HLS 201ES-278 REENGROSSED

2020 First Extraordinary Session

1

HOUSE CONCURRENT RESOLUTION NO. 20

BY REPRESENTATIVE SEABAUGH

CIVIL/JURY TRIALS: Suspends provision of law relative to jury trial threshold (Item #40)

A CONCURRENT RESOLUTION

2	To suspend until sixty days after final adjournment of the 2021 Regular Session of the
3	Legislature of Louisiana Code of Civil Procedure Article 1732(1), relative to the jury
4	trial threshold for a petitioner's cause of action.
5	WHEREAS, Article III, Section 20 of the Constitution of Louisiana provides that
6	"only the legislature may suspend a law"; and
7	WHEREAS, Code of Civil Procedure Article 1732(1) provides that a jury trial is not
8	available in suits where no individual petitioner's cause of action exceeds fifty thousand
9	dollars exclusive of interest and costs; and
0	WHEREAS, substantial revisions to Code of Civil Procedure Article 1732(1) are
1	required in order to achieve the goals of the Legislature of Louisiana concerning tort reform
12	and lowering motor vehicle insurance premiums; and
13	WHEREAS, the purpose of this Resolution is to allow the Legislature of Louisiana
4	additional opportunity to make necessary revisions to Code of Civil Procedure Article
15	1732(1).
16	THEREFORE, BE IT RESOLVED that the Legislature of Louisiana hereby suspends
17	the provision of Code of Civil Procedure Article 1732(1).
18	BE IT FURTHER RESOLVED that this Resolution shall become effective if, and
19	only if, the Act which originated as House Bill No. 57 of the 2020 First Extraordinary
20	Session is not enacted or is vetoed and fails to become law

- BE IT FURTHER RESOLVED that if, and only if, House Bill No. 57 of the 2020
- 2 First Extraordinary Session is not enacted or is vetoed and fails to become law, this
- 3 Resolution shall become effective on August 1, 2020, and shall extend through the sixtieth
- 4 day after final adjournment of the 2021 Regular Session of the Legislature of Louisiana.

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)]

HCR 20 Reengrossed

2020 First Extraordinary Session

Seabaugh

Suspends C.C.P. Art. 1732(1) relative to the jury trial threshold requirement for causes of action exceeding \$50,000.

Effective on Aug. 1, 2020, if House Bill No. 57 of this 2020 First E.S. is not enacted or is vetoed and fails to become law.

(Suspends C.C.P. Art. 1732(1))

Summary of Amendments Adopted by House

The Committee Amendments Proposed by <u>House Committee on Civil Law and Procedure</u> to the <u>original</u> bill:

1. Make technical changes.

The House Floor Amendments to the engrossed bill:

1. Add that this Resolution is effective on Aug. 1, 2020, only if the Act which originated as House Bill No. 57 of the 2020 First E.S. is not enacted or is vetoed and fails to become law.