



THE CHESAPEAKE GROUP, LLC

A GOVERNMENTAL RELATIONS FIRM

Legislative Update 2025 Legislature, Regular Session Louisiana Motor Transport Association

House Floor:

HB 34 (Passed Y:68/N:26) by Bryan Glorioso→The proposed bill provides for transparency in medical expenses. HB34 revises rules for recovering medical expenses at trial. It repeals prior limits tied to amounts paid by insurers or Medicare and deletes definitions like “contracted medical provider.” Previously, recovery was capped at paid amounts with 40% of the billed-paid difference potentially awarded; this is repealed. Now, either party may present evidence of amounts billed, paid, or both, and introduce expert testimony on expense reasonableness. Agreements like letters of protection between providers and attorneys are now admissible. The bill also removes the exception for cases under the Louisiana Medical Malpractice Act. Amendments include technical edits and clarifications on admissible evidence.

Read full provisions here:

<https://www.legis.la.gov/legis/ViewDocument.aspx?d=1405640>

Read adopted amendment here:

<https://www.legis.la.gov/legis/ViewDocument.aspx?d=1405616>

HB 291 (Passed Y:90/5) by Jay Galle→Provides relative to prescriptive periods for wrongful death and survival actions. This bill extends the time allowed to file survival and wrongful death actions in Louisiana from one year to two years. It amends Civil Code Articles 2315.1 and 2315.2 to reflect the new two-year prescriptive period. The House Floor Amendments make technical corrections, clarify that medical malpractice survival and wrongful death actions remain subject to R.S. 9:5628, and specify that all other such actions prescribe one year from death or two years from the injury, whichever is longer.

Read full provisions here:

<https://legis.la.gov/legis/ViewDocument.aspx?d=1409159>

Read adopted amendment here:

<https://legis.la.gov/legis/ViewDocument.aspx?d=1409031>

<https://legis.la.gov/legis/ViewDocument.aspx?d=1408980>

HB 336 (Passed Y:67/N:25) 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 (Passed Y:62/N:23) 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. The House Floor Amendments clarify that the trustee must also prepare instruments authorizing payments from the reversionary medical trust for future medical care claims and require an annual accounting of the trust pursuant to R.S. 9:2088.

Read full provisions here:

<https://legis.la.gov/legis/ViewDocument.aspx?d=1409412>

Read adopted amendments here:

<https://legis.la.gov/legis/ViewDocument.aspx?d=1408806>

HB 431 (Passed Y:66/N:26) by Emily Chenevert→The proposed bill changes the pure comparative fault system to a modified comparative fault system with a 51% bar to recovery. If the plaintiff's fault is less than 51%, they may recover damages proportionate to the fault of other parties, effective January 1, 2026. Amendment changes the threshold for a plaintiff's bar to recovery from 50% to 51%. House floor amendments provides technical changes.

Read full provisions here:

<https://legis.la.gov/legis/ViewDocument.aspx?d=1409230>

Read adopted amendments here:

<https://legis.la.gov/legis/ViewDocument.aspx?d=1407072>

HB 432 (Passed Y:83/N:6) 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 434 (Passed Y:76/N:14) by Jason DeWitt→Provides relative to recovery limitations for failure to maintain compulsory motor vehicle liability security. The proposed bill aims to raise the recovery limit for uninsured drivers. It establishes that no recovery can be made for the first \$100,000 of bodily injury or property damage, up from the previous \$15,000 and \$25,000 limits. The bill also specifies that if an uninsured driver is awarded damages up to \$100,000, they are responsible for all court costs. Additionally, insurers will retain subrogation rights for claims exceeding the \$100,000 threshold for both bodily injury and property damage, whether or not a lawsuit is filed. The House Committee Amendments make technical changes, clarify that insurers retain subrogation rights for claims paid exceeding \$100,000 in bodily injury and property damages, and provide that in claims without a filed suit, insurers may recover any amount paid above that threshold.

Read full provisions here:

<https://legis.la.gov/legis/ViewDocument.aspx?d=1405636>

Read adopted amendment here:

<https://legis.la.gov/legis/ViewDocument.aspx?d=1405605>

HB 435 (Passed Y:62/N:23) 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. House committee 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 (Passed Y:69/N:17) 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 437 (Passed Y:71/N:27) 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 439 (Passed Y:57/N:30) by Troy Hebert→The proposed bill limits attorney contingency fees in delictual actions to no more than 10% on the first \$15,000 of any recovery. It makes the percentage of a contingency fee discoverable and nullifies any nondisclosure agreement that prevents disclosure of that percentage. The bill initially required officers of the court to report violations to the Louisiana Attorney Disciplinary Board but that requirement was removed by House Floor Amendments. Technical changes were also made throughout. These provisions aim to increase transparency and set a cap on the portion of smaller recoveries that attorneys can claim through contingency fee arrangements.

