

# ACT No. 415

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~~ person.

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.

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

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PRESIDENT OF THE SENATE

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GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: \_\_\_\_\_