

House Committee on Civil Law and Procedure

Minutes of Meeting
2025 Regular Session
April 28, 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 9:40 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 Mark Wright
Representative John E. Wyble

MEMBERS ABSENT:

Representative Chad Brown
Representative Wilford Dan Carter, Sr.
Representative Lauren Ventrella

STAFF MEMBERS PRESENT:

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

ADDITIONAL ATTENDEES PRESENT:

Michael McCain, clerk
Angela McKnight, sergeant at arms
Martin Mapp Jr., sergeant at arms

III. OTHER BUSINESS

A presentation by the Supreme Court of Louisiana Historical Society in commemoration of the bicentennial of the 1825 Louisiana Civil Code was given by the following individuals:

Skip Philips, Supreme Court Historical Society, 450 Laurel Street, Baton Rouge, LA.

Phelps Gay, Supreme Court of Louisiana Historical Society, 400 Royal Street, New Orleans, LA 70130. A brochure, Exhibit A, is included in the committee records.

Alan G. Brackett, Supreme Court Historical Society, 701 Padres Street, Suite 600, New Orleans, LA 70139.

IV. DISCUSSION OF LEGISLATION**House Bill No. 37 by Representative Schlegel**

Representative Schlegel presented House Bill No. 37, which establishes a duty of care for online platforms who contract with minors.

Representative Turner in the chair.

Collin Sims, District Attorney, 22nd JDC, no address provided, spoke in support of House Bill No. 37.

On behalf of the author, Representative Wyble offered amendments to:

- (1) Make technical changes.
- (2) Change the effective date from January 1, 2026, to March 1, 2026.
- (3) Remove the language "or reasonably likely to be used" from the definition of "covered platform".
- (4) Change the definition of a broadband service from the language in R.S. 12:430.1 to 47 C.F.R. 43.400.

- (5) Remove the language for a wireless messaging service that provides that the "predominant function" is wireless messaging and will now provide that it is the exclusive function.
- (6) Define "precise geolocation" and specify the geolocation is precise for the purpose of disclosure of the geolocation of a minor.
- (7) Specify that the duty of care owed to a minor by a covered platform includes the creation of an online account.
- (8) Remove the prohibition of an adult from viewing the personal data of a minor on a covered platform.
- (9) Change the methods in which a covered platform shall inform the legal representative of a minor. Change the notification from twenty-four hours to a reasonable time.
- (10) Remove the requirement that express consent be written.
- (11) Change the notification requirements and provide that a covered platform notify the legal representative of a minor when a connection is made between a minor and any other user on a covered platform.

Representative Wyble offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 10 yeas and 0 nays. Representatives Carlson, Chenevert, Edmonston, Egan, Mike Johnson, Larvadain, Melerine, Taylor, Turner, and Wyble voted yea.

Hannah Duke, Entertainment Software Association, P.O. Box 80029, Baton Rouge, LA 70898, spoke in opposition to House Bill No. 37.

Steve Duke, Entertainment Software Association, P.O. Box 80029, Baton Rouge, LA 70898, spoke in opposition to House Bill No. 37.

Representative Mike Johnson offered a motion to report House Bill No. 37 with amendments. Without objection, House Bill No. 37 was reported with amendments by a vote of 11 yeas and 0 nays. Representatives Carlson, Chenevert, Edmonston, Egan, Glorioso, Mike Johnson, Melerine, Taylor, Turner, Wright, and Wyble voted yea.

Witness cards submitted by individuals who did not speak are as follows: 5 in support, 2 in opposition, and 2 for information only. Witness cards are included in the committee records.

Prepared statements were received via email for House Bill No. 37.

House Bill No. 102 by Representative Schlegel

Representative Schlegel presented House Bill No. 102, which expands the Louisiana Products Liability Act to include digital products.

