

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

Minutes of Meeting  
2024 Regular Session  
April 15, 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 9:07 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 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.  
Representative Brian Leonard Glorioso

#### **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. 52 by Representative Firment**

At the request of Representative Firment, Representative Muscarello offered a motion to voluntarily defer action on House Bill No. 52, which provides relative to venue for certain legal actions instituted by the Municipal Police Employees' Retirement System. Without objection, action on House Bill No. 52 was voluntarily deferred by a vote of 9 yeas, 0 nays, and 1 abstention. Representatives Brown, Carlson, Chenevert, Edmonston, Egan, Mike Johnson, Melerine, Taylor, and Wyble voted yea. Representative Muscarello abstained.

**House Bill No. 742 by Representative Marcelle**

At the request of Representative Marcelle, Representative Muscarello offered a motion to voluntarily defer action on House Bill No. 742, which provides for immunity from civil and criminal liability for in vitro fertilization service providers. Without objection, action on House Bill No. 742 was voluntarily deferred by a vote of 9 yeas, 0 nays, and 1 abstention. Representatives Brown, Carlson, Chenevert, Edmonston, Egan, Mike Johnson, Melerine, Taylor, and Wyble voted yea. Representative Muscarello abstained.

**House Bill No. 833 by Representative Davis**

At the request of Representative Davis, Representative Muscarello offered a motion to voluntarily defer action on House Bill No. 833, which provides relative to in vitro fertilization. Without objection, action on House Bill No. 833 was voluntarily deferred by a vote of 9 yeas, 0 nays, and 1 abstention. Representatives Brown, Carlson, Chenevert, Edmonston, Egan, Mike Johnson, Melerine, Taylor, and Wyble voted yea. Representative Muscarello abstained.

**House Bill No. 6 by Representative Chenevert**

Representative Chenevert presented House Bill No. 6, a constitutional amendment, which grants any legislatively created public school system the same treatment and authority granted to parishes for purposes of minimum foundation program funding and local taxing authority.

Representative Melerine offered a motion to adopt the House Rule 6.8(A) Report to House Bill No. 6, to which Representative Taylor objected. The administrative assistant called the roll, and the House Rule 6.8(A) Report to House Bill No. 6 was adopted by a vote of 9 yeas, 2 nays, and 1

abstention. Representatives Brown, Carlson, Chenevert, Edmonston, Egan, Mike Johnson, Melerine, Turner, and Wyble voted yea. Representatives Larvadain and Taylor voted nay. Representative Muscarello abstained.

Belinda Davis, 4540 Hyacinth Ave., Baton Rouge, LA 70808, spoke in opposition to House Bill No. 6.

Mary Juneau, 608 Drehr Ave., Baton Rouge, LA 70806, spoke in opposition to House Bill No. 6.

Tania Nyman, 4669 Bennett Dr., Baton Rouge, LA 70808, spoke in opposition to House Bill No. 6.

Representative Brown offered a motion to reconsider the vote by which House Rule 6.8(A) Report to House Bill No. 6 was adopted. Without objection, the motion to reconsider the vote by which the House Rule 6.8(A) Report to House Bill No. 6 was adopted by a vote of 9 yeas and 0 nays. Representatives Muscarello, Brown, Carlson, Edmonston, Egan, Larvadain, Melerine, Taylor, and Turner voted yea.

Representative Muscarello offered a motion to adopt House Rule 6.8(A) Report to House Bill No. 6, to which Representative Larvadain objected. The administrative assistant called the roll, and the House Rule 6.8(A) Report to House Bill No. 6 was adopted by a vote of 8 yeas, 3 nays, and 1 abstention. Representatives Carlson, Chenevert, Edmonston, Egan, Melerine, Turner, Wright, and Wyble voted yea. Representatives Brown, Larvadain, and Taylor voted nay. Representative Muscarello abstained.

Representative Muscarello offered a motion to report House Bill No. 6 without amendments. Without objection, House Bill No. 6 was reported without amendments by a vote of 11 yeas, 0 nays, and 1 abstention. Representatives Brown, Carlson, Chenevert, Edmonston, Egan, Larvadain, Melerine, Taylor, Turner, Wright, and Wyble voted yea. Representative Muscarello abstained.

