

2024 Regular Session

HOUSE BILL NO. 803

BY REPRESENTATIVE MUSCARELLO

(On Recommendation of the Louisiana State Law Institute)

1 AN ACT

2 To amend and reenact Code of Civil Procedure Articles 42(5) and (6), and to repeal Sections
3 1 and 2 of the Act that originated as House Bill No. 88 of the 2024 Regular Session
4 of the Legislature, relative to civil procedure; to provide relative to venue; to provide
5 relative to prescription; to provide for an effective date for the Act that originated as
6 Senate Bill No. 246 of the 2024 Regular Session of the Legislature; and to provide
7 for related matters.

8 Be it enacted by the Legislature of Louisiana:

9 Section 1. Code of Civil Procedure Articles 42(5) and (6) are hereby amended and
10 reenacted to read as follows:

11 Art. 42. General rules

12 The general rules of venue are that an action against:

13 * * *

14 (5) A foreign corporation or a foreign limited liability company not licensed
15 to do business in the state, or a nonresident who has not appointed an agent for the
16 service of process in the manner provided by law, ~~other than a foreign or alien~~
17 ~~insurer~~, shall be brought in the parish of the plaintiff's domicile or in a parish where
18 the process may be, and subsequently is, served on the defendant except when
19 service is made pursuant to R.S. 22:335.

20 (6) A nonresident, other than a foreign corporation ~~or a foreign or alien~~
21 ~~insurer~~, who has appointed an agent for the service of process in the manner

1 provided by law, shall be brought in the parish of the designated post office address
2 of an agent for the service of process.

3 * * *

4 Section 2. Sections 1 and 2 of the Act that originated as House Bill No. 88 of the
5 2024 Regular Session of the Legislature are hereby repealed in their entirety.

6 Section 3. The Act that originated as Senate Bill No. 246 of the 2024 Regular Session
7 of the Legislature shall become effective on June 14, 2024; if vetoed by the governor and
8 subsequently approved by the legislature, the Act that originated as Senate Bill No. 246 of
9 the 2024 Regular Session of the Legislature shall become effective on June 14, 2024, or on
10 the day following such approval by the legislature, whichever is later.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____