

Regular Session, 2013

HOUSE BILL NO. 579

BY REPRESENTATIVES ADAMS, BILLIOT, CONNICK, LEOPOLD, LORUSSO,
TALBOT, AND WILLMOTT AND SENATORS MARTINY AND MORRELL

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

LIABILITY/CIVIL: Provides for a cause of action against parties responsible for an
accident, disaster, or emergency

1 AN ACT

2 To enact R.S. 9:2800.23, relative to certain causes of action; to provide for a cause of action
3 for parishes, municipalities, and other political subdivisions under certain
4 circumstances; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 9:2800.23 is hereby enacted to read as follows:

7 §2800.23. Actions by governing authorities; attorney fees

8 In the case of any accident, disaster, or emergency, whether designated a
9 disaster or emergency or not, if a parish, municipality, or political subdivision incurs
10 damages, costs, or expenses of any type, including economic damages, in connection
11 therewith or as a result thereof, there shall exist a cause of action by the parish,
12 municipality, or political subdivision for the recovery of such damages, costs, and
13 expenses against any and all parties responsible for such accident, disaster, or
14 emergency, who shall additionally be liable for the reasonable attorney fees of the
15 parish, municipality, or political subdivision incurred in connection with such
16 recovery.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

Adams

HB No. 579

Abstract: Provides a cause of action for parishes, municipalities, or other political subdivisions for any damages incurred, including economic damages, in the case of any accident, disaster, or emergency.

Proposed law provides a cause of action for parishes, municipalities, or other political subdivisions for any damages incurred, including economic damages, in the case of any accident, disaster, or emergency, whether declared an emergency or not, if a parish, municipality, or political subdivision incurs damages, costs, or expenses of any type.

Proposed law provides for an award of reasonable attorney fees incurred in connection with the recovery of damages.

(Adds R.S. 9:2800.23)