Witness cards submitted by individuals who did not speak are as follows: 1 in support and 4 in opposition. Witness cards are included in the committee records.

Prepared statements were received via email for House Bill No. 6 pursuant to House Rule 14.33.

### **House Bill No. 101 by Representative Farnum**

Representative Farnum presented House Bill No. 101, which provides relative to the Private Works Act.

At the request of the author, Representative Muscarello offered a motion to voluntarily defer action on House Bill No. 101. Without objection, action on House Bill No. 101 was voluntarily deferred

by a vote of 11 yeas, 0 nays, and 1 abstention. Representatives Brown, Carlson, Chenevert, Edmonston, Egan, Larvadain, Melerine, Taylor, Turner, Ventrella, and Wyble voted yea. Representative Muscarello abstained.

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

*Representative Turner in the chair.*

### **House Bill No. 818 by Representative Carver**

On behalf of Representative Carver, Representative Turner offered a motion to voluntarily defer action on House Bill No. 818, which provides relative to forced heirship. Without objection, action on House Bill No. 818 was voluntarily deferred by a vote of 11 yeas, 0 nays, and 1 abstention. Representatives Brown, Carlson, Chenevert, Edmonston, Egan, Larvadain, Melerine, Taylor, Turner, Ventrella, and Wyble voted yea. Representative Muscarello abstained.

### **House Bill No. 803 by Representative Muscarello**

Representative Muscarello presented House Bill No. 803, which provides relative to interruption of prescription and venue.

Guy Holdridge, director, Louisiana State Law Institute, Room W127, LSU Law Center, 1 E. Campus Dr., Baton Rouge, LA 70802, spoke for information only on House Bill No. 803.

Representative Muscarello offered a motion to report House Bill No. 803 favorably. Without objection, House Bill No. 803 was reported favorably by a vote of 11 yeas, 0 nays, and 1 abstention. Representatives Brown, Carlson, Chenevert, Edmonston, Egan, Larvadain, Melerine, Taylor, Turner, Ventrella, and Wyble voted yea. Representative Muscarello abstained.

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

*Representative Muscarello in the chair.*

### **House Bill No. 88 by Representative Melerine**

Representative Melerine presented House Bill No. 88, which provides for venue for actions involving certain insurers.

Representative Wyble offered a motion to report House Bill No. 88 favorably. Without objection, House Bill No. 88 was reported favorably by a vote of 10 yeas, 0 nays, and 1 abstention.

Representatives Brown, Carlson, Chenevert, Edmonston, Egan, Larvadain, Melerine, Taylor, Ventrella, 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. 625 by Representative Lyons**

On behalf of Representative Lyons, Rodney Braxton, Airbnb, 543 Spanish Town Rd., Baton Rouge, LA 70802, presented House Bill No. 625, which limits certain actions taken by governmental entities on private property owners.

Representative Muscarello offered amendments to:

- (1) Provide that the rights provided to the property owner by proposed law shall not supersede any action by a governmental entity which affects property rights. This includes actions on applications or permits, or the adoption or enforcement of any ordinance, resolution, regulation, rule, or policy.
- (2) Exclude application of proposed law that would apply to public works.
- (3) Exclude application of proposed law on actions taken by any levee district, levee and drainage district, or flood protection authority.
- (4) Provide that proposed law does not abrogate any existing laws regarding expropriation or appropriation.

Representative Muscarello 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 Brown, Carlson, Chenevert, Edmonston, Larvadain, Melerine, Taylor, Ventrella, and Wyble voted yea. Representative Muscarello abstained.

Stacey Rase, 76406 Hwy. 25, Covington, LA 70435, spoke in support of House Bill No. 625.

Gregory P. Pendarvis, 17473 Joe Sevario Rd., Prairieville, LA 70769, spoke in support of House Bill No. 625.

Jenny Alber, City of New Orleans, 1300 Perdido St., New Orleans, LA 70112, spoke in opposition to House Bill No. 625.

Monique Blossom, Louisiana Fair Housing Action Center, 1340 Poydras St., Ste. 710, New Orleans, LA 70112, spoke in opposition to House Bill No. 625.

