

Regular Session, 2010

HOUSE BILL NO. 902

BY REPRESENTATIVE ARNOLD

LIABILITY/CIVIL: Provides with respect to the liability of Mardi Gras parade krewe

1 AN ACT

2 To enact R.S. 9:2796(C), relative to Mardi Gras parades; to provide for a limitation of
3 liability; to define the terms "krewe", "organization", and "nonprofit organization";
4 and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 9:2796(C) is hereby enacted to read as follows:

7 §2796. Limitation of liability for loss connected with Mardi Gras parades and
8 festivities; fair and festival parades

9 * * *

10 C. For purposes of this Section, the terms "krewe", "organization", and
11 "nonprofit organization" shall include any manufacturer or lessor of a trailer or float
12 used in the parade or of a vehicle used to tow a trailer or float in the parade.
13 However, the limitation of liability provided by this Section shall not extend to any
14 claim or cause of action against a manufacturer or lessor for damages arising from
15 the failure in the design, manufacture, or maintenance of the trailer or float.

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)]

Arnold

HB No. 902

Abstract: Provides that the terms "krewe", "organization", and "nonprofit organization" shall include any manufacturer or lessor of a trailer or float or a vehicle used to tow a trailer or float used in the parade.

Present law provides that no person shall have a cause of action against any krewe or organization, any group traditionally referred to as Courir de Mardi Gras, or any member thereof, which presents Mardi Gras parades, processions, or runs for any loss or damage caused by any member, during or in conjunction with or related to the parades or courirs presented by the krewe or organization, unless the loss or damage was caused by the deliberate and wanton act or gross negligence of the krewe or organization or any member, or the operation of a motor vehicle by a member within the parade or festival when the member is a compensated employee of the krewe, organization, or courir.

Proposed law expands present law to provide that the terms "krewe", "organization", and "nonprofit organization" shall include any manufacturer or lessor of a trailer or float or a vehicle used to tow a trailer or float used in the parade.

Proposed law provides the limitation of liability shall not extend to any claim or cause of action against the manufacturer or lessor for damages arising from the failure in the design, manufacture, or maintenance of the trailer or float.

(Adds R.S. 9:2796(C))

Summary of Amendments Adopted by House

House Floor Amendments to the engrossed bill.

1. Deleted the reference to "service provider" and extended the limitation of liability to manufacturers or lessors of trailers or floats and to vehicles used to tow a trailer or float in the parade.
2. Provided that the limitation of liability shall not extend to claims arising from a failure in the design, manufacture, or maintenance of the trailer or float.