

2023 Regular Session

HOUSE BILL NO. 339

BY REPRESENTATIVE GREGORY MILLER

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

EVIDENCE: Provides relative to motions for summary judgment

1 AN ACT

2 To amend and reenact Code of Civil Procedure Article 966(G), relative to motions for
3 summary judgment; to provide relative to the admission of evidence; to provide
4 relative to fault; to provide for the admission of evidence of a principal acting
5 pursuant to a mandate; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. Code of Civil Procedure Article 966(G) is hereby amended and reenacted
8 to read as follows:

9 Art. 966. Motion for summary judgment; procedure

10 * * *

11 G. When the court ~~grants a motion for~~ renders summary judgment in
12 accordance with the provisions of this Article; that a party or ~~non-party~~ nonparty is
13 not negligent, is not at fault, or did not cause in whole or in part the injury or harm
14 alleged, that party or ~~non-party~~ nonparty shall not be considered in any subsequent
15 allocation of fault. Evidence shall not be admitted at trial to establish the fault of that
16 party or ~~non-party~~ nonparty except that evidence may be admitted to establish the
17 fault of a principal when the party or nonparty acted pursuant to a mandate. During
18 the course of the trial, no party or person shall refer directly or indirectly to any such
19 fault, nor shall that party or ~~non-party's~~ nonparty's fault be submitted to the jury or

