

2016 Regular Session

**Approved
6-6-16**

HOUSE STUDY REQUEST NO. 3

BY REPRESENTATIVE GAROFALO

CONSUMERS/PROTECTION: Requests the House Committee on Civil Law and Procedure to study various aspects of unfair trade practice and consumer protection laws

1 A STUDY REQUEST

2 To the House Committee on Civil Law and Procedure to study Louisiana's policies relative
3 to standing, measures of damages, and proof requirements for private actions
4 alleging violations of the Unfair Trade Practices and Consumer Protection Law and
5 to report its findings to the House of Representatives no later than thirty days prior
6 to the convening of the 2017 Regular Session of the Legislature of Louisiana.

7 WHEREAS, the Unfair Trade Practices and Consumer Protection Law allows private
8 plaintiffs to file lawsuits and seek damages for alleged violations; and

9 WHEREAS, the Unfair Trade Practices and Consumer Protection Law does not
10 specifically provide that private plaintiffs seeking damages for violations must prove that
11 they were misled by a questionable business practice; and

12 WHEREAS, the Unfair Trade Practices and Consumer Protection Law does not limit
13 damages in private lawsuits for alleged violations to a plaintiff's monetary loss; and

14 WHEREAS, businesses and consumers are both harmed by unwarranted lawsuits;
15 and

16 WHEREAS, unnecessary litigation imposes strain on the Louisiana courts.

17 THEREFORE, the House of Representatives of the Legislature of Louisiana requests
18 that the House Committee on Civil Law and Procedure study Louisiana's policies relative
19 to standing, measures of damages, and proof requirements for private actions alleging
20 violations of the Unfair Trade Practices and Consumer Protection Law and to report its

- 1 findings to the House of Representatives no later than thirty days prior to the convening of
2 the 2017 Regular Session of the Legislature of Louisiana.
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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)]

HSR 3 Original

2016 Regular Session

Garofalo

Requests the House Committee on Civil Law and Procedure to study Louisiana's policies relative to standing, measures of damages, and proof requirements for private actions alleging violations of the Unfair Trade Practices and Consumer Protection Law and to report its findings to the House of Representatives no later than 30 days prior to the convening of the 2017 R.S.