Representative Wyble offered a motion to report House Bill No. 102 favorably. Without objection, House Bill No. 102 was reported favorably by a vote of 9 yeas and 0 nays. Representatives Carlson, Chenevert, Edmonston, Egan, Glorioso, Mike Johnson, Turner, Wright, and Wyble voted yea.

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

House Bill No. 16 by Representative Schlegel

Representative Schlegel presented House Bill No. 16, which provides relative to the limitation of civil liability for nonprofits that donate medical supplies.

Jennifer Esler, New Orleans Medical Missions Services, 1040 Elmer Avenue, Metairie, LA 70005, spoke in support of House Bill No. 16 and provided a handout, Exhibit B, which is included in the committee records.

Representative Larvadain offered a motion to report House Bill No. 16 favorably. Without objection, House Bill No. 16 was reported favorably by a vote of 9 yeas and 0 nays. Representatives Chenevert, Edmonston, Egan, Glorioso, Mike Johnson, Larvadain, Turner, Wright, and Wyble voted yea.

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. 36 by Representative Schlegel

Representative Schlegel presented House Bill No. 36, which provides relative to consumable hemp.

On behalf of the author, Representative Turner offered amendments to make technical changes and to clarify that there is an action for damages when a person sells, administers, or furnishes consumable hemp to a person under the age of twenty-one.

Dr. Joseph O. Jones, North Louisiana Crime Lab, 1630 Tulane Avenue, Shreveport, LA 71103, spoke in support of House Bill No. 36.

Representative Turner offered a motion to adopt the previously proposed amendments. Without objection, the amendments were adopted by a vote of 10 yeas and 0 nays. Representatives Carlson,

Chenevert, Edmonston, Glorioso, Larvadain, Melerine, Taylor, Turner, Wright, and Wyble voted yea.

Blaine Jennings, Virgin Hemp, P.O. Box 129, Milton, LA 70558, spoke in opposition to House Bill No. 36.

Representative Edmonston offered a motion to report House Bill No. 36 with amendments. Without objection, House Bill No. 36 was reported with amendments by a vote of 12 yeas and 0 nays. Representatives Carlson, Chenevert, Edmonston, Egan, Glorioso, Mike Johnson, Larvadain, Melerine, Taylor, Turner, Wright, and Wyble voted yea.

Witness cards submitted by individuals who did not speak are as follows: 3 in support. Witness cards are included in the committee records.

Chair Muscarello in the chair.

House Bill No. 302 by Representative Wright

Representative Wright presented House Bill No. 302, which provides relative to transparency in asbestos actions.

Mark Behrens, United States Chamber of Commerce, 1800 K Street NW, Washington, D.C. 20006, spoke in support of House Bill No. 302.

Mary Margaret Gay, Gay Jones & Kuhn PLLC, 2906 North State Street, Suite 106, Jackson, MS 39216, spoke in support of House Bill No. 302.

Dan Reber, VFW, 212 F Brickell Way, Lafayette, LA 70506, spoke in opposition to House Bill No. 302.

David Cannella, Baron & Budd, no address provided, spoke in opposition to House Bill No. 302.

Alton Ashy, Baron & Budd, no address provided, spoke in opposition to House Bill No. 302.

Representative Mandie Landry, District 91, no address provided, spoke in opposition to House Bill No. 302.

Bruce Reilly, 4930 Washington, New Orleans, LA, spoke in opposition to House Bill No. 302.

Representative Muscarello offered a motion to voluntarily defer action on House Bill No. 302. Without objection, action on House Bill No. 302 was voluntarily deferred by a vote of 13 yeas and

0 nays. Representatives Muscarello, Carlson, Chenevert, Edmonston, Egan, Glorioso, Mike Johnson, Larvadain, Melerine, Taylor, Turner, Wright, and Wyble voted yea.

Witness cards submitted by individuals who did not speak are as follows: 11 in support and 2 in opposition. Witness cards are included in the committee records.

