before the committee are as follows: 2 in support and 2 for information only. Copies of these statements are included in the committee records.

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

There was no other business.

#### **V. ANNOUNCEMENTS**

There were no announcements.

## **VI. ADJOURNMENT**

Representative Thomas offered a motion to adjourn. Without objection, the motion passed by a vote of 12 yeas and 0 nays. Representatives Davis, Duplessis, Geymann, Goudeau, Hilferty, Jordan, McCormick, McKnight, Newell, St. Blanc, Tarver, and Thomas voted yea.

The meeting was adjourned at 10:09 a.m.

Respectfully submitted,

Chairwoman Paula P. Davis  
House Committee on Commerce

Date adopted: