
The original instrument was prepared by J. W. Wiley. The following digest, which does not constitute a part of the legislative instrument, was prepared by McHenry Lee.

DIGEST

Allain (SB 423)

Present law provides a procedure and time delays for the litigation of judicial demands arising from or alleging environmental damage.

Proposed law provides that all litigation making a judicial demand arising from or alleging environmental damage must be referred to mediation pursuant to the provisions of proposed law.

Proposed law requires that within 60 days of the filing of any litigation or pleading making a judicial demand arising from or alleging environmental damage that is subject to the provisions of present law, a dispute assessment meeting will be held in which all the parties and principals who are authorized to make decisions regarding settlement must discuss all of the issues involved in the litigation and any other matters needed to evaluate the claim. Further allows all persons to use telephone, conference call, videoconferencing, or similar telecommunication methods.

Proposed law provides that if the litigation is removed to federal court and then remanded back to state court, the dispute assessment meeting will be held within 60 days from the date of the order of remand.

Proposed law provides that prior to trial, any case governed by the provisions of present law will be referred to mediation in accordance with the La. Mediation Act.

Effective August 1, 2014.

(Adds R.S. 30:29.2)

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Natural Resources to the original bill

1. Removes substantive provisions of proposed law.
2. Provides for a dispute assessment meeting.
3. Requires mediation.