



LSBA
Bill Status Report
06-02-2010 - 12:58:19

 - Action in the date range  - Link to Related Information () - Priority

2010R BOG OPPOSE

HB 25	Abramson	Exempts La. Citizens Property Insurance Corp. from posting bonds. Remarks: The LSBA OPPOSES this bill because it is against bar policy which opposes immunity.
HB 104	Hardy	Requires a driver who is arrested for a DWI to remain in jail 48 hours after arrest. Remarks: The LSBA OPPOSES this bill.
HB 289	Hardy	(Constitutional Amendment) Provides with respect to domicile requirements for certain judges. Remarks: The LSBA OPPOSES this bill, and notes that the current system is working and that it was not necessary to make any changes.
HB 317	Abramson	Provides venue for actions involving latent disease. Remarks: The LSBA OPPOSES this bill because it targets special interests. Opposition to this bill is in compliance with earlier policies from the House of Delegates.
HB 323	Willmott	Provides a limitation of liability for curators and undercurators. Remarks: The LSBA OPPOSES this bill. Its opposition is consistent with the LSBA's policy to oppose limitations of liability.
HB 358	Abramson	Provides disclosure procedures for asbestos and silica claims. Remarks: The LSBA OPPOSES this bill because it is case specific. The LSBA's opposition complies with the policies of the House of Delegates.
HB 375	Morris	Provides with respect to the use of certificates of analysis in criminal cases. Remarks: The LSBA OPPOSES this bill because the bill deprives defendant of constitutionally protected confrontation rights.
HB 427	Mills	Provides relative to medical malpractice. Remarks: The LSBA OPPOSES this bill. The LSBA notes that the new burden shifting in the bill created an immunity which the LSBA opposes generally, and would extend to emergency situations beyond those Katrina-caused.
HB 491	Billiot	Limits liability for any flood control levee or structure designed and built by the U.S. Army Corps of Engineers. Remarks: The LSBA OPPOSES because the bill provides a limitation of liability which the LSBA opposes generally.

HB 494	Billiot	Limits liability of levee districts for the permit or use of bicycle paths or walkways for recreational purposes by the public.
	Remarks:	The LSBA OPPOSES this bill because it provides a limitation of liability, which violates LSBA policy regarding limitations of liability and immunities.
HB 554	Danahay	Prohibits release on own recognizance for domestic abuse battery.
	Remarks:	The LSBA OPPOSES this bill because it interferes with appropriate judicial discretion.
HB 572	Burns, Tim	Provides for the inclusion of information in certain civil petitions regarding Latent Disease.
	Remarks:	The LSBA OPPOSES this bill because it attempts to treat a specific set of cases differently by requiring additional pleading requirements which are not warranted.
HB 584	Mills	Limits liability during funeral processions.
	Remarks:	The LSBA OPPOSES this bill because it is against bar policy which opposes limitations of liability.
HB 669	Dixon	Provides relative to the rehabilitation of injured employees.
	Remarks:	The LSBA OPPOSES this bill.
HB 708	Carmody	Provides relative to medical review panels filing fee.
	Remarks:	The LSBA OPPOSES this bill which is consistent with the LSBA's previous policy to reign in court costs.
HB 762	Roy	Provides for a minimum mandatory sentence of one year for intentional acts of cruelty to the infirmed.
	Remarks:	The LSBA OPPOSES this bill because it interferes with the defendant's constitutionally protected right of confrontation.
HB 772	Lopinto	Amends provisions relative to securing the presence of a material witness.
	Remarks:	The LSBA OPPOSES this bill because it authorizes the arrest of a witness who has done nothing to justify incarceration and does not provide a meaningful standard or safeguard.
HB 773	Roy	Provides a limitation of liability for prescribed burnings as a land management tool.
	Remarks:	The LSBA OPPOSES this bill because it provides a limitation of liability, which is against bar policy regarding limitations of liability and immunities.
HB 795	Wooton	Provides relative to an employer's access to criminal history and arrest records of a potential employee.
	Remarks:	The LSBA OPPOSES this bill.
HB 801	Lambert	(Constitutional Amendment) Provides that the term of office for justices of the supreme court is six years.
	Remarks:	The LSBA OPPOSES this bill.
HB 871	Hazel	Provides relative to summonses for contempt for nonpayment of child support orders or medical support orders.
	Remarks:	The LSBA OPPOSES this bill because it delegates too much

