HLS 25RS-289 ORIGINAL

2025 Regular Session

HOUSE BILL NO. 436

BY REPRESENTATIVE FIRMENT

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

CIVIL/LAW: Prohibits recovery of certain damages for unauthorized aliens

1 AN ACT 2 To enact Civil Code Article 2315.12, relative to recovery of damages for unauthorized 3 aliens; to provide a definition; to prohibit award of certain damages for unauthorized 4 aliens in an automobile accident; and to provide for related matters. 5 Be it enacted by the Legislature of Louisiana: 6 Section 1. Civil Code Article 2315.12 is hereby enacted to read as follows: 7 Art. 2315.12. Liability for damages; prohibition of award; unauthorized alien 8 A. As used in this Article, "unauthorized alien" means a person who is 9 unlawfully present in the United States according to the federal Immigration and 10 Nationality Act, 8 U.S.C. §1101 et seq. 11 B. General damages and past and future wages shall not be awarded to an 12 unauthorized alien in an action for damages arising from an automobile accident.

## 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)]

HB 436 Original

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Firment

**Abstract:** Prohibits an award of general damages and past and future wages for unauthorized aliens in an automobile accident.

<u>Proposed law</u> defines "unauthorized alien" as a person who is unlawfully present in the U.S. according to the federal Immigration and Nationality Act (8 U.S.C. §1101 et seq.).

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CODING: Words in struck through type are deletions from existing law; words <u>underscored</u> are additions.

<u>Proposed law</u> prohibits an award of general damages and past and future wages for unauthorized aliens in an automobile accident. An unauthorized alien is allowed to recover for other special damages.

(Adds C.C. Art. 2315.12)