

House Committee on Civil Law and Procedure

Minutes of Meeting
2024 Regular Session
March 20, 2024

I. CALL TO ORDER

Representative Nicholas Muscarello, Jr., chairman of the House Committee on Civil Law and Procedure, called the meeting to order at 9:01 a.m. in Room 4, in the state capitol in Baton Rouge, Louisiana.

II. ROLL CALL

MEMBERS PRESENT:

Representative Nicholas Muscarello, Jr., chairman
Representative Chad Brown
Representative Josh Carlson
Representative Emily Chenevert
Representative Kathy Edmonston
Representative Brian Leonard Glorioso
Representative Peter F. Egan, Sr.
Representative Michael T. Johnson
Representative Ed Larvadain, III
Representative Michael Melerine
Representative Sylvia Elaine Taylor
Representative Christopher Turner, vice chairman
Representative Lauren Ventrella
Representative Mark Wright
Representative John E. Wyble

MEMBERS ABSENT:

Representative Wilford Dan Carter, Sr.

STAFF MEMBERS PRESENT:

Allison Alonzo, attorney
Jennifer Nguyen, attorney
Megan Sanders, committee administrative assistant

ADDITIONAL ATTENDEES PRESENT:

Vivian Hurst, sergeant at arms
Cheryl Domino, sergeant at arms
Michael McCain, clerk

III. DISCUSSION OF LEGISLATION**House Bill No. 315 by Representative Mike Johnson**

Representative Mike Johnson presented House Bill No. 315, which extends prescription on tort actions.

Governor Jeff Landry, P.O. Box 94004, Baton Rouge, LA 70804, spoke in support of House Bill No. 315, and provided a handout entitled "Statute of Limitations", Exhibit A, which is included in the committee records.

Representative Turner offered a motion to adopt the three minute rule for discussion, to which Representative Brown objected. The administrative assistant called the roll, and the three minute rule by a vote of 14 yeas and 1 nays. Representatives Muscarello, Carlson, Chenevert, Edmonston, Glorioso, Egan, Mike Johnson, Larvadain, Melerine, Taylor, Turner, Ventrella, Wright, and Wyble voted yea. Representative Brown voted nay.

Commissioner Tim Temple, Department of Insurance, 1702 North Third Street, Baton Rouge, LA 70804, spoke in support of House Bill No. 315.

Lauren Hadden, Louisiana Association of Business and Industry, 500 Main Street, Baton Rouge, LA, 70801, spoke in opposition to House Bill No. 315.

Hilary Segura, American Property Casualty Insurance Association, 8700 West Bryn Mawr Avenue, #12005, Chicago, IL 60631, spoke in opposition to House Bill No. 315.

Randy P. Guillot, Triple G Express, 9 Mulberry Pt., Covington, LA 70433, spoke in opposition to House Bill No. 315.

Toni McAllister, representing Louisiana Loggers Association, Cotton and Grain Association, and McManus, P.O. Box 5, Winnfield, LA 71483, spoke in opposition to House Bill No. 315.

John McAllister, McManus Timber Co., Inc., 208 Shady Hills Lane, Winnfield, LA 71483, spoke in opposition to House Bill No. 315.

Doug Williams, representing the Louisiana Motor Transportation Association, 6132 Province Lane, Baton Rouge, LA 70808, spoke in opposition to House Bill No. 315.

Representative Muscarello offered a technical amendment. Representative Muscarello offered a motion to adopt the proposed amendment. Without objection, the amendment was adopted by a vote of 12 yeas, 0 nays, and 1 abstention. Representatives Carlson, Chenevert, Edmonston, Glorioso, Egan, Mike Johnson, Larvadain, Melerine, Taylor, Turner, Wright, and Wyble voted yea. Representative Muscarello abstained.

Representative Larvadain offered a motion to report House Bill No. 315 with amendments. Without objection, House Bill No. 315 was reported with amendments by a vote of 13 yeas, 0 nays, and 1 abstention. Representatives Brown, Carlson, Chenevert, Edmonston, Glorioso, Egan, Mike Johnson, Larvadain, Melerine, Taylor, Turner, Wright, and Wyble voted yea. Representative Muscarello abstained.

Witness cards submitted by individuals who did not speak are as follows: 2 in support and 22 in opposition. Witness cards are included in the committee records.

Prepared statements were received via email for House Bill No. 315 pursuant to House Rule 14.33.

House Bill No. 423 by Representative Melerine

Representative Melerine presented House Bill No. 423, which provides for payment of recoverable medical expenses from collateral sources.

Representative Melerine offered amendments to make technical changes and to remove present law which provides that the jury is only informed of the amount billed by a medical provider and evidence of another source agreeing to pay shall not be disclosed. Representative Melerine 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 Brown, Chenevert, Edmonston, Glorioso, Egan, Larvadain, Melerine, Taylor, Turner, Wright, and Wyble voted yea. Representative Muscarello abstained.

Will Green, representing the Louisiana Association of Business and Industry, 500 Main Street, Baton Rouge, LA 70801, spoke in support of House Bill No. 423.

Jeff Albright, Independent Agents, 18153 East Petroleum, Baton Rouge, LA 70809, spoke in support of House Bill No. 423, and provided a handout entitled "State Variations in Auto Insurance Affordability", Exhibit B, which is included in the committee records.

Armond Schwing, Schwing Insurance Agency, 300 East Main Street, New Iberia, LA 70560, spoke in support of House Bill No. 423.

Robert Stone, Stone Insurance Inc., 111 Veterans Boulevard, Suite 1520, Metairie, LA 70005, spoke in support of House Bill No. 423.

Stephen F. Butterfield, Louisiana Association of Defense Council, 960 Chevrul Street, Mandeville, LA 70448, spoke in support of House Bill No. 423.

Eric Berger, Gray Insurance Co., P.O. Box 6202, Metairie, LA 70009, spoke in support of House Bill No. 423.

Doug Williams, representing the Louisiana Motor Transport Association, 6132 Province Lane, Baton Rouge, LA 70808, spoke in support of House Bill No. 423.

Randy P. Guillot, Triple G Express, 9 Mulberry Pt., Covington, LA 70433, spoke in support of House Bill No. 423.

Jared Dunahoe, Louisiana Association for Justice, 402 Second Street, Natchitoches, LA 71457, spoke in opposition to House Bill No. 423.

Robert Kleinpeter, Louisiana Association for Justice, 442 Europe Street, Baton Rouge, LA 70802, spoke in opposition to House Bill No. 423.

Representative Turner in the chair.

Representative Melerine offered a motion to report House Bill No. 423 with amendments, to which Representative Brown objected. The administrative assistant called the roll, and House Bill No. 423 was reported with amendments by a vote of 10 yeas, 4 nays, and 1 abstention. Representatives Carlson, Chenevert, Edmonston, Glorioso, Egan, Mike Johnson, Melerine, Turner, Wright, and Wyble voted yea. Representatives Brown, Larvadain, Taylor, and Ventrella voted nay. Representative Muscarello abstained.

Witness cards submitted by individuals who did not speak are as follows: 36 in support. Witness cards are included in the committee records.

Prepared statements were received via email for House Bill No. 496 pursuant to House Rule 14.33.

The committee stood at ease at 12:04 p.m. The committee reconvened at 12:19 p.m.

IV. OTHER BUSINESS

There was no other business.

V. ANNOUNCEMENTS

There were no announcements.

VI. ADJOURNMENT

The meeting was adjourned at 12:19 p.m.

Respectfully submitted,

Chairman Nicholas Muscarello, Jr.
House Committee on Civil Law and Procedure