Bruce Reilly, 1015 Gov. Nicholls, New Orleans, LA 70116, spoke in opposition to House Bill No. 625.

Debbie Henton, Police Jury Association of Louisiana, 707 N. 7th St., Baton Rouge, LA 70802, spoke in opposition to House Bill No. 625.

Devin Davis, 2616 N. Villere St., New Orleans, LA 70117, spoke in opposition to House Bill No. 625.

Representative Edmonston offered a motion to voluntarily defer action on House Bill No. 625. Without objection, action on House Bill No. 625 was voluntarily deferred by a vote of 8 yeas, 0 nays, and 1 abstention. Representatives Brown, Chenevert, Edmonston, Egan, Larvadain, Melerine, Taylor, and Wyble voted yea. Representative Muscarello abstained.

Witness cards submitted by individuals who did not speak are as follows: 3 in support, 2 in opposition, and 1 for information only. Witness cards are included in the committee records.

The committee stood at ease at 10:45 a.m. The committee reconvened at 10:52 a.m.

### **House Bill No. 866 by Representative Amedee**

Representative Amedee presented House Bill No. 866, which provides relative to the refusal of certain medical services.

On behalf of the author, Representative Muscarello offered an amendment to make a technical change. Representative Muscarello offered a motion to adopt the proposed amendment. Without objection, the amendment was adopted by a vote of 10 yeas, 0 nays, and 1 abstention. Representatives Brown, Carlson, Chenevert, Egan, Larvadain, Melerine, Taylor, Turner, Ventrella, and Wyble voted yea. Representative Muscarello abstained.

Representative Turner offered amendments to:

- (1) Make technical changes.
- (2) Add an exception for hospitals and nursing facilities if the Center for Medicare and Medicaid Services mandate that patient care employees receive any biologic, vaccine, drug, pharmaceutical, medical device, gene therapy, DNA-based product, or RNA-based product which has been authorized for emergency use.
- (3) Remove treble damages and provide that if a violation of proposed law occurs, there shall be a fine not to exceed one thousand dollars and a petition for injunctive relief or declaratory judgment may be filed.

Representative Turner 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, Larvadain, Melerine, Taylor, Turner, Ventrella, and Wyble voted yea. Representative Muscarello abstained.

Angelia Desselle, 2917 Monica Ln., Marrero, LA 70072, spoke in support of House Bill No. 866.

Chris Alexander, Louisiana Citizen Advocacy Group, P.O. Box 64952, Baton Rouge, LA 70896, spoke in support of House Bill No. 866.

Jennifer McMahon, Louisiana Hospital Association, 9521 Brookline Ave., Baton Rouge, LA 70809, spoke in opposition to House Bill No. 866, but removed the opposition to House Bill No. 866 as amended.

Jill Hines, Health Freedom Louisiana, 3301 17th St., Metairie, LA 70010, spoke in support of House Bill No. 866.

Representative Edmonston offered a motion to report House Bill No. 866 with amendments. Without objection, House Bill No. 866 was reported with amendments by a vote of 12 yeas, 0 nays, and 1 abstention. Representatives Brown, Carlson, Chenevert, Edmonston, Egan, Mike Johnson, Larvadain, Melerine, Taylor, Turner, Ventrella, and Wyble voted yea. Representative Muscarello abstained.

Witness cards submitted by individuals who did not speak are as follows: 5 in support and 14 in opposition. Witness cards are included in the committee records.

Prepared statements were received via email for House Bill No. 6 pursuant to House Rule 14.33.

#### **House Bill No. 858 by Representative Ventrella**

Representative Ventrella offered a motion to voluntarily defer action on House Bill No. 858, which provides relative to the limitation of liability for recreational landowners. Without objection, action on House Bill No. 858 was voluntarily deferred by a vote of 12 yeas, 0 nays, and 1 abstention. Representatives Brown, Carlson, Chenevert, Edmonston, Egan, Mike Johnson, Larvadain, Melerine, Taylor, Turner, Ventrella, and Wyble voted yea. Representative Muscarello abstained.

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

There was no other business.

**V. ANNOUNCEMENTS**

There were no announcements.

**VI. ADJOURNMENT**

The meeting was adjourned at 11:18 a.m.

Respectfully submitted,

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