

House Committee on Civil Law and Procedure

Minutes of Meeting
2025 Regular Session
April 22, 2025

I. CALL TO ORDER

Representative Nicholas Muscarello, Jr., chair of the House Committee on Civil Law and Procedure, called the meeting to order at 9:36 a.m. in Room 4, in the state capitol in Baton Rouge, Louisiana.

II. ROLL CALL

MEMBERS PRESENT:

Representative Nicholas Muscarello, Jr., chair
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 chair
Representative Lauren Ventrella
Representative Mark Wright
Representative John E. Wyble

MEMBERS ABSENT:

Representative Chad Brown
Representative Wilford Dan Carter, Sr.

STAFF MEMBERS PRESENT:

Allison Alonzo, attorney
Jennifer Nguyen, attorney
Andrea Jerezano, committee administrative assistant

ADDITIONAL ATTENDEES PRESENT:

Michael McCain, clerk
Harry Mulcahy, clerk
Martin Mapp Jr., sergeant at arms
Cheryl Domino, sergeant at arms
Marcellus Veal, sergeant at arms

III. DISCUSSION OF LEGISLATION

House Bill No. 436 by Representative Firment

Representative Firment presented House Bill No. 436, which prohibits recovery of certain damages for unauthorized aliens.

Jessica Herring, Vernon Parish Towing Companies, 904 South 4th Street, Leesville, LA 71446, spoke in support of House Bill No. 436.

Representative Carlson offered a motion to report House Bill No. 436 favorably. Without objection, House Bill No. 436 was reported favorably by a vote of 11 yeas, 0 nays, and 1 abstention. Representatives Carlson, Chenevert, Edmonston, Egan, Glorioso, Mike Johnson, Larvadain, Melerine, Turner, Wright, and Wyble voted yea. Representative Muscarello abstained.

Witness cards submitted by individuals who did not speak are as follows: 13 in support, 4 in opposition, and 1 designee of an elected official. Witness cards are included in the committee records.

House Bill No. 336 by Representative Wilder

Representative Wilder and Representative M. Johnson presented House Bill No. 336, which provides relative to venue for certain actions involving uninsured and underinsured motorist policies.

Representative Carlson offered a motion to report House Bill No. 336 favorably, to which Representative Larvadain objected. The administrative assistant called the roll, and House Bill No. 336 was reported favorably by a vote of 10 yeas, 2 nays, and 1 abstention. Representatives Carlson, Chenevert, Edmonston, Egan, Glorioso, Mike Johnson, Melerine, Turner, Wright, 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: 22 in support and 1 in opposition. Witness cards are included in the committee records.

House Bill No. 427 by Representative Bamburg

Representative Bamburg presented House Bill No. 427, which provides for a reversionary trust.

Skip Philips, Louisiana Association of Business and Industry, 500 Main Street, Baton Rouge, LA 70801, spoke in support of House Bill No. 427.

Frank Opelka, Louisiana Department of Insurance, 1702 North 3rd Street, Baton Rouge, LA 70802, spoke for information only on House Bill No. 427.

Representative Wyble offered a motion to report House Bill No. 427 favorably, to which Representative Taylor objected. The administrative assistant called the roll, and House Bill No. 427 was reported favorably 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: 37 in support, 1 in opposition, and 1 for information only. Witness cards are included in the committee records.

House Bill No. 432 by Representative Chenevert

Representative Chenevert presented House Bill No. 432, which provides relative to disclosure of financing agreements.

Kasey Rose Wolmer, ILFA and Contingency Capital, 399 Park Avenue, New York, NY 10022, spoke in opposition to House Bill No. 432.

Representative Melerine offered a motion to report House Bill No. 432 favorably. Without objection, House Bill No. 432 was reported favorably by a vote of 9 yeas, 0 nays, and 1 abstention. Representatives Chenevert, Edmonston, Egan, Glorioso, Melerine, Taylor, Turner, Ventrella, and Wyble voted yea. Representative Muscarello abstained.

Witness cards submitted by individuals who did not speak are as follows: 39 in support and 1 in opposition. Witness cards are included in the committee records.

House Bill No. 435 by Representative Egan

Representative Egan presented House Bill No. 435, which provides limitations relative to claims for general damages.

Adam Patrick, Legislative Liaison, Department of Insurance, 1702 North 3rd Street, Baton Rouge, LA 70802, spoke for information only on House Bill No. 435.

