2024 Regular Session

HOUSE BILL NO. 169

BY REPRESENTATIVE ROBBY CARTER

1	AN ACT
2	To amend and reenact R.S. 30:1109(B), relative to liability; to provide relative to owners
3	and operators of carbon sequestration; to provide relative to limitations on the
4	recovery of noneconomic damages; and to provide for related matters.
5	Be it enacted by the Legislature of Louisiana:
6	Section 1. R.S. 30:1109(B) is hereby amended and reenacted to read as follows:
7	§1109. Cessation of storage operations; limited liability release
8	* * *
9	B.(1) In any civil liability action against the owner or operator of a storage
10	facility, carbon dioxide transmission pipeline, or the generator of the carbon dioxide
11	being handled by either the facility or pipeline, the maximum amount recoverable
12	as compensatory damages for noneconomic loss shall not exceed two hundred fifty
13	thousand dollars per occurrence person, except where the damages for noneconomic
14	loss suffered by the plaintiff were for wrongful death; permanent and substantial
15	physical deformity, loss of use of a limb or loss of a bodily organ system; or
16	permanent physical or mental functional injury that permanently prevents the injured
17	person from being able to independently care for himself or herself and perform life
18	sustaining activities. In such cases, the maximum amount recoverable as
19	compensatory damages for noneconomic loss shall not exceed five hundred thousand
20	dollars per occurrence <u>person</u> .

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CODING: Words in struck through type are deletions from existing law; words <u>underscored</u> are additions.

ENROLLED

1	(2) If Paragraph (1) of this Subsection, or the application thereof to any
2	person or circumstance, is finally determined by a court of law to be unconstitutional
3	or otherwise invalid, the maximum amount recoverable as damages for noneconomic
4	loss shall thereafter not exceed one million dollars per occurrence person. This
5	provision shall not supersede any contractual agreement with respect to liability
6	between a plaintiff and an owner or operator of a storage facility, a carbon dioxide
7	transmission pipeline, or the generator of the carbon dioxide.
8	* * *

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____