

House Committee on Civil Law and Procedure

Minutes of Meeting
2024 Regular Session
April 2, 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 9:05 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 Peter F. Egan, Sr.
Representative Brian Leonard Glorioso
Representative Michael T. Johnson
Representative Ed Larvadain, III
Representative Michael Melerine
Representative Sylvia Elaine Taylor
Representative Christopher Turner, vice chairman
Representative John E. Wyble

MEMBERS ABSENT:

Representative Wilford Dan Carter, Sr.
Representative Lauren Ventrella
Representative Mark Wright

STAFF MEMBERS PRESENT:

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

ADDITIONAL ATTENDEES PRESENT:

Rebecca Marshall, sergeant at arms
Michael McCain, clerk

III. DISCUSSION OF LEGISLATION

House Bill No. 101 by Representative Farnum

At the request of Representative Farnum, Representative Muscarello offered a motion to voluntarily defer action on House Bill No. 101, which provides relative to the Private Works Act. Without objection, action on House Bill No. 101 was voluntarily deferred by a vote of 11 yeas, 0 nays, and 1 abstention. Representatives Carlson, Chenevert, Edmonston, Egan, Glorioso, Mike Johnson, Larvadain, Melerine, Taylor, Turner, and Wyble voted yea. Representative Muscarello abstained.

House Bill No. 625 by Representative Lyons

At the request of Representative Lyons, Representative Muscarello offered a motion to voluntarily defer action on House Bill No. 625, which limits certain actions taken by governmental entities on private property owners. Without objection, action on House Bill No. 625 was voluntarily deferred by a vote of 11 yeas, 0 nays, and 1 abstention. Representatives Carlson, Chenevert, Edmonston, Egan, Glorioso, Mike Johnson, Larvadain, Melerine, Taylor, Turner, and Wyble voted yea. Representative Muscarello abstained.

House Bill No. 722 by Representative Thomas

Representative Thomas presented House Bill No. 722, which provides for the modification of custody.

Michael S. Martin, 3732 Pontiac Street, Metairie, LA 70002, spoke in opposition to House Bill No. 722.

Professor Andrea Carroll, reporter, Louisiana State Law Institute, Room W127, LSU Law Center, 1 East Campus Drive, Baton Rouge, LA 70803, spoke for information only on House Bill No. 722.

Katherine Diamond, 2105 Kleinert Avenue, Baton Rouge, LA 70806, spoke in opposition to House Bill No. 722.

Guy Holdridge, director, Louisiana State Law Institute, Room W127, LSU Law Center, 1 East Campus Drive, Baton Rouge, LA 70803, spoke for information only on House Bill No. 722.

After discussion and at the request of Representative Thomas, Representative Muscarello offered a motion to voluntarily defer action on House Bill No. 722. Without objection, action on House Bill No. 722 was voluntarily deferred by a vote of 11 yeas, 0 nays, and 1 abstention. Representatives Carlson, Chenevert, Edmonston, Egan, Glorioso, Mike Johnson, Larvadain, Melerine, Taylor, Turner, and Wyble voted yea. Representative Muscarello abstained.

Witness cards submitted by individuals who did not speak are as follows: 1 in opposition. Witness cards are included in the committee records.

House Bill No. 383 by Representative Galle

Representative Galle presented House Bill No. 383, which limits liability of operators of motor vehicles for harm caused to certain persons who are injured while illegally blocking a road or highway.

Representative Glorioso offered a motion to report House Bill No. 383 favorably. Without objection, House Bill No. 383 was reported favorably by a vote of 11 yeas, 0 nays, and 1 abstention. Representatives Carlson, Chenevert, Edmonston, Egan, Glorioso, Mike Johnson, Larvadain, Melerine, Taylor, Turner, and Wyble voted yea. Representative Muscarello abstained.

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

House Bill No. 770 by Representative Carpenter

Representative Carpenter presented House Bill No. 770, which provides relative to child support guidelines.

Representative Turner in the chair.

Konitra Jack, Child Support Enforcement Director, Department of Children and Family Services, 627 North Street, Baton Rouge, LA 70801, spoke for information only on House Bill No. 770.

Toni Menard, Louisiana District Attorneys Association, IV-D liaison/co-chair guidelines committee, 2525 Quail Drive, Baton Rouge, LA 70808, spoke for information only on House Bill No. 770.

Representative Muscarello offered amendments to make a technical change and to provide that when the amount for child support is not set in the schedule, under no circumstances shall the court determine an award of child support that is not in the best interest of the child or would be inequitable to the parties. Representative Muscarello 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 Carlson, Chenevert, Edmonston, Egan, Glorioso, Mike Johnson, Larvadain, Melerine, Taylor, Turner, and Wyble voted yea. Representative Muscarello abstained.

Representative Larvadain offered a motion to report House Bill No. 770 with amendments. Without objection, House Bill No. 770 was reported with amendments by a vote of 11 yeas, 0 nays, and 1 abstention. Representatives Carlson, Chenevert, Edmonston, Egan, Glorioso, Mike Johnson, Larvadain, Melerine, Taylor, Turner, and Wyble voted yea. Representative Muscarello abstained.

