

House Committee on Civil Law and Procedure

Minutes of Meeting
2024 Regular Session
May 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 10:13 a.m. in Room 4, in the state capitol in Baton Rouge, Louisiana.

II. ROLL CALL

MEMBERS PRESENT:

Representative Nicholas Muscarello, Jr., chairman
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 Lauren Ventrella
Representative John E. Wyble

MEMBERS ABSENT:

Representative Chad Brown
Representative Wilford Dan Carter, Sr.
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**Senate Bill No. 185 by Senator Seabaugh**

On behalf of Senator Seabaugh, Representative Melerine presented Senate Bill No. 185, which provides for legislative continuances or extensions.

Representative Mike Johnson offered a motion to report Senate Bill No. 185 favorably. Without objection, Senate Bill No. 185 was reported favorably by a vote of 8 yeas, 0 nays, and 1 abstention. Representatives Carlson, Chenevert, Egan, Mike Johnson, Larvadain, Melerine, Taylor, and Wyble voted yea. Representative Muscarello abstained.

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

Senate Bill No. 84 by Senator Seabaugh

On behalf of Senator Seabaugh, Representative Melerine presented Senate Bill No. 84, which provides for motion for judgment on offer of judgment.

Representative Melerine offered amendments to provide that a party may serve upon an adverse party an offer of judgment after an opportunity for adequate discovery, but not less than twenty days before the time specified for trial and to make technical changes. Representative Melerine 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 Carlson, Chenevert, Edmonston, Egan, Mike Johnson, Larvadain, Melerine, Taylor, and Wyble voted yea. Representative Muscarello abstained.

Representative Melerine offered a motion to report Senate Bill No. 84 with amendments. Without objection, Senate Bill No. 84 was reported with amendments by a vote of 9 yeas, 0 nays, and 1 abstention. Representatives Carlson, Chenevert, Edmonston, Egan, Mike Johnson, Larvadain, Melerine, Taylor, and Wyble voted yea. Representative Muscarello abstained.

Witness cards submitted by individuals who did not speak were as follows: 7 in support. Witness cards are included in the committee records.

The committee stood at ease at 10:19 a.m. The committee reconvened at 10:45 a.m.

Senate Bill No. 78 by Senator Morris

Senator Morris presented Senate Bill No. 78, which constitutional amendment to authorize the legislature, by law, to establish additional courts enacted by a two-thirds vote.

Representative Muscarello offered amendments to change the ballot language and to change the election date from November 5, 2024, to December 7, 2024. Representative Muscarello offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 10 yeas, 0 nays, and 1 abstention. Representatives Carlson, Chenevert, Edmonston, Egan, Glorioso, Mike Johnson, Larvadain, Taylor, Turner, and Wyble voted yea. Representative Muscarello abstained.

Representative Muscarello offered a motion to adopt the House Rule 6.8(A) Report Senate Bill No. 78, which stated that the measure could not be accomplished statutorily and would, therefore, require a constitutional amendment, to which Representative Taylor objected. The administrative assistant called the roll, and the House Rule 6.8(A) Report to Senate Bill No. 78 was adopted by a vote of 9 yeas, 2 nays, and 1 abstention. Representatives Carlson, Chenevert, Edmonston, Egan, Glorioso, Mike Johnson, Melerine, Turner, and Wyble voted yea. Representatives Larvadain and Taylor voted nay. Representative Muscarello abstained.

Representative Muscarello offered a motion to report Senate Bill No. 78 with amendments. Without objection, Senate Bill No. 78 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.

Senate Bill No. 177 by Senator Morris

Senator Morris presented Senate Bill No. 177, which constitutional amendment to increase the non-lawyer membership of and provide for the selection judiciary commission members and to require investigations be conducted by directive of the supreme court.

Representative Muscarello offered amendments to change the ballot language and to change the election date. Representative Muscarello offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 10 yeas, 0 nays, and 1 abstention. Representatives Carlson, Chenevert, Edmonston, Egan, Glorioso, Larvadain, Melerine, Taylor, Turner, and Wyble voted yea. Representative Muscarello abstained.

Representative Edmonston offered a motion to adopt the House Rule 6.8(A) Report to Senate Bill No. 177, which stated that the measure could not be accomplished statutorily and would, therefore, require a constitutional amendment. Without objection, the House Rule 6.8(A) Report to Senate Bill No. 177 was 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 Edmonston offered a motion to report Senate Bill No. 177 with amendments. Without objection, Senate Bill No. 177 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 were as follows: 1 in support. Witness cards are included in the committee records.

Senate Bill No. 483 by Senator Morris

This is a continuation of the discussion on Senate Bill No. 483 at an earlier meeting held on May 13, 2024. Please check for prior action to complete the record of discussion and motions on Senate Bill No. 483.

On behalf 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 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.

Senate Bill No. 130 by Senator Bass

Senator Bass presented Senate Bill No. 130, which provides for limitation upon jury trials.

Representative Muscarello offered an amendment to change the cash deposit for jury trials. Representative Muscarello offered a motion to adopt the proposed amendment, to which Representative Melerine objected. The administrative assistant called the roll, and the amendment was adopted by a vote of 8 yeas and 5 nays. Representatives Muscarello, Edmonston, Egan, Glorioso, Mike Johnson, Larvadain, Ventrella, and Wyble voted yea. Representatives Carlson, Chenevert, Melerine, Taylor, and Turner voted nay.

Representative Mike Johnson offered a motion to report Senate Bill No. 130 with amendments, to which Representative Larvadain objected. The administrative assistant called the roll, and Senate Bill No. 130 was reported with amendments by a vote of 10 yeas, 2 nays, and 1 abstention. Representatives Carlson, Chenevert, Edmonston, Egan, Glorioso, Mike Johnson, Melerine, Turner, Ventrella, and Wyble voted yea. Representatives Larvadain and Taylor voted nay. 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.

IV. OTHER BUSINESS

There was no other business.

V. ANNOUNCEMENTS

There were no announcements.

VI. ADJOURNMENT

The meeting was adjourned at 11:21 a.m.

Respectfully submitted,

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