

2020 Regular Session

SENATE BILL NO. 115

BY SENATORS CONNICK AND SMITH

COMMERCIAL REGULATIONS. Provides relative to advertisements for legal services.
(gov sig)

1 AN ACT

2 To enact R.S. 37:223, relative to advertisements; to provide for advertisements of legal
3 services; to require certain disclosures; to provide for terms and conditions; and to
4 provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 37:223 is hereby enacted to read as follows:

7 **§223. Advertisements for legal services**

8 **A. The legislature recognizes that legal advertisements in the state have**
9 **the potential to mislead individuals who need professional legal services and**
10 **that potential litigants have the right to know what expenses will be associated**
11 **with legal representation.**

12 **B.(1) Any advertisement for legal services, in any format, that contains**
13 **a reference to a monetary settlement agreement or an award by a jury verdict**
14 **previously obtained by the advertising attorney shall, in the same**
15 **advertisement, disclose a full accounting of all expenses associated with such**
16 **settlement agreement or award by jury verdict.**

17 **(2) The disclosure of all expenses associated with the settlement or jury**

1 verdict when presented in print shall be in a font size no smaller than half the
 2 size of the largest font size used in the advertisement and when presented
 3 verbally shall be audible, intelligible, and presented with equal prominence and
 4 in the same manner as the other parts of the advertisement.

5 C. The Louisiana Supreme Court shall adopt rules as necessary to
 6 implement and enforce the provisions of this Section.

7 Section 2. This Act shall become effective upon signature by the governor or, if not
 8 signed by the governor, upon expiration of the time for bills to become law without signature
 9 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
 10 vetoed by the governor and subsequently approved by the legislature, this Act shall become
 11 effective on the day following such approval.

The original instrument was prepared by Michelle D. Ridge. The following digest, which does not constitute a part of the legislative instrument, was prepared by Ann S. Brown.

DIGEST

SB 115 Reengrossed

2020 Regular Session

Connick

Proposed law provides any advertisement for legal services, in any format, that contains a reference to a monetary settlement agreement or an award by a jury verdict previously obtained by the advertising attorney shall, in the same advertisement, disclose a full accounting of all expenses associated with such settlement agreement or award by jury verdict.

Proposed law provides that the disclosure of all expenses associated with the settlement or jury verdict, when presented in print, shall be in a font size no smaller than half of the largest font size used in the advertisement and when presented verbally shall be audible, intelligible, and presented with equal prominence and in the same manner as the other parts of the advertisement.

Proposed law provides that the La. Supreme Court shall adopt rules that are necessary to implement and enforce the provisions of proposed law.

Effective upon signature of the governor or lapse of time for gubernatorial action.

(Adds R.S. 37:223)

Summary of Amendments Adopted by Senate

Senate Floor Amendments to engrossed bill

1. Adds specific instructions for the disclosure of expenses associated with advertisements when presented in printed or verbal form.