LIABILITY/CIVIL: Provides relative to liability associated with Mardi Gras parades

AN ACT

To amend and reenact R.S. 9:2796(A), relative to the limitation of liability for loss connected to Mardi Gras parades; to provide for liability associated with motordrawn floats and other vehicles; to provide a limitation of liability for certain contractors and members of certain krewes and organizations; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 9:2796(A) is hereby amended and reenacted to read as follows:

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

A. (1) Notwithstanding any other law to the contrary, 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, including traditional rural Mardi Gras parades, processions, or runs in which participants ride on horseback, march, walk, or ride on horse-drawn or motordrawn floats, or wheeled beds, or other parades, whether held on a public or private street or waterway, or in a building or other structure, or any combination thereof, connected with pre-Lenten festivities or the Holiday in Dixie Parade, or against any nonprofit organization chartered under the laws of this state, or any member thereof, which sponsors fairs or festivals that present parades or courirs, for any loss or damage caused by any member thereof, during or in conjunction with or related to
the parades or courirs presented by such krewe or organization, unless said loss or
damage was caused by the deliberate and wanton act or gross negligence of the
krewe or organization, or any member thereof as the case may be, or unless said
member was operating a motor vehicle within the parade or festival and was a
compensated employee of the krewe, organization, or courir. The provisions of this
Section shall not be intended to limit the liability of a compensated employee of such
krewe or organization for his individual acts of negligence.

(2) Notwithstanding any other law to the contrary, no person shall have a
cause of action against a krewe, organization, or courir listed in Paragraph (1) of this
Subsection, or a member, contractor, or employee of a contractor of such krewe,
organization, or courir who is hired or contracted by the krewe, organization, or
courir to construct or stage Mardi Gras parades for any loss or damage caused by the
member, contractor, or employee of a contractor through the operation, transfer, or
movement of a motordrawn float or other vehicle in connection with a Mardi Gras
parade unless the loss or damage was caused by the deliberate and wanton act or
gross negligence of the member, contractor, or employee of the contractor.

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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 923 Original       2022 Regular Session       McKnight

Abstract: Limits liability for damages caused by driving a motordrawn float or other
vehicle.

Present law provides a limitation of liability for Mardi Gras krewes and organizations and
traditional Courir de Mardi Gras, or any member thereof, and nonprofit organizations which
sponsor fairs or festivals that present parades or courirs for any loss or damage caused by
any member thereof in conjunction with the parade or courir unless the loss or damage was
caused by the deliberate and wanton act or gross negligence of the krewe or organization or
member thereof.

Proposed law retains present law.

Present law provides that the limitation of liability does not apply if the member was
operating a motor vehicle within the parade or festival and was a compensated employee of

CODING: Words in struck through type are deletions from existing law; words underscored
are additions.
the krewe, organization, or courir and does not apply to a compensated employee of the
krewe or organization for his individual acts of negligence.

Proposed law repeals present law and provides that no person shall have a cause of action
against a krewe, organization, or courir described in present law, or a member, contractor,
or employee of a contractor of such krewe, organization, or courir who is hired or contracted
by the krewe, organization, or courir to construct or stage Mardi Gras parades for any loss
or damage caused by the member, contractor, or employee of a contractor through the
operation, transfer, or movement of a motordrawn float or other vehicle in connection with
a Mardi Gras parade unless the loss or damage was caused by the deliberate and wanton act
or gross negligence of the member, contractor, or employee of the contractor

(Amends R.S. 9:2796(A))