The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Ashley E. Menou.

DIGEST

SB 147 Original | 2018 Regular Session | Morrell

Proposed law provides that a court shall stay proceedings in cases of defamation of character, libel, slander, or damage to reputation brought by an alleged perpetrator of sexual misconduct against the alleged victim. Further provides that the stay shall remain until the completion of all investigations, hearings, or proceedings relating to the allegations of sexual misconduct.

Proposed law provides that if the court determines that the defamation of character, libel, slander, or damage to reputation claim brought by an alleged perpetrator is fraudulent or frivolous, the defendant is entitled to exemplary damages.

Proposed law provides that there is no limit to the amount of exemplary damages a defendant may receive.

Proposed law provides that the party instituting the suit against an alleged victim waives all privileges and protections relating to the findings and evidence of the investigation, hearing, or proceeding on the allegations of sexual misconduct.

Proposed law provides that the waiver does not apply to attorney-client privilege.

Effective August 1, 2018.

(Adds R.S. 13:3381 and 3382)