

RÉSUMÉ DIGEST

ACT 14 (HB 305)

2019 Regular Session

Falconer

Existing law (R.S. 51:1405) prohibits unfair and deceptive acts or practices in the conduct of any trade or commerce.

Existing law (R.S. 51:1409) creates a private right of action to recover damages sustained pursuant to unfair or deceptive acts or practices.

Existing law (R.S. 51:1402) defines "elder person" as any person sixty-five years of age or older. Existing law also defines "person with a disability" as a person with a mental, physical, or developmental disability that substantially impairs that person's ability to provide adequately for his own care or protection.

New law retains existing law.

New law defines "telephone" to include cellular phones and further provides definitions for electronic mail and text messaging.

New law provides for an increased potential for damages when the prohibited unfair or deceptive act was knowingly committed against an elder person or person with a disability using a telephone, electronic mail, or text messaging.

New law provides that no telephone, electronic mail, internet, cable, or other telecommunications service provider shall be liable for any violation of new law.

Effective August 1, 2019.

(Adds R.S. 51:1409.1)