



THE CHESAPEAKE GROUP, LLC

A GOVERNMENTAL RELATIONS FIRM

Legislative Update 2025 Legislature, Regular Session Louisiana Motor Transport Association

House Civil Law:

HB 336 (Favorably) by Roger Wilder→The proposed bill amends venue rules for lawsuits involving uninsured and underinsured motorist policies. It overrides existing laws to specify that such actions must be filed in the parish where the wrongful act occurred or where the defendant resides, rather than where the insured lives—unless the lawsuit targets only the motorist policy. It also modifies venue provisions in cases of insurer direct actions, updating how and where these cases can proceed.

Read full provisions here:

<https://legis.la.gov/legis/ViewDocument.aspx?d=1406862>

HB 427 (Favorably) by Dennis Bamburg→The proposed bill creates a "reversionary medical trust" for future medical and related expenses. The liable party must establish the trust, and the trustee—who holds fiduciary duties under Louisiana law—reviews and pays submitted invoices. Upon the claimant's death or trust termination, remaining funds revert to the party who set it up. The bill also confirms that claimants can still contract for attorney fees and costs.

Read full provisions here:

<https://legis.la.gov/legis/ViewDocument.aspx?d=1406894>

HB 432 (Favorably) by Emily Chenevert→The proposed bill limits the amount a third-party litigation financier can recover to no more than the plaintiffs' collective share of proceeds after attorney fees and costs are paid. It also requires attorneys to disclose any litigation financing agreements to their clients and provide a copy within 30 days of being hired or signing the agreement, whichever comes first.

Read full provisions here:

<https://legis.la.gov/legis/ViewDocument.aspx?d=1406899>

HB 435 (Favorably as Amended) by Peter Egan→The proposed law limits recovery of general damages to \$5,000,000 per claimant in suits arising from delictual actions. It defines "general damages" and "special damages" and specifies that juries will not be informed of this cap, though courts must reduce any awards exceeding the limit. The bill specifies that it does not create a new cause of action or define recoverable damages. An amendment changes the law's applicability from liability policy claims to delictual damage suits.

Read full provisions here:

<https://legis.la.gov/legis/ViewDocument.aspx?d=1407139>

Read adopted amendment here:

<https://legis.la.gov/legis/ViewDocument.aspx?d=1407064>

HB 436 (Favorably) by Gabe Firment→The proposed law prohibits unauthorized aliens from receiving general damages and compensation for past and future wages resulting from an automobile accident. It defines "unauthorized alien" as a person unlawfully present in the U.S. under the federal Immigration and Nationality Act. However, the law allows recovery of other special damages for unauthorized aliens involved in such accidents.

Read full provisions here:

<https://legis.la.gov/legis/ViewDocument.aspx?d=1406855>

HB 439 (Favorably as Amended) by Troy Hebert→The proposed bill limits attorney contingency fees to no more than 10% for the first \$15,000 recovered in delictual actions. It makes the contingency fee percentage discoverable and renders nondisclosure agreements that block such disclosure null and unenforceable. Additionally, if an attorney violates these provisions, an officer of the court with knowledge of the violation must file a complaint with the Louisiana Attorney Disciplinary Board. Amendments include technical changes and clarification on discoverability and enforcement provisions.

Read full provisions here:

<https://legis.la.gov/legis/ViewDocument.aspx?d=1407127>

Read adopted amendment here:

<https://legis.la.gov/legis/ViewDocument.aspx?d=1407060>

HB 449 (Favorably as Amended) by Josh Carlson→The proposed bill requires any attorney, other than the attorney of record, who expects to earn \$1,000 or more from a case—excluding fees for legal services in the case—to disclose their interest to the court. This applies whether the earnings are personal or through a business entity. Such disclosures are considered discoverable, and any nondisclosure agreements preventing this are null and unenforceable. If an attorney violates this law, a court officer must report them to the Louisiana Attorney Disciplinary Board. Amendments clarify these requirements and reinforce disclosure obligations.

Read full provisions here:

<https://legis.la.gov/legis/ViewDocument.aspx?d=1407161>

Read adopted amendment here:

<https://legis.la.gov/legis/ViewDocument.aspx?d=1407080>

House Insurance:

HB 437 (Favorably) by Gabe Firment→The proposed bill requires property insurance claimants to provide proof of deductible payment before receiving withheld depreciation or replacement cost holdback, using documents like canceled checks or financing agreements. It allows insurers to require proof of loss statements and mandates they provide and file these forms with the commissioner. Insurers must notify claimants within 10 business days if the form is complete. It clarifies that "five working days" means business days for rental vehicle claims and increases penalties for insurers who fail to timely pay or provide rental coverage, raising some penalties from \$1,000 to \$2,500.

Read full provisions here:

<https://legis.la.gov/legis/ViewDocument.aspx?d=1407621>

HB 438 (Favorably) by Gabe Firment→Modifies the definition of "expenses" for insurance rate setting by excluding "institutional advertising expenses." These are advertising costs not directly related to acquiring business or informing consumers about insurance products. Starting January 1, 2026, insurers cannot use these expenses when determining whether their rates are excessive, inadequate, or discriminatory.

Read full provisions here:

<https://legis.la.gov/legis/ViewDocument.aspx?d=1407578>

House Transportation:

HB 616 (Vote Failed) by Mark Wright→The proposed bill authorizes the Port of New Orleans to use public-private partnerships to develop the St. Bernard Transportation Corridor, connecting the Louisiana International Terminal to the interstate system. It grants the board of commissioners authority to construct, operate, and maintain the corridor, including elevated and limited-access sections. The law permits toll collection, utility relocation, property acquisition, and collaboration with local, state, and federal entities. It exempts related properties and revenues from taxation and allows the board to act independently of other public bodies.

Read full provisions here:

<https://legis.la.gov/legis/ViewDocument.aspx?d=1404586>

Senate Insurance:

SB 111 (Voluntarily Deferred) by Alan Seabaugh→The proposed bill retains the insurer's duty of good faith and fair dealing and specifies that misrepresenting relevant policy provisions violates this duty. It also introduces limitations on causes of action under certain conditions. These changes amend and expand current law regarding insurer conduct and will take effect on August 1, 2025.

Read full provisions here:

<https://legis.la.gov/legis/ViewDocument.aspx?d=1403086>

SB 199 (Voluntarily Deferred) by Brach Myers→The proposed bill retains existing provisions regulating unfair trade practices in the insurance industry and defines the term "business of insurance." It prohibits unfair or deceptive acts affecting the insurance business and allows the commissioner of insurance to take action against unlicensed individuals engaged in such acts without following hearing requirements applicable to licensed persons. The law does not prevent affected individuals from pursuing other legal remedies. It becomes effective upon the governor's signature or lapse of time for gubernatorial action.

Read full provisions here:

<https://legis.la.gov/legis/ViewDocument.aspx?d=1404626>