Clyde Bohne, Professional Insurance Agents of Louisiana, 11824 Bricksome Avenue, Baton Rouge, LA 70816, spoke in support of House Bill No. 435.

Drew Fourrier, PIA, P.O. Box 64747, Baton Rouge, LA 70896, spoke in support of House Bill No. 435.

Representative Glorioso offered an amendment to change applicability of proposed law from claims filed under a liability policy to suits for damages arising from a delictual action. Representative Glorioso 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 Carlson, Chenevert, Edmonston, Egan, Glorioso, Mike Johnson, Larvadain, Melerine, Taylor, Turner, Ventrella, and Wyble voted yea. Representative Muscarello abstained.

Ben Albright, Independent Insurance Agents and Brokers of Louisiana, 18153 East Petroleum Drive, Baton Rouge, LA 70809, spoke in support of House Bill No. 435.

Mark Younger, Younger Wholesale Growers, 7106 Highway 1 South, Addis, LA 70710, spoke in support of House Bill No. 435.

Cully Frisard, Frisard Companies, 705 East Airline Highway, Gramercy, LA 70052, spoke in support of House Bill No. 435.

Greg Stewart, Safeway Transportation LLC, 3499 I-10 Frontage Road, Port Allen, LA 70767, spoke in support of House Bill No. 435.

Representative Egan offered a motion to report House Bill No. 435 with amendments, to which Representative Taylor objected. The administrative assistant called the roll, and House Bill No. 435 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, Wright, 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: 32 in support and 1 in opposition. Witness cards are included in the committee records.

House Bill No. 439 by Representative Hebert

Representative Hebert presented House Bill No. 439, which provides relative to a limit on attorney fees.

Representative Muscarello offered amendments to:

- (1) Make technical changes.
- (2) Provide that in a delictual action, if the fee charged by an attorney is contingent, the contingency fee percentage shall be considered discoverable.
- (3) Provide that a nondisclosure agreement that prohibits or prevents the disclosure of the contingency fee percentage shall be considered null and unenforceable to the extent that it prohibits or prevents the disclosure of the contingency fee percentage.
- (4) Provide that an officer of the court with knowledge of an attorney who has violated the provisions of proposed law shall file a complaint against the attorney for the violation with the Louisiana Attorney Disciplinary Board instead of requiring the clerk of court to file the complaint.

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, Ventrella, and Wyble voted yea. Representative Muscarello abstained.

Adam Patrick, Legislative Liaison, Department of Insurance, 1702 North 3rd Street, Baton Rouge, LA 70802, spoke for information only on House Bill No. 439.

Representative Glorioso offered a motion to report House Bill No. 439 with amendments, to which Representative Taylor objected. The administrative assistant called the roll, and House Bill No. 439 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: 26 in support and 1 in opposition. Witness cards are included in the committee records.

House Bill No. 449 by Representative Carlson

Representative Carlson presented House Bill No. 449, which provides relative to fees reasonably expected to be earned by an attorney.

Representative Carlson offered amendments to:

- (1) Specify that if an attorney other than the attorney of record can reasonably expect to earn a fee equal to or exceeding \$1,000, the attorney shall file a disclosure of his interest with the court.
- (2) Specify that the fee of \$1,000 or more expected by an attorney does not apply to fees for legal services provided for in the case.
- (3) Provide that information required to be disclosed to the court pursuant to proposed law shall be considered discoverable.
- (4) Provide that a nondisclosure agreement that prohibits or prevents the disclosures required by proposed law shall be considered null and unenforceable.
- (5) Provide that an officer of the court with knowledge of an attorney who has violated the provisions of proposed law shall file a complaint against the attorney for the violation with the Louisiana Attorney Disciplinary Board.

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

Adam Patrick, Legislative Liaison, Department of Insurance, 1702 North 3rd Street, Baton Rouge, LA 70802, spoke for information only on House Bill No. 449.

Representative Carlson offered a motion to report House Bill No. 449 with amendments, to which Representative Taylor objected. The administrative assistant called the roll, and House Bill No. 449 was reported with amendments by a vote of 8 yeas, 2 nays, and 1 abstention. Representatives Carlson, Chenevert, Edmonston, Egan, Glorioso, Melerine, Turner, 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: 21 in support and 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 12:26 p.m.

Respectfully submitted,

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