Witness cards submitted by individuals who did not speak are as follows: 3 in support. Witness cards are included in the committee records.

House Bill No. 773 by Representative Carpenter

Representative Carpenter presented House Bill No. 773, which provides for the schedule of basic child support obligations.

Konitra Jack, CSE director, Department of Children and Family Services, 627 North Fourth Street, Baton Rouge, LA 70801, spoke for information only on House Bill No. 773.

Toni Menard, Louisiana District Attorneys Association, IV-D liaison/co-chair guidelines committee, 2525 Quail Drive, Baton Rouge, LA 70808, spoke for information only on House Bill No. 773.

Representative Wyble offered a motion to report House Bill No. 773 favorably. Without objection, House Bill No. 773 was reported favorably by a vote of 11 yeas, 0 nays, and 1 abstention. Representatives Brown, Carlson, Chenevert, Edmonston, Egan, Glorioso, Larvadain, Melerine, Taylor, Turner, and Wyble voted yea. Representative Muscarello abstained.

Witness cards submitted by individuals who did not speak are as follows: 3 in support. Witness cards are included in the committee records.

House Bill No. 236 by Representative McMakin

Representative McMakin presented House Bill No. 236, which provides for evaluations in child custody proceedings.

Professor Andrea Carroll, reporter, Louisiana State Law Institute, Room W127, LSU Law Center, 1 East Campus Drive, Baton Rouge, LA 70803, spoke for information only on House Bill No. 236.

Guy Holdridge, director, Louisiana State Law Institute, Room W127, LSU Law Center, 1 East Campus Drive, Baton Rouge, LA 70803, spoke for information only on House Bill No. 236.

Bridget Neal, Institute for Child Custody Advocacy, no address provided, spoke for information only on House Bill No. 236.

Susan Raborn, 1323 Chippenham Drive, Baton Rouge, LA 70808, spoke in opposition to House Bill No. 236.

Katherine Diamond, 2105 Kleinert Avenue, Baton Rouge, AL 70806, spoke in opposition to House Bill No. 236.

Representative Taylor offered a motion to adopt the three minute rule for committee discussions. Without objection, House Bill No. 236 minute rule by a vote of 10 yeas, 0 nays, and 1 abstention. Representatives Brown, Carlson, Chenevert, Edmonston, Egan, Glorioso, Mike Johnson, Taylor, Turner, and Wyble voted yea. Representative Muscarello abstained.

Representative Edmonston offered a motion to report House Bill No. 236 favorably. Without objection, House Bill No. 236 was reported favorably by a vote of 8 yeas, 0 nays, and 1 abstention. Representatives Brown, Carlson, Edmonston, Egan, Larvadain, Melerine, Turner, and Wyble voted yea. Representative Muscarello abstained.

Senate Bill No. 121 by Senator Coussan

On behalf of Senator Coussan, Representative Myers presented Senate Bill No. 121, which provides for the jurisdictional limits for the city courts located in the 15th judicial district.

Judge Douglas Saloom, Lafayette City Court, P.O. Box 3344, Lafayette, LA 70502, spoke for information only, spoke for information only on House Bill No. 236.

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

Representative Larvadain offered a motion to report Senate Bill No. 121 with amendments. Without objection, Senate Bill No. 121 was reported with amendments by a vote of 12 yeas, 0 nays, and 1 abstention. Representatives Brown, Carlson, Chenevert, Edmonston, Egan, Glorioso, Mike Johnson, Larvadain, Melerine, Taylor, Turner, and Wyble voted yea. Representative Muscarello abstained.

Representative Muscarello in the chair.

House Bill No. 443 by Representative Coates

Representative Coates presented House Bill No. 443, which provides relative to confidentiality of records in cases involving certain protected persons.

On behalf of Representative Coates, Representative Muscarello offered amendments to make technical changes and provide that if the court determines that a videotape is relevant and necessary to the case, the court may order in writing that the videotape be disclosed to the attorneys of record for each party subject to a protective order. Representative Muscarello 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, Carlson, Chenevert, Edmonston, Egan, Glorioso, Mike Johnson, Larvadain, Melerine, Taylor, and Wyble voted yea. Representative Muscarello abstained.

Krystle Mitchell, Louisiana Alliance of Children's Advocacy Center, 1371 Corporate Square Drive, Slidell, LA 70458, spoke in support of House Bill No. 443.

Matthew S. Bolster, assistant district attorney, 21st Judicial District, 110 North Bay Street, Amite, LA 70422, spoke in support of House Bill No. 443.

Representative Wyble offered a motion to report House Bill No. 443 with amendments. Without objection, House Bill No. 443 was reported with amendments by a vote of 12 yeas, 0 nays, and 1 abstention. Representatives Brown, Carlson, Chenevert, Edmonston, Egan, Glorioso, Mike Johnson, Larvadain, Melerine, Taylor, Turner, and Wyble voted yea. Representative Muscarello abstained.

Witness cards submitted by individuals who did not speak are as follows: 3 in support and 1 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

The meeting was adjourned at 11:14 a.m.

Respectfully submitted,

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