

SENATE SUMMARY OF HOUSE AMENDMENTS

SB 115

2020 Regular Session

Connick

KEYWORD AND SUMMARY AS RETURNED TO THE SENATE

COMMERCIAL REGULATIONS. Provides relative to advertisements for legal services. (1/1/21)

SUMMARY OF HOUSE AMENDMENTS TO THE SENATE BILL

1. Changes the disclosure requirement from all expenses to all attorney fees paid to the advertising attorney.
2. Changes the supreme court's ability to adopt rules from mandatory to permissive.
3. Changes effective date from effective upon the signature of the governor to effective Jan. 1, 2021.
4. Adds provisions regarding a "media entity".

DIGEST OF THE SENATE BILL AS RETURNED TO THE SENATE

SB 115 Reengrossed

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Proposed law provides any advertisement for legal services, in any format, that contains a reference to a monetary settlement agreement or an award by a jury verdict previously obtained by the advertising attorney shall, in the same advertisement, disclose a full accounting of all attorney fees paid to the advertising attorney associated with the settlement agreement or award by jury verdict.

Proposed law provides that the disclosure of all attorney fees paid to the advertising attorney associated with the settlement agreement or jury verdict, when presented in print, shall be in a font size no smaller than half of the largest font size used in the advertisement and when presented verbally shall be audible, intelligible, and presented with equal prominence and in the same manner as the other parts of the advertisement.

Proposed law provides that the La. Supreme Court may adopt rules that are necessary to implement and enforce the provisions of proposed law.

Proposed law provides that the term "media entity" includes the following:

- (a) Radio or television broadcast station.
- (b) Cable television company.
- (c) Newspaper or periodical company.
- (d) Billboard company.
- (e) Voice, data, or other communications.
- (f) Information services.
- (g) Internet access provider.
- (h) Bona fide news or public interest website operator.

Provides that proposed law does not limit or otherwise affect the carriage, distribution, transmission, or display of any advertisement by a media entity. Provides that any carriage, distribution, transmission, or display of an advertisement by a media entity shall not be a violation of proposed law.

Effective January 1, 2021.

(Adds R.S. 37:223)

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