

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

Minutes of Meeting  
2023 Regular Session  
May 31, 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 8:37 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 Lawrence "Larry" Frieman  
Representative Raymond E. Garofalo, Jr.  
Representative Patrick O. Jefferson  
Representative Michael T. Johnson, vice chairman  
Representative Alonzo L. Knox  
Representative Richard James Nelson  
Representative Alan Seabaugh  
Representative Clay Schexnayder, ex officio

#### **MEMBERS ABSENT:**

Representative Robby Carter  
Representative Wilford Dan Carter, Sr.  
Representative Michael Charles Echols  
Representative Julie Emerson  
Representative Valarie Hodges  
Representative Sam L. Jenkins, Jr.  
Representative Danny McCormick  
Representative Nicholas Muscarello, Jr.

#### **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

**III. DISCUSSION OF LEGISLATION****House Concurrent Resolution No. 126 by Representative Stefanski**

Representative Stefanski presented House Concurrent Resolution No. 126, which expresses intent of the legislature regarding House Bill No. 586 of the 2023 Regular Session, which provides for civil liability for actions related to fentanyl.

Representative Gregory Miller offered amendments to:

- (1) Provide for a rebuttable presumption of fault.
- (2) Provide for a time period regarding ingestion of fentanyl.
- (3) Delete language regarding credible information from sources whose accuracy cannot reasonably be questioned.
- (4) Provide for information from the United States and Louisiana governments as credible.
- (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 9 yeas, 0 nays, and 1 abstention. Representatives Amedee, Boyd, Frieman, Garofalo, Mike Johnson, Knox, Nelson, Seabaugh, and Schexnayder voted yea. Representative Gregory Miller abstained.

Bob Broussard, attorney, no witness card provided, of Lafayette, LA, spoke in support of House Concurrent Resolution No. 126 and provided a handout, Exhibit A, which is included in the committee records.

Representative Garofalo offered a motion to report House Concurrent Resolution No. 126 with amendments. Without objection, House Concurrent Resolution No. 126 was reported with amendments by a vote of 9 yeas, 0 nays, and 1 abstention. Representatives Amedee, Boyd, Frieman, Garofalo, Mike Johnson, Knox, Nelson, Seabaugh, and Schexnayder voted yea. Representative Gregory Miller abstained.

**House Concurrent Resolution No. 121 by Representative Gaines**

On behalf of Representative Gaines, Representative Gregory Miller presented House Concurrent Resolution No. 121, which directs the Louisiana State Law Institute to study succession proceedings and alternatives for low income families and low value properties.

Representative Gregory Miller offered amendments to:

- (1) Provide that the costs of opening a succession may be a reason discouraging heirs from opening a succession.
- (2) Provide that additional study is needed to determine if a party may proceed in forma pauperis in succession proceedings.
- (3) Provide that the homestead exemption is limited to the exceptions provided by Article VII, Section 20 of the Constitution of Louisiana.

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, Frieman, Garofalo, Jefferson, Mike Johnson, Knox, Nelson, and Seabaugh voted yea. Representative Gregory Miller abstained.

Representative Gregory Miller offered a motion to report House Concurrent Resolution No. 121 with amendments. Without objection, House Concurrent Resolution No. 121 was reported with amendments by a vote of 9 yeas, 0 nays, and 1 abstention. Representatives Amedee, Boyd, Frieman, Garofalo, Jefferson, Mike Johnson, Knox, Nelson, and Seabaugh voted yea. Representative Gregory Miller abstained.

**Senate Bill No. 127 by Senator Duplessis**

On behalf of Senator Duplessis, Representative Gregory Miller presented Senate Bill No. 127, a constitutional amendment, which authorizes the local governing authority of each parish to provide a limited ad valorem tax exemption for qualified first responders.

Trey Caruso, City of New Orleans, 1300 Perdido St., New Orleans, LA 70119, (504) 681-7521, spoke in support of Senate Bill No. 127.

Representative Gregory Miller offered a motion to adopt the House Rule 6.8(A) Report to Senate Bill No. 127, 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. 127 was adopted by a vote of 9 yeas, 0 nays, and 1 abstention. Representatives

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

Representative Knox offered a motion to report Senate Bill No. 127 without amendments. Without objection, Senate Bill No. 127 was reported without amendments by a vote of 9 yeas, 0 nays, and 1 abstention. Representatives Amedee, Boyd, Frieman, Garofalo, Jefferson, Mike Johnson, Knox, Nelson, and Seabaugh voted yea. Representative Gregory Miller abstained.

Witness cards submitted by individuals who did not speak are as follows: 2 in support. 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 9:04 a.m.

Respectfully submitted,

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