

House Committee on Civil Law and Procedure

Minutes of Meeting
2024 Regular Session
April 29, 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 10:07 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 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 Lauren Ventrella
Representative Mark Wright
Representative John E. Wyble

MEMBERS ABSENT:

Representative Wilford Dan Carter, Sr.
Representative Emily Chenevert

STAFF MEMBERS PRESENT:

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

ADDITIONAL ATTENDEES PRESENT:

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

III. DISCUSSION OF LEGISLATION**Senate Bill No. 483 by Senator Morris**

At the request of Senator Morris, Representative Muscarello offered a motion to voluntarily defer action on Senate Bill No. 483, which provides relative to attorney service contracts. Without objection, action on Senate Bill No. 483 was voluntarily deferred by a vote of 10 yeas, 0 nays, and 1 abstention. Representatives Brown, Carlson, Egan, Glorioso, Mike Johnson, Larvadain, Melerine, Taylor, Turner, and Wyble voted yea. Representative Muscarello abstained.

Senate Bill No. 75 by Senator Morris

At the request of Senator Morris, Representative Muscarello offered a motion to voluntarily defer action on Senate Bill No. 75, which provides for electronic filing and record retention. Without objection, action on Senate Bill No. 75 was voluntarily deferred by a vote of 10 yeas, 0 nays, and 1 abstention. Representatives Brown, Carlson, Egan, Glorioso, Mike Johnson, Larvadain, Melerine, Taylor, Turner, and Wyble voted yea. Representative Muscarello abstained.

House Bill No. 894 by Representative Jordan

At the request of Representative Jordan, Representative Muscarello offered a motion to voluntarily defer action on House Bill No. 894, which provides with respect to liability for damages caused by a firearm. Without objection, action on House Bill No. 894 was voluntarily deferred by a vote of 10 yeas, 0 nays, and 1 abstention. Representatives Brown, Carlson, Egan, Glorioso, Mike Johnson, Larvadain, Melerine, Taylor, Turner, and Wyble voted yea. Representative Muscarello abstained.

Senate Concurrent Resolution No. 26 by Senator Luneau

Senator Luneau presented Senate Concurrent Resolution No. 26, which provides relative to legislative intent of certain acts relating to causes of action for abuse of a minor.

Representative Larvadain offered a motion to report Senate Concurrent Resolution No. 26 favorably. Without objection, Senate Concurrent Resolution No. 26 was reported favorably by a vote of 11 yeas, 0 nays, and 1 abstention. Representatives Brown, Carlson, Egan, Glorioso, Mike Johnson,

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

Senate Bill No. 498 by Senator Foil

Senator Foil presented Senate Bill No. 498, which provides for special charitable trusts.

Representative Brown offered a motion to report Senate Bill No. 498 favorably. Without objection, Senate Bill No. 498 was reported favorably by a vote of 11 yeas, 0 nays, and 1 abstention. Representatives Brown, Carlson, Egan, Glorioso, Mike Johnson, Larvadain, Melerine, Taylor, Turner, Wright, and Wyble voted yea. Representative Muscarello abstained.

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

House Resolution No. 150 by Representative Robby Carter

On behalf of the Representative Robby Carter, Guy Holdridge, Director, Louisiana State Law Institute, Room W127, LSU Law Center, 1 East Campus Drive, Baton Rouge, LA 70803, presented House Resolution No. 150, which directs the Louisiana State Law Institute to study and make recommendations for the creation of small or speedy claims procedures for actions under fifty thousand dollars.

Representative Muscarello offered a motion to report House Resolution No. 150 favorably. Without objection, House Resolution No. 150 was reported favorably by a vote of 11 yeas, 0 nays, and 1 abstention. Representatives Brown, Carlson, Egan, Glorioso, Mike Johnson, Larvadain, Melerine, Taylor, Turner, Wright, and Wyble voted yea. Representative Muscarello abstained.

