The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Margaret M. Corley.

DIGEST

SB 247 Original

2020 Regular Session

Connick

<u>Proposed law</u>, relative to civil liability and damages, provides that the plaintiff's amount of recovery may not be reduced because of monies or reimbursements received from sources independent of the procuration or contribution of the tortfeasor.

<u>Proposed law</u> provides that evidence of these monies shall not be admitted to mitigate, reduce, or avoid liability or damages of the tortfeasor.

<u>Proposed law</u> provides that such limitations include monies or reimbursement received by the plaintiff gratuitously or from insurance when the plaintiff has a right to claim or has claimed payment.

<u>Proposed law</u> further provides that such limitations do not include monies or reimbursement received by the plaintiff when there was no consideration provided by the plaintiff for the benefit or the patrimony of the plaintiff was not diminished by the availability of the benefit.

<u>Proposed law</u> also provides that such limitations do not affect the contractual subrogation rights of an insurer or healthcare provider seeking reimbursement.

Effective August 1, 2020.

(Adds C.C. Art. 2324.3)