Read full provisions here:

<https://legis.la.gov/legis/ViewDocument.aspx?d=1409411>

Read adopted amendment here:

<https://legis.la.gov/legis/ViewDocument.aspx?d=1408782>

HB 440 (Passed Y:64/N:27) by Chance Henry→The proposed bill requires insured claimants to first file a medical claim with their personal health insurer or Medicare/Medicaid when injured in an automobile accident. The claimant's insurer or government provider can then subrogate against the automobile liability insurer. If the claimant fails to use available health insurance, a rebuttable presumption is created that they failed to mitigate damages. If the presumption stands, the damage award may be reduced based on the medical expenses that could have been covered by insurance. This law applies only prospectively and excludes medical malpractice claims.

Effective January 1, 2026.

Read full provisions here:

<https://legis.la.gov/legis/ViewDocument.aspx?d=1403634>

Read adopted amendments here:

<https://legis.la.gov/legis/ViewDocument.aspx?d=1406178>

HB 443 (Passed Y:70/N:22) by Chance Henry→Provides relative to notices required in a delictual action. The proposed bill requires a plaintiff's attorney to send written notice to the

defendant within 20 business days of being retained, if the defendant has insurance that may cover damages. The notice must include key details about the plaintiff and the incident. Attorneys who fail to comply may face sanctions. House committee amendments remove the requirement that a defendant's insurer be notified if the plaintiff retains counsel. House floor amendments increase the period of time in which counsel shall send written notification to the defendant from 10 days to 20 days.

Read full provisions here:

<https://legis.la.gov/legis/ViewDocument.aspx?d=1409183>

Read adopted amendments here:

<https://legis.la.gov/legis/ViewDocument.aspx?d=1405602>

<https://legis.la.gov/legis/ViewDocument.aspx?d=1409052>

HB 449 (Passed Y:63/N:23) by Josh Carlson→This bill requires attorneys who are not the attorney of record and who expect to earn \$1,000 or more—excluding fees for legal services in the case—to disclose their financial interest in the case to the court. It mandates disclosure whether the interest is personal or through a business entity and makes such disclosures discoverable. It nullifies any nondisclosure agreements that would prevent these required disclosures and clarifies that compliance with the law does not violate the Uniform Trade Secrets Act. Amendments removed the requirement for court officers to report violations to the Louisiana Attorney Disciplinary Board and made technical changes.

Read full provisions here:

<https://legis.la.gov/legis/ViewDocument.aspx?d=1409454>

Read adopted amendment here:

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

<https://legis.la.gov/legis/ViewDocument.aspx?d=1408779>

HB 450 (Passed Y:67/N:24) by Michael Melerine→Eliminates a presumption of causation of injuries in certain circumstances. The proposed bill aims to eliminate the ability of a claimant to prove damages by relying on presumptions such as prior good health, the persistence of injury after the incident, or a reasonable causal link. It requires claimants to affirmatively prove every element of their damages claim. The law applies prospectively, excludes workers' compensation cases, and is intended to overrule the *Housley v. Cerise* decision. House floor amendment provide clarification that the lack of a prior history of an illness, injury, or condition shall not create a presumption that an illness, injury, or condition was caused by the act that is the subject of the claim.

Read full provisions here:

<https://legis.la.gov/legis/ViewDocument.aspx?d=1409211>

Read adopted amendment here:

<https://legis.la.gov/legis/ViewDocument.aspx?d=1407331>

House Transportation:

HB 221 (Voluntarily Deferred) by Larry Bagley→The proposed bill imposes a \$10 annual inspection tax on motor vehicles not currently required to have inspection certificates. The tax is to be collected every two years by the commissioner of motor vehicles during registration and remitted to the state treasurer. After meeting constitutional funding obligations, the legislature must appropriate and the treasurer must transfer the tax revenue to the Department of Public Safety and Corrections. Of each \$10 tax, \$1.25 goes to the office of motor vehicles, \$4 to state police training, and \$4.75 to traffic enforcement. The commissioner must establish rules for tax collection and remittance.