Senate Bill No. 496 by Senator Edmonds

Senator Edmonds presented Senate Bill No. 496, which provides for licensure requirements in adoption services.

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 11 yeas, 0 nays, and 1 abstention. Representatives Brown, Carlson, Edmonston, Egan, Glorioso, Mike Johnson, Melerine, Taylor, Turner, Wright, and Wyble voted yea. Representative Muscarello abstained.

Representative Wyble offered a motion to report Senate Bill No. 496 with amendments. Without objection, Senate Bill No. 496 was reported with amendments by a vote of 12 yeas, 0 nays, and 1 abstention. Representatives Brown, Carlson, Edmonston, Egan, Glorioso, 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: 1 in support. Witness cards are included in the committee records.

Senate Bill No. 355 by Senator Stine

Senator Stine presented Senate Bill No. 355, which provides for regulation of litigation funding by a third party that is a foreign person, state, or wealth fund.

Representative Muscarello offered an amendment to make technical changes. 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 Brown, Carlson, Edmonston, Egan, Glorioso, Mike Johnson, Larvadain, Melerine, Taylor, Turner, Wright, and Wyble voted yea. Representative Muscarello abstained.

Representative Muscarello offered amendments to:

- (1) Make technical changes.
- (2) Add to the definition of "national security interests" to include interests relating to energy assets located with the state of Louisiana or waters adjacent to the state of Louisiana.
- (3) Extend the requirement of litigation financial disclosure to all third-party litigation funders involved.
- (4) Add a requirement to the required written disclosure of third-party funding to the attorney general to include the name, address, the citizenship or the country of incorporation or registration of any foreign person, foreign state, or foreign sovereign wealth fund from which funding has been or will be directly or indirectly sourced.

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, Edmonston, Egan, Glorioso, Mike Johnson, Larvadain, Melerine, Taylor, Turner, Wright, and Wyble voted yea. Representative Muscarello abstained.

Representative Muscarello offered a motion to reconsider the adoption of the amendments. Without objection, the amendments were reconsidered by a vote of 11 yeas, 0 nays, and 1 abstention. Representatives Brown, Carlson, Edmonston, Egan, Glorioso, Larvadain, Melerine, Taylor, Turner, Wright, and Wyble voted yea. Representative Muscarello abstained.

Representative Muscarello offered a motion to withdraw the amendments. Without objection, the amendments were withdrawn by a vote of 11 yeas, 0 nays, and 1 abstention. Representatives Brown,

Carlson, Edmonston, Egan, Glorioso, Larvadain, Melerine, Taylor, Turner, Wright, and Wyble voted yea. Representative Muscarello abstained.

Representative Muscarello offered amendments to add definitions of foreign entity and foreign country of concern, change references from a foreign person, foreign state, or foreign sovereign wealth fund to a foreign entity, and make technical changes. 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, Edmonston, Egan, Glorioso, Larvadain, Melerine, Taylor, Turner, Wright, and Wyble voted yea. Representative Muscarello abstained.

Representative Melerine offered amendments to add the Litigation Financing Disclosure Act to Senate Bill No. 355.

Dawai Chin Feman, International Legal Finance Association, 40 West 72nd Street, #123, New York, NY 10023, spoke in support of Senate Bill No. 355.

Representative Melerine offered a motion to adopt the proposed amendments, to which Representative Muscarello objected. The administrative assistant called the roll, and the motion failed to pass by a vote of 4 yeas and 9 nays. Representatives Glorioso, Melerine, Turner, and Wright voted yea. Representatives Muscarello, Brown, Carlson, Edmonston, Egan, Larvadain, Taylor, Ventrella, and Wyble voted nay.

Representative Edmonston offered a motion to report Senate Bill No. 355 with amendments. Without objection, Senate Bill No. 355 was reported with amendments by a vote of 12 yeas, 0 nays, and 1 abstention. Representatives Brown, Carlson, Edmonston, Egan, Glorioso, Larvadain, Melerine, Taylor, Turner, Ventrella, Wright, and Wyble voted yea. Representative Muscarello abstained.

