

2016 Regular Session

HOUSE BILL NO. 491

BY REPRESENTATIVE MAGEE

COMMERCIAL REGS/ANTITRUST: Provides with respect to damages recoverable for violation of anti-monopoly laws

1 AN ACT

2 To amend and reenact R.S. 51:137, relative to monopolies; to provide for damages; and to
3 provide for related matters.

4 Be it enacted by the Legislature of Louisiana:

5 Section 1. R.S. 51:137 is hereby amended and reenacted to read as follows:

6 §137. Damages recoverable for violation of law

7 Any person who is injured in his business or property by any person by
8 reason of any act or thing forbidden by this Part, regardless of whether the injured
9 person dealt directly or indirectly with the person in violation of this Part, may sue
10 in any court of competent jurisdiction and shall recover threefold the damages
11 sustained by him, the cost of suit, and a reasonable attorney's fee.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 491 Original

2016 Regular Session

Magee

Abstract: Provides for damages when a person is directly or indirectly injured in his business or property by any person who violates applicable monopoly laws.

Present law provides that any person who is injured in his business or property by any person by reason of any act or thing forbidden by present law, relative to monopolies, may sue in any court of competent jurisdiction and shall recover threefold the damages sustained by him, the cost of suit, and a reasonable attorney's fee.

Proposed law retains present law but clarifies that the injured person may sue in any court of competent jurisdiction and shall recover threefold the damages sustained by him, the cost of suit, and a reasonable attorney's fee, regardless of whether the injured person dealt directly or indirectly with the person in violation of present law.

(Amends R.S. 51:137)