

2023 Regular Session

HOUSE RESOLUTION NO. 260

BY REPRESENTATIVE GREGORY MILLER

A RESOLUTION

To authorize and request the House Committee on Civil Law, or a subcommittee thereof, to study venue provisions related to foreign or alien insurers and forum non conveniens and report its findings prior to the convening of the 2024 Regular Session of the Legislature of Louisiana.

WHEREAS, Code of Civil Procedure Article 42 provides for general venue provisions; and

WHEREAS, Code of Civil Procedure Article 42(7) specifically provides for venue for actions against a foreign or alien insurer, and provides that such actions shall be brought in the parish of East Baton Rouge; and

WHEREAS, Code of Civil Procedure Article 43 provides that the general rules of venue are subject to exceptions; and

WHEREAS, Code of Civil Procedure Article 123 provides that, for the convenience of parties and the witnesses, the court may transfer a civil case; and

WHEREAS, in cases involving a foreign or alien insurer, courts have questioned whether the mandatory provisions of Code of Civil Procedure Article 42(7) are subject to the provisions of Code of Civil Procedure Articles 71 through 124.

THEREFORE, BE IT RESOLVED that the House of Representatives of the Legislature of Louisiana does hereby authorize and request the House Committee on Civil Law and Procedure, or a subcommittee thereof, to study venue provisions related to foreign or alien insurers and forum non conveniens and report its findings prior to the convening of the 2024 Regular Session of the Legislature of Louisiana.

BE IT FURTHER RESOLVED that one print copy and one electronic copy of any report produced pursuant to this Resolution shall be submitted to the David R. Poynter Legislative Research Library as required by R.S. 24:772.

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SPEAKER OF THE HOUSE OF REPRESENTATIVES