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**HOUSE COMMITTEE AMENDMENTS**

2022 Regular Session

Amendments proposed by House Committee on Civil Law and Procedure to Original House Bill No. 702 by Representative Jordan

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**1** AMENDMENT NO. 1**2** On page 1, line 4, after "liability for" and before the semicolon ";" change "peace officers"  
**3** to "public entities"**4** AMENDMENT NO. 2**5** On page 1, line 12, after "A." and before "Notwithstanding" insert "(1)"**6** AMENDMENT NO. 3**7** On page 1, line 12, after "2800.10." delete the remainder of the line and delete lines 13  
**8** through 16 in their entirety and insert the following:**9** "a public entity employer shall be liable for an injury caused by an act or  
**10** omission of a peace officer who, under color of law, violates a right secured by the  
**11** laws or Constitution of the United States of America or laws or Constitution of  
**12** Louisiana.**13** (2) An individual may file an action for legal, equitable, or other relief in a  
**14** court of competent jurisdiction for a violation of a right as provided by Paragraph (1)  
**15** of this Subsection.**16** (3) The proper defendant in an action pursuant to this Section is the public  
**17** entity employer and not a peace officer whose acts or omission is the subject of a  
**18** claim under this Section.**19** (4) A peace officer shall not be found financially liable for a violation of a  
**20** right as provided by Paragraph (1) of this Subsection.**21** (5)(a) The public entity employer shall notify the peace officer whose acts  
**22** or omission is the subject of a claim under this Section within ten days of the public  
**23** entity employer being served.**24** (b) The peace officer shall have an unconditional right to intervene in the  
**25** action as a third party defendant."**26** AMENDMENT NO. 4**27** On page 1, at the end of line 18, insert the following:**28** "Reasonable attorney fees include those incurred on an hourly or contingency  
**29** basis or by an attorney providing services pro bono."**30** AMENDMENT NO. 5**31** On page 2, delete lines 11 through 27 in their entirety and insert the following:**32** "(2) An action pursuant to this Section is not subject to any of the following:**33** (a) Louisiana state law doctrines of immunity.

- 1                    (b) Federally-recognized doctrines of qualified immunity.
- 2                    (c) Sovereign immunity, governmental immunity, or custom or policy.
- 3                    (d) Statutory immunities and limitations on liability or damages.
- 4                    (3) Nothing in this Section abrogates judicial or legislative immunity."

5    AMENDMENT NO. 6

6    On page 2, at the beginning of line 28, change "E" to "D"

7    AMENDMENT NO. 7

8    On page 2, after line 29 insert the following:

9                    "E.(1) Notwithstanding any other provision of law, for any contract or  
10                    agreement enacted after the effective date of this legislation, a court's finding that a  
11                    peace officer deprived a right secured by the Constitution of the United States of  
12                    America or Constitution of Louisiana as provided by this Section shall be per se  
13                    evidence that the public entity employer has just cause for terminating the  
14                    employment of the peace officer.

15                    (2) The public entity's termination of a contract, agreement, or employment  
16                    with a peace officer shall not affect the public entity's liability for payment of  
17                    damages to the plaintiff caused by the peace officer as provided by this Section."