

House Committee on Civil Law and Procedure

Minutes of Meeting
2023 Regular Session
May 15, 2023

I. CALL TO ORDER

Representative Gregory A. Miller, chairman of the House Committee on Civil Law and Procedure, called the meeting to order at 10:08 a.m. in Room 4, in the state capitol in Baton Rouge, Louisiana.

II. ROLL CALL

MEMBERS PRESENT:

Representative Gregory A. Miller, chairman
Representative Beryl A. Amedée
Representative Delisha Boyd
Representative Robby Carter
Representative Wilford Dan Carter, Sr.
Representative Michael Charles Echols
Representative Julie Emerson
Representative Lawrence "Larry" Frieman
Representative Raymond E. Garofalo, Jr.
Representative Valarie Hodges
Representative Patrick O. Jefferson
Representative Sam L. Jenkins, Jr.
Representative Michael T. Johnson, vice chairman
Representative Alonzo L. Knox
Representative Nicholas Muscarello, Jr.
Representative Richard James Nelson
Representative Alan Seabaugh

MEMBERS ABSENT:

Representative Danny McCormick

STAFF MEMBERS PRESENT:

Amy Pirtle, attorney
Allison Shirey, attorney
Megan Sanders, committee administrative assistant

ADDITIONAL ATTENDEES PRESENT:

Michael McCain, clerk
Rebecca Marshall, sergeant at arms
Myrtus Jarrell, sergeant at arms
Allie Eaves, clerk

III. DISCUSSION OF LEGISLATION**House Bill No. 176 by Representative Jefferson**

Representative Jefferson presented House Bill No. 176, which provides relative to transfer of ownership of movable property.

Professor Melissa Lonegrass, Louisiana State Law Institute, Room W127, LSU Law Center, 1 E. Campus Dr., Baton Rouge, LA 70802, (225) 578-0200, spoke for information only on House Bill No. 176.

Representative Jefferson offered amendments to amend Civil Code Article 525 to read affirmatively as opposed to providing for the inapplicability of provisions as they apply to proposed law and to make technical changes. Representative Jefferson 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 Amedee, Boyd, Echols, Frieman, Hodges, Jefferson, Jenkins, Mike Johnson, Knox, Muscarello, and Seabaugh voted yea. Representative Gregory Miller abstained.

Representative Jefferson offered a motion to report House Bill No. 176 with amendments. Without objection, House Bill No. 176 was reported with amendments by a vote of 12 yeas, 0 nays, and 1 abstention. Representatives Amedee, Boyd, Echols, Frieman, Hodges, Jefferson, Jenkins, Mike Johnson, Knox, Muscarello, Nelson, and Seabaugh voted yea. Representative Gregory Miller 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.

Senate Bill No. 63 by Senator Mizell

Senator Mizell presented Senate Bill No. 63, a constitutional amendment, which provides that the right of freedom of worship in churches or other places of worship is a fundamental right that is worthy of the highest order of protection.

John Raymond, New Horizon Church, 401 Pontchartrain Dr., Slidell, LA 70458, (985) 768-9640, spoke in support of Senate Bill No. 63.

Representative Gregory Miller offered a motion to adopt the House Rule 6.8(A) Report for Senate Bill No. 63, which stated that this 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. 63 was adopted by a vote of 9 yeas, 0 nays, and 1 abstention. Representatives Amedee, Boyd, Echols, Frieman, Hodges, Jefferson, Jenkins, Mike Johnson, and Seabaugh voted yea. Representative Gregory Miller abstained.

Representative Frieman offered a motion to report Senate Bill No. 63 without amendments. Without objection, Senate Bill No. 63 was reported without amendments by a vote of 9 yeas, 0 nays, and 1 abstention. Representatives Amedee, Boyd, Echols, Frieman, Hodges, Jefferson, Jenkins, Mike Johnson, and Seabaugh voted yea. Representative Gregory Miller abstained.

Witness cards submitted by individuals who did not speak are as follows: 19 in support and 1 in opposition. Witness cards are included in the committee records.

Statements submitted in accordance with House Rule 14.33 in lieu of appearing before the committee are as follows: 6 in support. Copies of these statements are included in the committee records.

Representative Mike Johnson in the chair.

House Bill No. 244 by Representative Bishop

On behalf of Representative Bishop, Representative Gregory Miller presented House Bill No. 244, a constitutional amendment, which provides relative to the Revenue Stabilization Trust Fund.

Representative Gregory Miller offered an amendment to change the ballot language. Representative Gregory Miller offered a motion to adopt the proposed amendment. Without objection, the amendment was adopted by a vote of 9 yeas, 0 nays, and 1 abstention. Representatives Amedee, Boyd, Echols, Emerson, Frieman, Jefferson, Jenkins, Mike Johnson, and Knox voted yea. Representative Gregory Miller abstained.

