

House Committee on Civil Law and Procedure

Minutes of Meeting
2022 Regular Session
April 11, 2022

I. CALL TO ORDER

Representative Gregory A. Miller, chairman of the House Committee on Civil Law and Procedure, called the meeting to order at 1:41 p.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 Delisha Boyd
Representative Chad Brown
Representative Robby Carter
Representative Michael Charles Echols
Representative Lawrence "Larry" Frieman
Representative Raymond E. Garofalo, Jr.
Representative Valarie Hodges
Representative Patrick O. Jefferson
Representative Sam L. Jenkins, Jr.
Representative Michael T. Johnson, vice chairman
Representative Nicholas Muscarello, Jr.
Representative Richard James Nelson

MEMBERS ABSENT:

Representative Wilford Dan Carter, Sr.
Representative Julie Emerson
Representative Danny McCormick
Representative Alan Seabaugh

STAFF MEMBERS PRESENT:

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

ADDITIONAL ATTENDEES PRESENT:

Rebecca Marshall, sergeant at arms
Michael McCain, clerk
Myrtus Jarrell, sergeant at arms

III. DISCUSSION OF LEGISLATION**House Bill No. 842 by Representative McMahan**

This is a continuation of the discussion on House Bill No. 842 from an earlier meeting held on March 29, 2022. Please check for the prior action to complete the record of discussion and motions on House Bill No. 842.

Representative McMahan presented House Bill No. 842, which provides relative to liability for veterinary professionals for the reporting of animal cruelty.

On behalf of the author, Representative Robby Carter offered amendments to:

- (1) Enumerate reportable animal cruelty-related crimes.
- (2) Add requirement that animal control officers be P.O.S.T. certified.
- (3) Provide for instances when the veterinarian or veterinary technician may release confidential information.
- (4) Provide that proposed law shall not apply in cases where the veterinarian or veterinary technician acts with willful misconduct.

Representative Robby Carter offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 11 yeas, 0 nays, and 1 abstention. Representatives Amedee, Boyd, Brown, Robby Carter, Echols, Frieman, Hodges, Jefferson, Jenkins, Mike Johnson, and Nelson voted yea. Representative Gregory Miller abstained.

Representative Gregory Miller offered an amendment to add a requirement that veterinarians and veterinary technicians be licensed. Representative Gregory Miller offered a motion to adopt the proposed amendment. Without objection, the amendment was adopted by a vote of 11 yeas and 0 nays. Representatives Gregory Miller, Amedee, Boyd, Brown, Robby Carter, Echols, Frieman, Hodges, Jenkins, Mike Johnson, and Nelson voted yea.

Representative Mike Johnson offered a motion to report House Bill No. 842 with amendments. Without objection, House Bill No. 842 was reported with amendments by a vote of 10 yeas, 0 nays,

and 1 abstention. Representatives Amedee, Boyd, Robby Carter, Echols, Frieman, Hodges, Jefferson, Jenkins, Mike Johnson, and Nelson voted yea. Representative Gregory Miller abstained.

Statements submitted in accordance with House Rule 14.33 in lieu of appearing before the committee are as follows: 1 in support. Copies of these statements are included in the committee records.

Vice Chairman Mike Johnson in the chair.

House Bill No. 903 by Representative Gregory Miller

Representative Gregory Miller presented House Bill No. 903, which provides for the parish of execution of remote online notarial acts.

Scott Kirkpatrick, Louisiana Notary Association, 504 Lake Ann, Baton Rouge, LA 70802, (225) 929-7033, spoke in support of House Bill No. 903.

Representative Gregory Miller offered amendments to:

- (1) Make technical changes.
- (2) Provide for venue for contracts that are remote online notarial acts.

Representative Gregory Miller offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 13 yeas and 0 nays. Representatives Gregory Miller, Amedee, Boyd, Brown, Robby Carter, Echols, Frieman, Garofalo, Jefferson, Jenkins, Mike Johnson, Muscarello, and Nelson voted yea.

Representative Gregory Miller offered a motion to report House Bill No. 903 with amendments. Without objection, House Bill No. 903 was reported with amendments by a vote of 13 yeas and 0 nays. Representatives Gregory Miller, Amedee, Boyd, Brown, Robby Carter, Echols, Frieman, Garofalo, Jefferson, Jenkins, Mike Johnson, Muscarello, and Nelson voted yea.

House Bill No. 905 by Representative Gregory Miller

Representative Gregory Miller presented House Bill No. 905, which provides relative to partition by licitation.

Representative Gregory Miller offered a motion to report House Bill No. 905 favorably. Without objection, House Bill No. 905 was reported favorably by a vote of 13 yeas and 0 nays. Representatives Gregory Miller, Amedee, Boyd, Brown, Robby Carter, Echols, Frieman, Garofalo, Jefferson, Jenkins, Mike Johnson, Muscarello, and Nelson voted yea.

Chairman Gregory Miller in the chair.

House Bill No. 57 by Representative Hollis

Representative Hollis presented House Bill No. 57, which provides relative to homeowners association privileges.

Representative Robby Carter offered amendments to add an exception for monthly fees and assessments and add that a recorded sworn statement preserves the privilege against the lot.

Representative Robby Carter offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 13 yeas, 0 nays, and 1 abstention. Representatives Amedee, Boyd, Brown, Robby Carter, Echols, Frieman, Garofalo, Hodges, Jefferson, Jenkins, Mike Johnson, Muscarello, and Nelson voted yea. Representative Gregory Miller abstained.

Leanne Phillips, CMCA, AMS, PCAM, Community Association Management, LLC, 402 N. 4th St., Baton Rouge, LA 70802, (225) 939-7555, spoke in opposition to House Bill No. 57.

James L. Bradford, III, HOA 2022 Legislative Task Force and Federation of BR Civic Associations, 227 Highway 21, Madisonville, LA 70447, (985) 871-0800, spoke in opposition to House Bill No. 57.

Ashley Alford, CMCA, Legacies Management of Louisiana, 34759 Clinton Allen Rd., Denham Springs, LA 70706, (225) 791-1644, spoke in opposition to House Bill No. 57.

At the request of the author, Representative Gregory Miller offered a motion to voluntarily defer action on House Bill No. 57. Without objection, action on House Bill No. 57 was voluntarily deferred by a vote of 14 yeas and 0 nays. Representatives Gregory Miller, Amedee, Boyd, Brown, Robby Carter, Echols, Frieman, Garofalo, Hodges, Jefferson, Jenkins, Mike Johnson, Muscarello, and Nelson voted yea.

Witness cards submitted for individuals who did not speak are as follows: 13 in opposition. 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: 24 in opposition. Copies of these statements are included in the committee records.

Further action was taken by the committee on House Bill No. 57 at a later meeting held on April 18, 2022. Please check for the subsequent action to complete the record of discussion and motions on House Bill No. 57.

IV. OTHER BUSINESS

There was no other business.

V. ANNOUNCEMENTS

There were no announcements.

VI. ADJOURNMENT

The meeting was adjourned at 3:10 p.m.

Respectfully submitted,

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

Date adopted: