
HOUSE COMMITTEE AMENDMENTS

2020 First Extraordinary Session

Amendments proposed by House Committee on Civil Law and Procedure to Original House
Bill No. 66 by Representative Nelson

1 AMENDMENT NO. 1

2 On page 1, delete line 5 in its entirety and insert the following:

3 "1732(1) and 1761(A), Code of Evidence Article 411, and R.S. 22:1454(A), to enact
4 Civil Code Article"

5 AMENDMENT NO. 2

6 On page 1, line 13, after "trials;" and before "the jury" delete "to eliminate" and insert "to
7 provide relative to"

8 AMENDMENT NO. 3

9 On page 1, line 15, after "provide" and before "the right" delete "for establishing" and insert
10 "relative to"

11 AMENDMENT NO. 4

12 On page 1, line 15, after "insurer;" and before "to provide" insert "to provide relative to
13 certain insurance rating standards and methods;"

14 AMENDMENT NO. 5

15 On page 2, line 1, after "Articles" and before "and 1761(A)" change "1732" to "1732(1)"

16 AMENDMENT NO. 6

17 On page 2, delete lines 6 through 29 in their entirety and on page 3, delete lines 1 through
18 5 in their entirety and insert the following:

19 "1) A suit, other than one brought pursuant to Chapter 3 of Title V of Book
20 III of the Civil Code, where the amount of no individual petitioner's cause of action
21 exceeds ~~fifty~~ thirty-five thousand dollars exclusive of interest and costs, except as
22 follows:

23 (a) If an individual petitioner stipulates or otherwise judicially admits sixty
24 days or more prior to trial that the amount of the individual petitioner's cause of
25 action does not exceed ~~fifty~~ thirty-five thousand dollars exclusive of interest and
26 costs, a defendant shall not be entitled to a trial by jury.

27 (b) If an individual petitioner stipulates or otherwise judicially admits for the
28 first time less than sixty days prior to trial that the amount of the individual
29 petitioner's cause of action does not exceed ~~fifty~~ thirty-five thousand dollars
30 exclusive of interest and costs, any other party may retain the right to a trial by jury
31 if that party is entitled to a trial by jury pursuant to this Article and has otherwise
32 complied with the procedural requirements for obtaining a trial by jury.

33 (c) Notwithstanding Subsubparagraphs (a) and (b) of this Subparagraph, if,
34 as a result of a compromise or dismissal of one or more claims or parties which
35 occurs less than sixty days prior to trial, an individual petitioner stipulates or
36 otherwise judicially admits that the amount of the individual petitioner's cause of
37 action does not exceed ~~fifty~~ thirty-five thousand dollars exclusive of interest and
38 costs, a defendant shall not be entitled to a trial by jury.

39 * * *

1 A. Rates shall not be inadequate or unfairly discriminatory in a competitive
2 market. Rates shall not be excessive, inadequate, or unfairly discriminatory in a
3 noncompetitive market. Risks may be classified using any criteria except that no
4 risk shall be classified on the basis of race, ~~gender of an insured over the age of~~
5 ~~twenty-five~~, color, creed, or national origin.
6 * * *

7 AMENDMENT NO. 13

8 On page 8, at the beginning of line 14, change "Section 11." to "Section 12."

9 AMENDMENT NO. 14

10 On page 8, between lines 15 and 16, insert the following:

11 "Section 13. (A) On April 1 of each year through 2024, the commissioner of
12 insurance shall report annually to the legislature the rate change of the statewide
13 average private passenger automobile written premium for minimum limits from
14 April 1 of the prior year.
15 (B) On August 1, 2023, the commissioner of insurance shall report to the
16 legislature the rate change of the statewide average private passenger automobile
17 written premium for minimum limits from January 1, 2020.
18 (C) In calculating the rate change as provided in Subsections A and B of this
19 Section, the commissioner of insurance shall include a measure of inflation which
20 is based on any increase or decrease in medical expenses, wages, property damage
21 expenses, and relevant costs and expenses over the reporting period commencing on
22 April 1 of the prior year."

23 AMENDMENT NO. 15

24 On page 8, at the beginning of line 16, change "Section 12.(A)" to "Section 14.(A)"

25 AMENDMENT NO. 16

26 On page 8, line 16, after "7" and before "of this" insert "and 13"

27 AMENDMENT NO. 17

28 On page 8, line 18, after "Section" and before "of this" change "3" to "2"

29 AMENDMENT NO. 18

30 On page 8, delete lines 21 through 24 in their entirety and insert the following:

31 "(C) The provisions of Sections 8 through 12 of this Act are effective August
32 1, 2023, if no report required to be submitted on or before August 1, 2023, by the
33 commissioner of insurance pursuant to Section 13 of this Act reflects that the
34 statewide average private passenger automobile written premium for minimum limits
35 decreased by at least fifteen percent compared to the average private passenger
36 automobile written premium for minimum limits on January 1, 2020."