

Regular Session, 2009

HOUSE BILL NO. 220

BY REPRESENTATIVE TIM BURNS

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

CIVIL/PROCEDURE: Provides for the inclusion of information in certain petitions

1 AN ACT

2 To enact Code of Civil Procedure Article 891(C), relative to civil petitions; to provide for
3 claims involving latent diseases; to provide for required allegations; and to provide
4 for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. Code of Civil Procedure Article 891(C) is hereby enacted to read as
7 follows:

8 Art. 891. Form of petition

9 * * *

10 C. Except upon a showing of exigent circumstances, for petitions involving
11 claims related to latent disease, including asbestos and silica-related diseases, the
12 petition, separately as to each plaintiff, shall also set forth for each defendant and
13 each alleged exposure, the time period, location, and specific identity of the products.

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)]

Tim Burns

HB No. 220

Abstract: Requires certain information to be included in a petition regarding latent diseases.

Present law provides procedures regarding the form of civil petitions, including requirements as to the names of the parties, concise statements of all causes of action, the transaction or occurrence that is the subject matter of the litigation, and an address for receipt of service.

Proposed law retains present law and additionally requires petitions involving latent diseases to include as to each plaintiff and for each defendant, the time periods, location, and identity of the products for each alleged exposure.

(Adds C.C.P. Art. 891(C))