

SENATE BILL NO. 115

BY SENATORS CONNICK AND SMITH AND REPRESENTATIVES AMEDEE, BACALA, BEAULLIEU, BUTLER, CREWS, DAVIS, DESHOTEL, DEVILLIER, EDMONSTON, FARNUM, FIRMENT, FREIBERG, FRIEMAN, GADBERRY, GAINES, GOUDEAU, HARRIS, ILLG, MIKE JOHNSON, MACK, MARINO, MIGUEZ, MUSCARELLO, NELSON, CHARLES OWEN, PRESSLY, RISER, ROMERO, SEABAUGH, STEFANSKI, THOMAS, WHEAT AND ZERINGUE

1 AN ACT

2 To enact R.S. 37:223, relative to advertisements; to provide for advertisements of legal
3 services; to require certain disclosures; to provide for terms and conditions; and to
4 provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 37:223 is hereby enacted to read as follows:

7 **§223. Advertisements for legal services**

8 **A. The legislature recognizes that legal advertisements in the state have**
9 **the potential to mislead individuals who need professional legal services and**
10 **that potential litigants have the right to know what expenses will be associated**
11 **with legal representation.**

12 **B.(1) Any advertisement for legal services, in any format, that contains**
13 **a reference to a monetary settlement agreement or an award by a jury verdict**
14 **previously obtained by the advertising attorney shall, in the same**
15 **advertisement, disclose all attorney fees paid to the advertising attorney that are**
16 **associated with the settlement agreement or award by jury verdict.**

17 **(2) The disclosure of all attorney fees associated with the settlement or**
18 **jury verdict when presented in print shall be in a font size no smaller than half**
19 **the size of the largest font size used in the advertisement and when presented**
20 **verbally shall be audible, intelligible, and presented with equal prominence and**
21 **in the same manner as the other parts of the advertisement.**

1 C. The Louisiana Supreme Court may adopt rules as necessary to
2 implement and enforce the provisions of this Section.

3 D. (1) For purposes of this Section, "media entity" includes the
4 following:

5 (a) Radio or television broadcast station.

6 (b) Cable television company.

7 (c) Newspaper or periodical company.

8 (d) Billboard company.

9 (e) Voice, data, or other communications.

10 (f) Information services.

11 (g) Internet access provider.

12 (h) Bona fide news or public interest website operator.

13 (2) The provisions of this Section shall not limit or otherwise affect the
14 carriage, distribution, transmission, or display of any advertisement by a media
15 entity. Any carriage, distribution, transmission, or display of an advertisement
16 by a media entity shall not be considered a violation of this Section by the media
17 entity.

18 Section 2. This Act shall become effective on January 1, 2021.

PRESIDENT OF THE SENATE

SPEAKER OF THE HOUSE OF REPRESENTATIVES

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____