



LEGISLATIVE FISCAL OFFICE
Fiscal Note

Fiscal Note On: **SB 108** SLS 25RS 289
Bill Text Version: **ORIGINAL**
Opp. Chamb. Action:

Proposed Amd.:
Sub. Bill For.:

Date: May 13, 2025	12:29 PM	Author: MILLER, G.
Dept./Agy.: Judiciary/Division of Administration/Courts		
Subject: Recoverable Medical Expenses/Limiting Jury Trials/Evidence		Analyst: Daniel Druilhet

CIVIL PROCEDURE OR INCREASE LF EX See Note Page 1 of 2
Provides for recoverable medical expenses, limitation upon jury trials and admissibility of evidence in civil actions. (8/1/25)

Current law provides for the limits of recoverable medical expenses of medical expenses paid by collateral sources, health insurance issuers, or Medicare to a contracted medical provider; provides for receipt by the court of evidence related to past recoverable medical expenses; provides for unavailability of jury trials for claims that do not exceed \$10,000 (with certain exceptions); provides for deposits required for damages arising from suits where the petitioner stipulates or otherwise judicially admits his claim exceeds \$10,000 and is less than \$50,000. Proposed law reduces the portion a court awards a claimant to the difference between the amount billed and the amount actually paid to the contracted medical provider by a health insurance issuer or Medicare, from 40% to 30%; adds discoverable information relative to amounts paid for medical treatment; provides that it is not applicable in cases involving malpractice cases or medical payments coverage provided through automobile insurance; provides that jury trials shall not be available in suits in city or parish courts where plaintiffs stipulate or admit that the amount of the suit does not exceed the court’s jurisdictional limit; removes the \$10,000 limit on jury trials and reduces the cash deposit required to seek a jury trial from \$5,000 to \$4,000; creates a rebuttable presumption on prior history of an illness, injury, or condition relative to causation in personal injury cases; only has prospective application.

EXPENDITURES	2025-26	2026-27	2027-28	2028-29	2029-30	5 -YEAR TOTAL
State Gen. Fd.	\$0	\$0	\$0	\$0	\$0	\$0
Agy. Self-Gen.	\$0	\$0	\$0	\$0	\$0	\$0
Ded./Other	\$0	\$0	\$0	\$0	\$0	\$0
Federal Funds	\$0	\$0	\$0	\$0	\$0	\$0
Local Funds	INCREASE	INCREASE	INCREASE	INCREASE	INCREASE	
Annual Total						

REVENUES	2025-26	2026-27	2027-28	2028-29	2029-30	5 -YEAR TOTAL
State Gen. Fd.	\$0	\$0	\$0	\$0	\$0	\$0
Agy. Self-Gen.	\$0	\$0	\$0	\$0	\$0	\$0
Ded./Other	\$0	\$0	\$0	\$0	\$0	\$0
Federal Funds	\$0	\$0	\$0	\$0	\$0	\$0
Local Funds	\$0	\$0	\$0	\$0	\$0	\$0
Annual Total	\$0	\$0	\$0	\$0	\$0	\$0

EXPENDITURE EXPLANATION

Proposed law will result in an indeterminable increase in Local Funds expenditures in clerks of court and district courts, to the extent that the \$10,000 minimum required in a petitioner’s cause of action to proceed in a jury trial for a personal injury claim is removed. Proposed law has the effect of increasing the number of jury trials related to personal injury claims in city, parish, and district courts, and increasing related expenditures to conduct those trials. For each additional jury trial conducted relative to the proposed law’s removal of the \$10,000 minimum required in a petitioner’s cause of action to proceed with a jury trial, clerks of court will incur additional costs as follows:

One Day Jury Trial	Statute	Costs 200 Jurors	Costs 300 Jurors
Jury Filing Fee	R.S. 13:3049	\$150	\$150
Issuing and Retention of Jury Subpoenas and Returns (\$20 for 200; \$30 for 300)	R.S. 13:841	\$4,000	\$6,000
Service of Jury Subpoenas (\$20 for 200; \$30 for 300)	R.S. 13:5530	\$6,000	\$9,000
Jury Fees (\$50 per Juror Appearing* plus Mileage - \$0.70 per mile)	R.S. 13:3049	<u>\$5,000</u>	<u>\$7,500</u>
Sub-Total		\$15,150	\$22,650
Empaneled Jury (12 x \$50 plus \$0.70 Each Additional Day)	R.S. 13:3049	<u>\$600</u>	<u>\$600</u>
Total		\$15,750	\$23,250

*Anticipates half of Jurors issued subpoenas will appear (100 of 200 Jurors and 150 of 300 Jurors)

For illustrative purposes, for each additional 5 trials scheduled annually with enactment of the proposed law, clerks of court will sustain additional expenditures exceeding \$100,000. The above figures do not include variable costs related to feeding jurors, alternates, or the assessed Judiciary Commission fee.

Additionally, the proposed law’s reduction in the cash deposit required to seek a jury trial (from \$5,000 to \$4,000) may cause logistical problems related to the processing of personal injury claims. The current bond of \$5,000 assessed to attorneys to secure a jury trial relative to the overall costs that are assessed, in some claims, may not be sufficient to cover juror fees and expenses. By reducing the required bond from \$5,000 to \$4,000 in jury trials, courts may either experience increased deficits related to their inability to cover juror fees and expenses or require additional deposits during jury trials to ensure that juror fees and expenses are covered.

[CONTINUED ON PAGE TWO]

REVENUE EXPLANATION

There is no anticipated direct material effect on governmental revenues as a result of this measure.

Senate	Dual Referral Rules	House	
<input checked="" type="checkbox"/> 13.5.1 >= \$100,000 Annual Fiscal Cost {S & H}		<input checked="" type="checkbox"/> 6.8(F)(1) >= \$100,000 SGF Fiscal Cost {H & S}	
<input type="checkbox"/> 13.5.2 >= \$500,000 Annual Tax or Fee Change {S & H}		<input type="checkbox"/> 6.8(G) >= \$500,000 Tax or Fee Increase or a Net Fee Decrease {S}	
			 Patrice Thomas Deputy Fiscal Officer



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CONTINUED EXPLANATION from page one: Page 2 of 2


[CONTINUED FROM PAGE ONE]

City Courts, Parish Courts, and District Courts

Proposed law may result in an indeterminable increase in workload and associated Local Funds expenditures for city courts, parish courts, and district courts, to the extent that the removal of the \$10,000 minimum required in a petitioner’s cause of action to proceed in a jury trial for a personal injury claim is removed and results in an increase in the number of personal injury claims filed. Proposed law has the effect of increasing the number of jury trials related to personal injury claims in city, parish, and district courts, and increasing related expenditures to conduct those trials, which may result in logistical adjustments within district courts necessitating additional staff to process filings and schedule trials. The exact fiscal impact within city, parish, and district courts is indeterminable, as it is unknown the exact impact to the volume and frequency of jury trials that will be conducted under the proposed law.

Senate Dual Referral Rules
☒ 13.5.1 >= \$100,000 Annual Fiscal Cost {S & H}
☐ 13.5.2 >= \$500,000 Annual Tax or Fee Change {S & H}

House
☒ 6.8(F)(1) >= \$100,000 SGF Fiscal Cost {H & S}
☐ 6.8(G) >= \$500,000 Tax or Fee Increase or a Net Fee Decrease {S}


Patrice Thomas
Deputy Fiscal Officer