

2024 Regular Session

HOUSE BILL NO. 169

BY REPRESENTATIVE ROBBY CARTER

CIVIL/LAW: Provides relative to liability and damages resulting from carbon sequestration

1 AN ACT

2 To amend and reenact R.S. 30:1109(B), relative to liability; to provide relative to owners
3 and operators of carbon sequestration; to remove limitations on the recovery of
4 noneconomic damages; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 30:1109(B) is hereby amended and reenacted to read as follows:

7 §1109. Cessation of storage operations; limited liability release

8 * * *

9 B.(1) In any civil liability action against the owner or operator of a storage
10 facility, carbon dioxide transmission pipeline, or the generator of the carbon dioxide
11 being handled by either the facility or pipeline, the maximum amount recoverable
12 as compensatory damages for noneconomic loss shall not exceed ~~two~~ five hundred
13 ~~fifty~~ thousand dollars per ~~occurrence~~ person, except where the damages for
14 noneconomic loss suffered by the plaintiff were for wrongful death; permanent and
15 substantial physical deformity, loss of use of a limb or loss of a bodily organ system;
16 or permanent physical or mental functional injury that permanently prevents the
17 injured person from being able to independently care for himself or herself and
18 perform life sustaining activities. In such cases, the maximum amount recoverable
19 as compensatory damages for noneconomic loss shall not exceed five hundred
20 thousand dollars per ~~occurrence~~ person.

(Amends R.S. 30:1109(B))

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Natural Resources and Environment to the original bill:

1. Reinstate limitations on civil liability for noneconomic damages related to carbon dioxide sequestration.
2. Increase the general limitation on noneconomic damages from \$250,000 to \$500,000.
3. Change all limits on noneconomic damages related to carbon dioxide sequestration from per occurrence limits to per person limits.