

Regular Session, 2012

HOUSE BILL NO. 813

BY REPRESENTATIVE LEGER

COMMERCIAL REGS/ANTITRUST: Authorizes the state to bring an action in an antitrust matter

1 AN ACT

2 To amend and reenact R.S. 51:137, relative to antitrust; to authorize the state to bring an
3 action; and to 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 A. 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 such injured
9 person dealt directly or indirectly with the defendant, may sue in any court of
10 competent jurisdiction and shall recover threefold the damages sustained by him, the
11 cost of suit, and a reasonable ~~attorney's~~ attorney fee.

12 B. The state may bring an action on behalf of any person who is injured in
13 his business or property by any person by reason of any act or thing forbidden by this
14 Part, regardless of whether such injured person dealt directly or indirectly with the
15 defendant, in any court of competent jurisdiction and shall recover threefold the
16 damages sustained by him, the cost of suit, and a reasonable attorney 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)]

Leger

HB No. 813

Abstract: Authorizes the state to bring an action in an antitrust matter.

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

Proposed law retains present law and provides that the person may bring an action regardless of whether the injured person dealt directly or indirectly with the defendant.

Proposed law authorizes the state to bring an action on behalf of any person who is injured in his business or property by any person by reason of any act or thing forbidden by proposed law, regardless of whether such injured person dealt directly or indirectly with the defendant, in any court of competent jurisdiction and to recover threefold the damages sustained by him, the cost of suit, and a reasonable attorney fee.

(Amends R.S. 51:137)