

2023 Regular Session

HOUSE BILL NO. 324

BY REPRESENTATIVE DAVIS

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

LIABILITY/CIVIL: Provides relative to vicarious liability of an employer

1 AN ACT

2 To enact Code of Evidence Article 416, relative to vicarious liability; to provide for the
3 inadmissability of evidence in certain circumstances; and to provide for related
4 matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. Code of Evidence Article 416 is hereby enacted to read as follows:

7 Art. 416. Vicarious liability; inadmissible evidence

8 When a defendant is alleged to be vicariously liable for the acts of an
9 employee, agent, or other person and has accepted vicarious liability for any fault of
10 the employee, agent, or other person, evidence of independent fault of the vicariously
11 liable defendant, including alleged negligent hiring, training, retention, or
12 entrustment shall not be admissible.

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 324 Original

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Davis

Abstract: Provides relative to vicarious liability of an employer.

Proposed law provides that when a defendant is alleged to be vicariously liable for the acts of an employee, agent, or other person and has accepted vicarious liability for any fault of the employee, agent, or other person, evidence of independent fault of the vicariously liable defendant, including alleged negligent hiring, training, retention, or entrustment shall not be admissible.

(Adds C.E. Art. 416)