
HOUSE COMMITTEE AMENDMENTS

2026 Regular Session

Amendments proposed by House Committee on Commerce to Reengrossed Senate Bill No. 254 by Senator Mizell

1 AMENDMENT NO. 1

2 On page 1, line 4, between "liability;" and "to" insert "to provide for a private right of
3 action;"

4 AMENDMENT NO. 2

5 On page 2, delete lines 8 through 10 and insert in lieu thereof the following:

6 **"C.(1) A retail business that violates the provisions of this Section shall**
7 **be liable to the cardholder for actual damages incurred as a result of the**
8 **violation.**

9 **(2) Prior to filing a civil action, a cardholder shall provide written notice**
10 **of the alleged violation to the retail business. If the retail business cures the**
11 **violation and reimburses the cardholder for any surcharge assessed within**
12 **thirty days after receipt of written notice, no private right of action shall arise**
13 **from the alleged violation.**

14 **(3) A private right of action pursuant to this Section shall apply only to**
15 **willful violations, repeated violations, or violations that are not cured within the**
16 **time period provided in Paragraph (2) of this Subsection.**

17 **(4) Nothing in this Section shall limit the authority of the attorney**
18 **general to enforce the provisions of this Chapter pursuant to R.S. 51:3082."**