		authority to the DDS and allows the DDS to be the enforcement agency.
HB 902	Arnold	Provides with respect to the liability of Mardi Gras parade krewees. Remarks: The LSBA OPPOSES this bill because it provides a limitation of liability, which violates LSBA policy regarding limitations of liability and immunities.
HB 940	Montoucet	(Constitutional Amendment) Permits criminal defendants in certain cases to waive trial by jury with the consent of the prosecutor and court approval. Remarks: The LSBA OPPOSES this bill.
HB 980	Abramson	Provides relative to the interviewing of crime victims and witnesses. Remarks: The LSBA OPPOSES this bill.
HB 1007	White	Provides relative to the Louisiana Governmental Claims Act. Remarks: The LSBA OPPOSES this bill because it attempts to fix a law that does not need to be fixed.
HB 1031	White	Provides with respect to prescriptive period as relates to claims against the state. Remarks: The LSBA OPPOSES this bill because it targets unfairly old cases against the DOTD.
HB 1091	Abramson	Prohibits penalties against the Louisiana Citizens Property Insurance Corporation in class action lawsuits. Remarks: The LSBA OPPOSES this bill because the exemption that the bill provides is akin to a limitation of liability, which violates the LSBA's policy regarding limitations of liability and immunities.
HB 1101	Schroder	Prohibits appropriations to a nongovernmental entity when there is a decrease in the official forecast. Remarks: The LSBA OPPOSES this bill because the bill could impact funding for Access to Justice, LCLE, and other groups.
HB 1106	White	Provides relative to divestiture of juvenile jurisdiction. Remarks: The LSBA OPPOSES this bill.
HB 1210	Schroder	Provides with respect to the Louisiana Public Adjuster Licensing Law. Became HB 1475. Companions: HB 1475 Schroder (Substitute) 5-13-10 H Returned to the calendar - subject to call Remarks: The LSBA OPPOSES this bill because the bill in its present form provides for the unauthorized practice of law.
HB 1312	LeBas	Provides for prescription in actions for damages against home inspectors. Remarks: The LSBA OPPOSES this bill because the exemption that the bill creates an immunity, which violates LSBA policy regarding limitations of liability and immunities.
HB 1318	Henderson	Provides relative to immunity of personnel while engaged in emergency preparedness activities. Remarks: The LSBA OPPOSES this bill because the exemption that it

creates an immunity, which violates LSBA policy regarding limitations of liability and immunities.

HB 1324 Richmond Repeals provisions relative to compensation in certain expropriation proceedings.

Remarks: The LSBA **OPPOSES** this bill because it restricts Louisiana's expropriation damages which are broader than other states.

HB 1360 Wooton Amends provisions of law regarding insurance fraud. Became HB 1483.

Companions: HB 1483 Wooton (Substitute)
5-27-10 S Referred to Senate Committee on Senate Insurance

Remarks: The LSBA **OPPOSES** this bill.

HB 1421 Landry Provides for low-profit limited liability companies.

Remarks: The LSBA **OPPOSES** this bill with a recommendation that Louisiana Law Institute review the bill.

SB 72 Appel Provides that certain provisions of the Code of Governmental Ethics are applicable to judges.

Remarks: The LSBA **OPPOSES** this bill because it imposes on the Supreme Court's exclusive jurisdiction over the practice of law.

SB 132 Morrell Prohibits visitation rights of a family member with culpability in death of a parent.

Remarks: The LSBA **OPPOSES** this bill because it interferes with appropriate judicial discretion.

SB 163 Murray Provides relative to procedure for motion for a summary judgment.

Remarks: The LSBA **OPPOSES** this bill because the sufficient law is sufficient.

SB 165 Murray Provides relative to motions for summary judgment.

Remarks: The LSBA **OPPOSES** this bill.

SB 219 Appel Provides relative to the signing of pleadings.

Remarks: The LSBA **OPPOSES** this bill because the current law regarding pleadings and contents is sufficient.

SB 366 Michot Provides relative to venue.

Remarks: The LSBA **OPPOSES** this bill.

SB 443 LaFleur Provides relative to civil actions against certain professionals for malpractice.

Remarks: The LSBA **OPPOSES** this bill because it contains an objectionable requirement that petition alleging professional liability contain an expert report.

SB 457 Appel Provides relative to the Louisiana Binding Arbitration Law.

Remarks: The LSBA **OPPOSES** this bill.

SB 475 Quinn Provides relative to failure to pay child support obligation.

Remarks: The LSBA **OPPOSES** this bill because the bill interferes with

appropriate judicial discretion.

SB 549

Adley

Provides for the receipt of certain pro bono legal services from state and private university law schools by small and emerging businesses and prohibits certain activities by law school clinics.

Remarks: This bill was defeated, following a two-hour hearing on May 19. As originally filed, the bill provided for the receipt of certain pro bono legal services from state and private university law schools by small and emerging businesses and prohibited certain activities by law school clinics. Opposed by the LSBA, this bill would have had a substantial deleterious effect on law school clinics in the state.

SB 738

Appel

Limits the liability for certain professional employees of a school district.

Remarks: The LSBA **OPPOSES** this bill.

- End of Report -