

2024 Regular Session

SENATE BILL NO. 16

BY SENATOR PRESSLY (On Recommendation of the Louisiana State Law Institute)

EVIDENCE. Provides for expert testimony. (8/1/24)

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AN ACT

To amend and reenact the introductory paragraph of Code of Evidence Art. 702(A) and (4), relative to expert testimony; to provide for a burden of proof; to provide with respect to expert opinions; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. The introductory paragraph of Code of Evidence Art. 702(A) and (4) are hereby amended and reenacted to read as follows:

Art. 702. Testimony by experts

A. A witness who is qualified as an expert by knowledge, skill, experience, training, or education may testify in the form of an opinion or otherwise if **the proponent demonstrates to the court that it is more likely than not that:**

* * *

(4) The ~~expert has reliably applied~~ **expert's opinion reflects a reliable application of** the principles and methods to the facts of the case.

* * *

Comments – 2024

This amendment does not change the law and is intended to align the

1 language of this Article with the 2023 amendments to Rule 702 of the Federal Rules
2 of Evidence.

The original instrument and the following digest, which constitutes no part
of the legislative instrument, were prepared by Hanna Gettys.

SB 16 Original DIGEST 2024 Regular Session Pressly

Present law (C.E. Art. 702) provides for testimony by experts.

Proposed law retains present law but clarifies the burden of proof and makes semantic changes consistent with Rule 702 of the Federal Rules of Evidence.

Effective August 1, 2024.

(Amends C.E. Art. 702(A)(intro para) and (4))