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

House Concurrent Resolution No. 80 by Representative Farnum

Representative Farnum presented House Concurrent Resolution No. 80, which directs the La. State Law Institute to study the Private Works Act.

Representative Wyble offered a motion to report House Concurrent Resolution No. 80 favorably. Without objection, House Concurrent Resolution No. 80 was reported favorably by a vote of 10 yeas, 0 nays, and 1 abstention. Representatives Brown, Edmonston, Egan, Glorioso, Larvadain, Taylor, Turner, Ventrella, Wright, and Wyble voted yea. Representative Muscarello abstained.

House Resolution No. 111 by Representative Owen

Representative Owen presented House Resolution No. 111, which memorializes the United States Congress to reform the Foreign Intelligence and Surveillance Act, the Foreign Intelligence Surveillance Court, and to restore the rights of privacy and unreasonable search and seizure.

Chris Alexander, Louisiana Citizen Advocacy Group, P.O. Box 64952, Baton Rouge, LA 70896, spoke in support of House Resolution No. 111.

Representative Wright offered a motion to report House Resolution No. 111 favorably. Without objection, House Resolution No. 111 was reported favorably by a vote of 10 yeas, 0 nays, and 1 abstention. Representatives Carlson, Edmonston, Egan, Glorioso, Larvadain, Taylor, Turner, Ventrella, Wright, 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. 48 by Representative Bacala

Representative Bacala presented House Bill No. 48, a constitutional amendment which provides relative to requirements for enactment of appropriations.

Representative Muscarello offered a motion to adopt the House Rule 6.8(A) Report to House Bill No. 48. Without objection, the House Rule 6.8(A) Report to House Bill No. 48 was adopted by a vote of 11 yeas, 0 nays, and 1 abstention. Representatives Carlson, Edmonston, Egan, Glorioso, Larvadain, Melerine, Taylor, Turner, Ventrella, Wright, and Wyble voted yea. Representative Muscarello abstained.

Representative Muscarello offered a motion to report House Bill No. 48 without amendments. Without objection, House Bill No. 48 was reported without amendments by a vote of 11 yeas, 0 nays, and 1 abstention. Representatives Carlson, Edmonston, Egan, Glorioso, Larvadain, Melerine, Taylor, Turner, Ventrella, Wright, and Wyble voted yea. Representative Muscarello abstained.

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

House Bill No. 49 by Representative Bacala

Representative Bacala presented House Bill No. 49, a constitutional amendment which provides for the limited extension of regular sessions for specific purposes.

Representative Glorioso offered a motion to adopt the House Rule 6.8(A) Report to House Bill No. 49. Without objection, the House Rule 6.8(A) Report to House Bill No. 49 was adopted by a vote of 11 yeas, 0 nays, and 1 abstention. Representatives Brown, Carlson, Edmonston, Egan, Glorioso, Larvadain, Taylor, Turner, Ventrella, Wright, and Wyble voted yea. Representative Muscarello abstained.

Representative Muscarello offered a motion to report House Bill No. 49 without amendments. Without objection, House Bill No. 49 was reported without amendments by a vote of 11 yeas, 0 nays, and 1 abstention. Representatives Brown, Carlson, Edmonston, Egan, Glorioso, Larvadain, Taylor, Turner, Ventrella, Wright, and Wyble voted yea. Representative Muscarello abstained.

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

Senate Bill No. 445 by Senator Jackson-Andrews

On behalf of Senator Jackson-Andrews, Representative Larvadain presented Senate Bill No. 445, which provides for the jurisdictional limits of city courts.

Representative Larvadain offered a motion to report Senate Bill No. 445 favorably. Without objection, Senate Bill No. 445 was reported favorably by a vote of 11 yeas, 0 nays, and 1 abstention. Representatives Brown, Carlson, Edmonston, Egan, Glorioso, 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 11:32 a.m.

Respectfully submitted,

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