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## 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)]

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HB 1250 Original

2026 Regular Session

McFarland

**Abstract:** Provides relative to a motion to strike for actions related to aerospace flight activities.

Proposed law provides for legislative intent.

Proposed law defines "aerospace flight activities" and "aerospace flight entity".

Proposed law provides that an action against an aerospace flight entity arising from an act of the aerospace flight entity in connection with a public issue is subject to a special motion to strike unless the court determines the plaintiff has established a probability of success on the claim.

Proposed law provides relative to documentation the court is to use in making the determination if the plaintiff has a probability of success.

Proposed law provides that the determination that the plaintiff has a probability of success on the claim is admissible in evidence.

Proposed law provides that the prevailing party be awarded reasonable attorney fees and costs.

Proposed law provides that the special motion to strike may be filed within 90 days of service of the petition or any time later at the court's discretion.

Proposed law provides that the aerospace flight entity retains the right to file a special motion to strike if the plaintiff voluntarily dismisses the action prior to the running of the delays for filing an answer.

Proposed law requires all discovery proceedings to be stayed upon the filing of a notice and to remain stayed in effect until notice of entry of the order ruling on the motion.

Proposed law does not apply to any enforcement action brought on behalf of the state of La. by the attorney general, district attorney, or city attorney acting as a public prosecutor.

(Adds R.S. 9:2800.31)