

HOUSE SUMMARY OF SENATE AMENDMENTS

HB 339

2023 Regular Session

Gregory Miller

EVIDENCE: Provides relative to motions for summary judgment

Synopsis of Senate Amendments

1. Makes semantic changes to restore present law.

Digest of Bill as Finally Passed by Senate

Present law provides relative to motions for summary judgment.

Present law provides that when a court grants a motion for summary judgment that a party or nonparty is not negligent, is not at fault, or did not cause the injury or harm alleged, the party or nonparty shall not be considered in any subsequent allocation of fault.

Present law provides that evidence shall not be admitted at trial, submitted to the jury, or included on the jury verdict form to establish fault of the party.

Proposed law provides for the admission of evidence to establish the fault of a principal when the party or nonparty acted pursuant to a mandate.

Proposed law provides that proposed law does not apply if the judgment of an appellate court is reversed.

(Amends C.C.P. Art. 966(G))