

2020 Regular Session

HOUSE BILL NO. 597

BY REPRESENTATIVES NELSON, ADAMS, AMEDEE, BACALA, BUTLER, CARRIER, CREWS, EDMONDS, EDMONSTON, FARNUM, FIRMENT, FREIBERG, FRIEMAN, GAROFALO, HARRIS, HENRY, HORTON, IVEY, MIKE JOHNSON, MACK, MCCORMICK, MCFARLAND, MIGUEZ, CHARLES OWEN, ROBERT OWEN, SCHAMERHORN, SEABAUGH, WHEAT, AND WRIGHT AND SENATORS CLOUD, MCMATH, AND FRED MILLS

1 AN ACT

2 To enact Civil Code Article 2315.11, relative to the presumption of causation of injuries; to
3 prohibit a presumption of causation in certain circumstances; to provide for
4 prospective application; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. Civil Code Article 2315.11 is hereby enacted to read as follows:

7 Art. 2315.11. Presumption of causation of injuries

8 Notwithstanding any other provision of law, in a claim for personal injury
9 damages that is not raised pursuant to the Louisiana Workers' Compensation Law,
10 the lack of a prior history of an illness, injury, or condition shall not create a
11 presumption that an illness, injury, or condition was caused by the act that is the
12 subject of the claim.

13 Section 2. This provisions of this Act shall have prospective application only and shall not apply to causes of action filed prior to the effective date of this Act.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____