
DIGEST

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Arnold

HB No. 1166

Abstract: Requires the importer to accept joint and several liability for all escrow payment obligations.

Present law requires the nonparticipating manufacturer located outside of the U.S. to provide a declaration from each of its importers which provides that the importer consents to personal jurisdiction and accepts joint and several liability with the nonmanufacturer of all obligations to place funds into a qualified escrow fund for payment of all civil penalties and reasonable costs and expenses for investigation and prosecution including attorney fees.

Proposed law clarifies that the importer consents to personal jurisdiction and accepts liability for all escrow fund obligations.

(Amends R.S. 13:5073(A)(4)(f)(i) and (ii) and 5075(K))