Read full provisions here:

<https://legis.la.gov/legis/ViewDocument.aspx?d=1400905>

HB 232 (Vote Failed) by Larry Bagley→The proposed bill eliminates the requirement for most vehicles to have a safety inspection sticker, while maintaining inspection requirements for commercial and student transportation vehicles. It authorizes law enforcement to issue citations for unsafe or improperly equipped vehicles without providing prior written notice. It removes inspection requirements for certain trailers and vehicles in transit by dealers and modifies requirements for emissions inspections in parishes governed by the U.S. Clean Air Act. The bill also deletes provisions related to inspection fees and headlight adjustments for non-commercial vehicles but retains current fees and procedures for commercial and student transportation vehicle inspections.

Read full provisions here:

<https://legis.la.gov/legis/ViewDocument.aspx?d=1400913>

HB 476 (Favorably as Amended) by Bryan Fontenot→The proposed bill allows the current \$425 fee that motor vehicle sellers can charge for services related to credit checks, legal compliance, lien processing, and title preparation to increase annually based on the Consumer Price Index for All Urban Consumers (CPI-U). The annual adjustment begins January 1, 2026, and will be calculated each year by the Office of Motor Vehicles by January 14. The CPI-based increase is capped at 3% per calendar year. An amendment clarifies that the CPI-U limit applies to the annual adjustment. The bill takes effect upon the governor's signature or the lapse of time for gubernatorial action.

Read full provisions here:

<https://legis.la.gov/legis/ViewDocument.aspx?d=1409104>

Read adopted amendment here:

<https://legis.la.gov/legis/ViewDocument.aspx?d=1408962>

HB 499 (Favorably) by Dennis Bamburg→The proposed bill establishes enhanced penalties for drivers who exceed speed limits or breach construction and utility work zones when workers are present. It excludes these violations from the standard fine structure and replaces them with higher penalties. Specifically, it sets fines between \$500 and \$2,000 for violations in active construction or utility zones with workers onsite. It also increases penalties for violations in highway safety corridors, imposing fines between \$1,000 and \$2,000, and allows for up to 30 days of imprisonment. These changes amend current law to impose stricter consequences for endangering workers in designated work and safety zones.

Read full provisions here:

<https://legis.la.gov/legis/ViewDocument.aspx?d=1408913>

HB 519 (Favorably) by Bryan Glorioso→The proposed bill prohibits using wireless telecommunications devices while operating a motor vehicle on public roads, with exceptions for emergencies, lawfully stationary vehicles, and authorized personnel; violations in school or highway construction zones are primary offenses punishable by fines up to \$250 and community service; secondary offenses elsewhere carry fines up to \$100 and community service; fines double if a crash occurs; enforcement is limited until January 1, 2026, allowing only written warnings; the state preempts local regulations on this matter; and annual reports on the law's impact are required from 2027 to 2032.

Read full provisions here:

<https://legis.la.gov/legis/ViewDocument.aspx?d=1408859>

HB 549 (Passed Y:85/N:0) by Rodney Schamerhorn→Requires a premium discount for policyholders of commercial motor vehicles with installed dashboard cameras and telematics systems. The proposed bill aims to improve public safety, reduce insurance fraud, and lower claims costs by incentivizing the use of dashboard cameras paired with telematics systems in commercial motor vehicles. It requires insurers authorized to issue commercial motor vehicle liability policies in Louisiana to offer actuarially justified premium discounts for vehicles

equipped with such technology. The proposed bill outlines qualification criteria, including proof of installation, continuous operation, and annual compliance verification through telematics reports or affidavits. It further mandates annual reporting by insurers to the commissioner, with summarized findings submitted to legislative committees, and takes effect January 1, 2026. House floor amendment provides exemptions for surplus lines insurers from the proposed bill.

Read full provisions here:

<https://legis.la.gov/legis/ViewDocument.aspx?d=1409307>

Read adopted amendment here:

<https://legis.la.gov/legis/ViewDocument.aspx?d=1408961>

House Ways and Means:

HB 328 (Voluntarily Deferred) by Gabe Firment→This bill authorizes an income tax credit for taxpayers who install dashboard cameras or telematics systems in freight-carrying vehicles licensed for over 6,000 pounds. The credit is equal to 25% of the installation cost or \$250 per vehicle, whichever is less, with a maximum of \$10,000 per taxpayer per year and a statewide cap of \$1 million annually. Unused credits may be carried forward for up to five years but cannot exceed the taxpayer's liability in any year. Taxpayers must keep records to verify eligibility. The credit applies to tax years starting January 1, 2026, and ends after December 31, 2031.

