

2018 Regular Session

HOUSE BILL NO. 845

BY REPRESENTATIVES LANCE HARRIS, BERTHELOT, CONNICK, JACKSON, AND
MACK

1 AN ACT

2 To amend and reenact R.S. 51:422.1(E) and 424, relative to enforcement for unfair sales of
3 motor fuels; to provide relative to certain actions and enforcement; to provide terms
4 and conditions; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 51:422.1(E) and 424 are hereby amended and reenacted to read as
7 follows:

8 §422.1. Unfair sales of motor fuel; impairment of competition; exemptions; records
9 to support exemptions; damages

10 * * *

11 E. Notwithstanding any other provision of law to the contrary, the provisions
12 of this Section ~~shall~~ may be enforced by the attorney general and the district
13 attorneys, in their respective districts, in order to prevent and restrain violations of
14 this Section. Actions by other persons may also be instituted as authorized by
15 Section 424 of this Subpart.

16 * * *

17 §424. Injunctions

18 In addition, the courts of this state may prevent and restrain violations of this
19 Subpart, and district attorneys, in the respective districts, shall institute proceedings
20 to prevent and restrain violations. Any person damaged, ~~or who is threatened with~~
21 ~~loss or injury~~ by reason of a violation of this Subpart may sue for and have injunctive

1 relief against any damage, or threatened loss or injury. ~~Any person, successful in a~~
2 ~~suit for injunctive relief under this Section, shall be allowed a reasonable attorney's~~
3 ~~fee; and further, the right as herein established shall exist in favor of any duly~~
4 ~~organized and existing trade organization and there shall exist damages and injury~~
5 ~~to such organization where it is shown that any one or more individual members~~
6 ~~thereof has been damaged by a violation of this Sub-part. Any person who prevails~~
7 ~~in a suit for injunctive relief shall be allowed reasonable attorney fees.~~

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____