Representative Gregory Miller offered a motion to adopt the House Rule 6.8(A) Report to House Bill No. 244, which stated that this measure could not be accomplished statutorily and would, therefore, require a constitutional amendment. Without objection, the House Rule 6.8(A) Report to House Bill No. 244 was adopted by a vote of 10 yeas, 0 nays, and 1 abstention. Representatives Amedee, Boyd, Echols, Emerson, Frieman, Jefferson, Mike Johnson, Knox, Muscarello, and Seabaugh voted yea. Representative Gregory Miller abstained.

Representative Gregory Miller offered a motion to report House Bill No. 244 with amendments. Without objection, House Bill No. 244 was reported with amendments by a vote of 10 yeas, 0 nays,

and 1 abstention. Representatives Amedee, Boyd, Echols, Emerson, Frieman, Jefferson, Mike Johnson, Knox, Muscarello, and Seabaugh voted yea. Representative Gregory Miller abstained.

Representative Gregory Miller in the chair.

The committee stood at ease at 11:14 a.m. The committee reconvened at 11:16 a.m.

House Bill No. 400 by Representative Glover

Representative Glover presented House Bill No. 400, a constitutional amendment, which provides relative to the membership of the Louisiana State University and Southern University boards of supervisors.

Representative Emerson offered an amendment to change the ballot language. Representative Emerson 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 Amedee, Boyd, Echols, Emerson, Frieman, Jefferson, Jenkins, Mike Johnson, Knox, and Seabaugh voted yea. Representative Gregory Miller abstained.

Representative Gregory Miller offered a motion to adopt the House Rule 6.8(A) Report to House Bill No. 400, which stated that the measure, in part, could not be accomplished statutorily and would, therefore, require a constitutional amendment. Without objection, the House Rule 6.8(A) Report to House Bill No. 400 was adopted by a vote of 10 yeas, 0 nays, and 1 abstention. Representatives Amedee, Boyd, Emerson, Frieman, Hodges, Jefferson, Jenkins, Mike Johnson, Knox, and Seabaugh voted yea. Representative Gregory Miller abstained.

Representative Emerson offered a motion to report House Bill No. 400 with amendments. Without objection, House Bill No. 400 was reported with amendments by a vote of 9 yeas, 0 nays, and 1 abstention. Representatives Amedee, Boyd, Emerson, Frieman, Hodges, Jefferson, Jenkins, Knox, and Seabaugh voted yea. Representative Gregory Miller abstained.

House Bill No. 487 by Representative Ivey

Representative Ivey presented House Bill No. 487, a constitutional amendment, which provides relative to the vote requirements for certain tax legislation.

Representative Gregory Miller offered an amendment to change the ballot language. Representative Gregory Miller offered a motion to adopt the proposed amendment. Without objection, the amendment was adopted by a vote of 9 yeas, 0 nays, and 1 abstention. Representatives Amedee, Boyd, Emerson, Hodges, Jefferson, Jenkins, Mike Johnson, Knox, and Seabaugh voted yea. Representative Gregory Miller abstained.

Representative Gregory Miller offered a motion to adopt the House Rule 6.8(A) Report to House Bill No. 487, 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 House Bill No. 487 was adopted by a vote of 9 yeas, 0 nays, and 1 abstention. Representatives Amedee, Boyd, Emerson, Jefferson, Jenkins, Mike Johnson, Knox, Nelson, and Seabaugh voted yea. Representative Gregory Miller abstained.

Representative Amedee offered a motion to report House Bill No. 487 with amendments. Without objection, House Bill No. 487 was reported with amendments by a vote of 9 yeas, 0 nays, and 1 abstention. Representatives Amedee, Boyd, Emerson, Jefferson, Jenkins, Mike Johnson, Knox, Nelson, and Seabaugh voted yea. Representative Gregory Miller abstained.

House Bill No. 537 by Representative Hodges

Representative Hodges presented House Bill No. 537, which provides for a prohibition against foreign adversary purchasing, leasing, or acquiring land.

Representative Gregory Miller offered amendments to:

- (1) Change the disbursement of the proceeds from judicial sales to include certain veterans.
- (2) Authorize the attorney general to enter into cooperative endeavor agreements.
- (3) Provide exceptions for certain persons.
- (4) Change definition of "person connected with a foreign adversary".
- (5) Make technical changes.

Representative Gregory Miller 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 Amedee, Boyd, Emerson, Frieman, Hodges, Jefferson, Mike Johnson, Knox, Muscarello, Nelson, and Seabaugh voted yea. Representative Gregory Miller abstained.

Representative Gregory Miller offered amendments to:

- (1) Provide for notice of attorney general actions.
- (2) Provide that mortgage servicers and directors, officers, or employees of real estate agents, title insurance producers and underwriters, lenders, mortgage servicers, and examining attorneys shall not have additional liability for failure to identify a buyer as a foreign adversary or person connected with a foreign adversary.

(3) Make technical changes.