Read full provisions here:

<https://legis.la.gov/legis/ViewDocument.aspx?d=1402514>

HB 331 (Voluntarily Deferred) by Jordan Edmond→This bill establishes an individual income tax credit for certain motor vehicle insurance premiums paid by a taxpayer on vehicles they own. The credit equals the lesser of the amount paid over \$2,500 per vehicle or \$5,000 per vehicle, for up to two vehicles per taxable year. If the credit exceeds the taxpayer's liability, the unused portion may be carried forward for up to five years but cannot exceed the tax due in any given year. Taxpayers must keep records to verify eligibility. The credit applies to tax years beginning January 1, 2026, and may not be earned after December 31, 2031.

Read full provisions here:

<https://legis.la.gov/legis/ViewDocument.aspx?d=1402519>

House Insurance:

HB 401 (Favorably) by Kellee Dickerson→The proposed bill maintains the commissioner of insurance's authority to assess fees on insurers' direct premiums but removes the requirement to reduce those fees based on excess funding of insurance fraud programs. It also eliminates the provision guaranteeing certain state entities the same funding in the following year if they used all their previous allocation. Additionally, it changes the handling of leftover funds in the Insurance Fraud Investigation Dedicated Fund Account by requiring unspent and uncommitted funds to remain in the account at the end of the fiscal year, instead of being refunded to insurers. The bill takes effect upon the governor's approval.

Read full provisions here:

<https://legis.la.gov/legis/ViewDocument.aspx?d=1409688>

HB 635 (Favorably as Amended) by Dennis Bamburg→The proposed bill renames the "Captive Insurers Law" as the "CHOICES Law" and revises regulations for domestic captive insurance companies and affiliated entities, including updated definitions and new requirements for risk retention groups, branch captive insurers, and dormant companies. It lowers capital and surplus requirements for certain insurer types, adjusts tax rates on premiums, and shortens policy form approval timeframes. The bill clarifies operational rules, financial reporting, confidentiality, and redomestication procedures, while maintaining existing restrictions on insurance offerings. It adds provisions for licensing, examinations, and solvency oversight, and allows related regulatory fees

and rulemaking by the commissioner to continue. The adopted amendments correct statutory citations, change terminology from “articles of association” to “articles of incorporation,” and make technical and readability improvements.

Read full provisions here:

<https://legis.la.gov/legis/ViewDocument.aspx?d=1410118>

Read adopted amendments here:

<https://legis.la.gov/legis/ViewDocument.aspx?d=1410080>

House Administration of Criminal Justice:

HB 403 (Favorably as Amended) by Christopher Turner→The proposed bill increases fines for various driving offenses and dedicates the additional revenue to the Louisiana Emergency Response Network Fund. It adds extra fines for operating a vehicle while impaired, ranging from \$25 for a first offense to \$250 for a fourth or subsequent offense. It imposes added fines of \$5 to \$10 for reckless driving, off-road vehicle violations, and drag racing, and a \$5 fine for each speeding violation. Clerks of court must collect these additional fines and forward the funds to the state treasurer. The money will support emergency response efforts to reduce trauma, stroke, and STEMI-related deaths.

Read full provisions here:

<https://legis.la.gov/legis/ViewDocument.aspx?d=1409800>

Read adopted amendments here:

<https://legis.la.gov/legis/ViewDocument.aspx?d=1409765>

House Commerce:

HB 430 (Substituted by HB 677) by Kim Carver→The proposed bill establishes the Louisiana Lawyer Advertising and Unfair Trade Practices Act to regulate attorney advertising, defining key terms and requiring compliance with Louisiana State Bar Association Rules of Professional Conduct. It prohibits false, misleading, or deceptive ads, mandates clear identification of responsible attorneys, and sets standards for testimonials, digital platforms, and online ads. The bill bans unverified claims, unjustified expectations, and direct solicitation after personal injuries unless requested. It enforces compliance through joint authority of the attorney general and the Bar Association, with penalties including fines or disbarment, and applies only to advertisements made after the law takes effect.

Read full provisions here:

<https://legis.la.gov/legis/ViewDocument.aspx?d=1403624>

Senate Insurance:

SB 111 (Favorably as Amended) 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. Senate committee amendments provides for further clarification.

Read full provisions here:

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

Read adopted amendment here:

<https://legis.la.gov/legis/ViewDocument.aspx?d=1410220>

SB 199 (Favorably as Amended) 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. The amendments correct statutory citations, reformat subsection labels, clarify that certain legal and healthcare activities are not considered the business of insurance, expand the commissioner's enforcement authority over unlicensed individuals, and establish an appeals process including the option for a trial de novo.

Read full provisions here:

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

Read adopted amendment here:

<https://legis.la.gov/legis/ViewDocument.aspx?d=1410175>