

2024 Regular Session

HOUSE BILL NO. 842

BY REPRESENTATIVE WILEY

LIABILITY/CIVIL: Provides relative to civil liability protection for local governments concerning events on the Mississippi River levee

1 AN ACT

2 To amend and reenact R.S. 9:2796.3(A), relative to civil liability; to provide relative to civil
3 liability for local governments; to provide for loss related to bonfire presentations on
4 the Mississippi River levee; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 9:2796.3(A) is hereby amended and reenacted to read as follows:

7 §2796.3. Liability for loss related to bonfire presentations on the Mississippi River
8 levee

9 A.(1) ~~Personal injury, wrongful death, and survivorship actions for damages~~
10 Notwithstanding any other law to the contrary, no person shall have a cause of action
11 against a sponsor of a bonfire presentation on the Mississippi River levee in
12 connection with any festival or ethnic or holiday celebration ~~shall be available to the~~
13 ~~plaintiff.~~

14 (2) ~~if~~ If the sponsor of the bonfire failed to obtain and comply with a permit
15 for the bonfire presentation, failed to use only combustible materials approved by the
16 local governing authority, negligently violated an order from the local governing
17 authority, or committed a deliberate and wanton act or gross negligence, and such
18 conduct of the sponsor was the cause in fact of the injury, death, or loss sustained by
19 the plaintiff a person may bring an action against the sponsor.

20 * * *

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 842 Original

2024 Regular Session

Wiley

Abstract: Provides for a limitation on cause of action for loss related to bonfire presentations on the Mississippi River levee.

Present law provides that personal injury, wrongful death, and survivorship actions for damages against a sponsor shall be available if the sponsor fails to comply with a permit for bonfire presentation, failed to use the proper materials, negligently violated an order from the local authority, or committed a deliberate and wanton act or gross negligence and the sponsor was the cause in fact of the injuries.

Proposed law changes present law to provide that no person shall have a cause of action against a sponsor unless the sponsor fails to comply with a permit for bonfire presentation, failed to use the proper materials, negligently violated an order from the local authority, or committed a deliberate and wanton act or gross negligence, and the sponsor was the cause in fact of the injuries.

(Amends R.S. 9:2796.3(A))