Representative Gregory Miller 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 Amedee, Boyd, Echols, Emerson, Frieman, Hodges, Mike Johnson, Knox, and Nelson voted yea. Representative Gregory Miller abstained.

Woody Jenkins, 910 N. Foster, Baton Rouge, LA 70806, (225) 921-1433, spoke in support of House Bill No. 537.

Chris Alexander, LACAC.org, 1380 Steele Blvd., Baton Rouge, LA 70806, no telephone number provided, spoke in support of House Bill No. 537.

Doss Hindman, Louisiana Conservatives, 1220 Marigny Ave, Mandeville, LA, no zip code provided, (504) 255-7300, spoke in support of House Bill No. 537.

Bert Callais, veterans, 363 E. St. Francis St., Brusly, LA, no zip code provided, (225) 776-3004, spoke in support of House Bill No. 537.

John T. Hassell, 305 Navarro Dr., Gray, LA 70359, (985) 209-2355, spoke in support of House Bill No. 537.

Jim Norred, 11093 Johnson Rd., Denham Springs, LA 70720, (225) 933-8855, spoke in support of House Bill No. 537.

Katie Belanger, Louisiana Land Title Association, 433 Metairie Rd., Metairie, LA 70003, (504) 582-2170, spoke for information only on House Bill No. 537.

Meng Luo, Chinese Americans in New Orleans, 4713 Lakewood Dr., Metairie, LA 70002, (504) 638-3253, spoke in opposition to House Bill No. 537.

Shegmin Galo, 2851 Ormond Ave., Baton Rouge, LA 70820, (225) 456-7820, spoke in opposition to House Bill No. 537.

Abigail Hu, 10 Finch St., no city or zip code provided, (480) 849-4604, spoke in opposition to House Bill No. 537.

Yi Xiong, 323 Sandalwood Dr., Mandeville, LA, no zip code provided, (720) 369-9561, spoke in opposition to House Bill No. 537.

Representative Mike Johnson in the chair.

Tao Fang, 11555 Southfork Ave., Baton Rouge, LA 70816, (225) 588-9249, spoke in opposition to House Bill No. 537.

Feng Chen, 10733 Hillbrook Ave., Baton Rouge, LA 70810, (225) 454-8638, spoke in opposition to House Bill No. 537.

The committee recessed at 1:41 p.m. The committee reconvened at 5:56 p.m.

Lanjuan Zhao, real estate agent and affordable housing provider, 799 Libby Ln., Mandeville, LA, no zip code provided, (985) 869-3105, spoke in opposition to House Bill No. 537.

Zhan Su, 8800 Blanke St., Metairie, LA 70003, (504) 618-3360, spoke in opposition to House Bill No. 537.

Jason Li, 1510 Sharlo Ave., Baton Rouge, LA 70820, (913) 890-3721, spoke in opposition to House Bill No. 537.

Shusheng Wang, Tulane University, 6221 Carlson Dr., New Orleans, LA 70122, (214) 354-9359, spoke in opposition to House Bill No. 537.

Leda GuiQin Fan, 2 Trianon Plaza, New Orleans, LA 70125, (504) 957-9587, spoke in opposition to House Bill No. 537.

Feng Gao, 6309 Carlson Dr., New Orleans, LA 70122, (646) 818-0808, spoke in opposition to House Bill No. 537.

Representative Hodges offered a motion to report House Bill No. 537 with amendments, to which Representative Jefferson objected. The administrative assistant called the roll, and House Bill No. 537 was reported with amendments by a vote of 11 yeas, 1 nays, and 1 abstention. Representatives Amedee, Boyd, Echols, Emerson, Frieman, Garofalo, Hodges, Mike Johnson, Knox, Muscarello, and Seabaugh voted yea. Representative Jefferson voted nay. Representative Gregory Miller abstained.

Witness cards submitted by individuals who did not speak are as follows: 17 in support, 74 in opposition, and 3 for information only. Witness cards are included in the committee records.

Statements submitted in accordance with House Rule 14.33 in lieu of appearing before the committee are as follows: 60 in support and 80 in opposition. Copies of these statements are included in the committee records.

House Bill No. 259 by Representative Marcelle

On behalf of Representative Marcelle, Representative Gregory Miller offered a motion to voluntarily defer action on House Bill No. 259, a constitutional amendment, which creates an exception to maximum one-year period for appropriations for nongovernmental entities. Without objection, action on House Bill No. 259 was voluntarily deferred by a vote of 12 yeas, 0 nays, and 1 abstention. Representatives Amedee, Boyd, Echols, Emerson, Frieman, Garofalo, Hodges, Jefferson, Mike Johnson, Knox, Muscarello, and Seabaugh voted yea. Representative Gregory Miller abstained.

IV. OTHER BUSINESS

There was no other business.

V. ANNOUNCEMENTS

There were no announcements.

VI. ADJOURNMENT

The meeting was adjourned at 6:41 p.m.

Respectfully submitted,

Chairman Gregory A. Miller
House Committee on Civil Law and Procedure