House Bill No. 575 by Representative Ventrella

At the request of Representative Ventrella, Representative Muscarello offered a motion to voluntarily defer action on House Bill No. 575, which provides relative to liability for the unlawful termination of a pregnancy. Without objection, action on House Bill No. 575 was voluntarily deferred by a vote of 13 yeas and 0 nays. Representatives Muscarello, Carlson, Chenevert, Edmonston, Egan, Glorioso, Mike Johnson, Larvadain, Melerine, Taylor, Turner, Wright, and Wyble voted yea.

House Bill No. 178 by Representative Mike Johnson

Representative Mike Johnson presented House Bill No. 178, which provides for the continuous revision of the Code of Civil Procedure.

Judge Guy Holdridge, Director, Louisiana State Law Institute, Room W127, LSU Law Center, 1 E. Campus Drive, Baton Rouge, LA, spoke for information only on House Bill No. 178.

Representative Melerine offered an amendment to provide that if an action is commenced in a competent court of improper venue, prescription is suspended for a period of seven days as to a defendant not served by process within the prescription period. Representative Melerine offered a motion to adopt the proposed amendment. Without objection, the amendment was adopted by a vote of 10 yeas and 0 nays. Representatives Muscarello, Carlson, Chenevert, Edmonston, Egan, Glorioso, Mike Johnson, Larvadain, Melerine, and Turner voted yea.

James C. Donohue, Louisiana Association of Defense Counsel, no address provided, Baton Rouge, LA 70801, spoke in opposition to House Bill No. 178.

Representative Muscarello offered a motion to report House Bill No. 178 with amendments. Without objection, House Bill No. 178 was reported with amendments by a vote of 10 yeas, 0 nays, and 1 abstention. Representatives Carlson, Chenevert, Edmonston, Egan, Glorioso, Mike Johnson, Larvadain, Melerine, Turner, and Wyble voted yea. Representative Muscarello abstained.

Witness cards submitted by individuals who did not speak are as follows: 2 in opposition and 1 for information only. Witness cards are included in the committee records.

House Bill No. 181 by Representative Wiley

Representative Wiley presented House Bill No. 181, which provides relative to definition of terms in the Civil Code.

Professor Ronald Scalise, Jr., Reporter, Louisiana State Law Institute, Room W127, LSU Law Center, 1 East Campus Drive, Baton Rouge, LA, spoke for information only on House Bill No. 181.

Representative Muscarello offered a motion to report House Bill No. 181 favorably. Without objection, House Bill No. 181 was reported favorably by a vote of 9 yeas and 0 nays. Representatives Muscarello, Carlson, Chenevert, Edmonston, Egan, Glorioso, Melerine, Turner, and Wyble voted yea.

House Bill No. 366 by Representative Deshotel

On behalf of the author, Representative Turner presented House Bill No. 366, a constitutional amendment which authorizes parishes to exempt business inventory from ad valorem taxes and authorizes parishes to reduce the percentage of fair market value applicable to business inventory.

Representative Muscarello offered a motion to adopt the Rule 6.8(A) Report to House Bill No. 366, which stated that the measure could not be accomplished statutorily and would, therefore, require a constitutional amendment. Without objection, the Rule 6.8(A) Report to House Bill No. 366 was adopted by a vote of 9 yeas, 0 nays, and 1 abstention. Representatives Carlson, Chenevert, Edmonston, Egan, Glorioso, Larvadain, Melerine, Turner, and Wyble voted yea. Representative Muscarello abstained.

Representative Muscarello offered a motion to report House Bill No. 366 without amendments. Without objection, House Bill No. 366 was reported without amendments by a vote of 9 yeas, 0 nays, and 1 abstention. Representatives Carlson, Chenevert, Edmonston, Egan, Glorioso, Larvadain, Melerine, Turner, 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.

Prepared statements were received via email for House Bill No. 366.

V. ANNOUNCEMENTS

There were no announcements.

VI. ADJOURNMENT

The meeting was adjourned at 1:05 p.m.

Respectfully submitted,

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