

2025 Regular Session

HOUSE RESOLUTION NO. 280

BY REPRESENTATIVES SCHLEGEL, CARRIER, DEVILLIER, DICKERSON,
DOMANGUE, HORTON, MIKE JOHNSON, OWEN, THOMPSON, VILLIO,
WYBLE, AND ZERINGUE

A RESOLUTION

To urge and request the Louisiana State Law Institute to study and make recommendations to the House of Representatives of the Legislature of Louisiana whether to include digital products, and which digital products to include, in the application of the Louisiana Products Liability Act.

WHEREAS, the Louisiana Products Liability Act establishes the exclusive theories of liability for manufacturers for damage caused by their products when those products are unreasonably dangerous and cause injury from a reasonably anticipated use of the product; and

WHEREAS, Act No. 10 of the 2024 Third Extraordinary Session of the Legislature recognizes, defines, and taxes "digital products"; and

WHEREAS, under the Louisiana Products Liability Act, business entities in Louisiana owe a duty to consumers to design or manufacture products that are not unreasonably dangerous; and

WHEREAS, business entities designing, manufacturing and selling digital products in Louisiana should be held to the same safety standards as the designers and manufacturers of other products; and

WHEREAS, in light of the interpretation of 47 U.S.C. 230 in various judicial opinions, including in cases such as *Doe v. MySpace, Inc.*, 528 F. 3d 413, 421 (5th Cir. 2008) and *Doe v. Snap Inc.*, No. 22-20543 (5th Cir. 2023) in the United States Court of Appeals for the Fifth Circuit, the legislature has an interest in clarifying the duty of digital products designers and manufacturers to keep Louisiana citizens safe; and

WHEREAS, House Bill No. 102 of the 2025 Regular Session of Louisiana attempted to expand the application of the Louisiana Products Liability Act to digital products to hold these digital products designers and manufacturers accountable; and

WHEREAS, digital products are the products of our time and should be treated like any other product for the protection of citizens and businesses in Louisiana.

THEREFORE, BE IT RESOLVED that the House of Representatives of the Legislature of Louisiana does hereby urge and request the Louisiana State Law Institute to study and make recommendations to the House of Representatives of the Legislature of Louisiana on expanding the application of the Louisiana Products Liability Act to digital products.

BE IT FURTHER RESOLVED that a copy of this Resolution be transmitted to the director of the Louisiana State Law Institute and that the Louisiana State Law Institute report its findings and recommendations to the legislature on or before February 1, 2026.

BE IT FURTHER RESOLVED that one print copy and one electronic copy of any report produced pursuant to this Resolution shall be submitted to the David R. Poynter Legislative Research Library as required by R.S. 24:772.

SPEAKER OF THE HOUSE OF REPRESENTATIVES