

RÉSUMÉ DIGEST

ACT 415 (HB 169)

2024 Regular Session

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Existing law provides for civil liability actions against owners and operators of carbon dioxide storage facilities and carbon dioxide transmission pipelines and generators of the carbon dioxide being transported or stored by a facility or pipeline.

Prior law provided that the liability of these owners, operators, and generators for compensatory damages for noneconomic losses was limited to \$250,000 per occurrence, except in cases of wrongful death, permanent and substantial physical deformity, loss of use of a limb or bodily organ system, or permanent physical or mental functional injury, for which the maximum amount recoverable for noneconomic losses was \$500,000 per occurrence.

New law changes the general limit on compensatory damages from noneconomic losses from \$250,000 per occurrence to \$250,000 per person and changes the limit for the exceptional cases from \$500,000 per occurrence to \$500,000 per person.

Prior law provided that if the liability limits under prior law were found to be unconstitutional or invalid, the maximum amount recoverable for noneconomic losses would then be limited to \$1 million per occurrence.

New law changes the maximum amount recoverable for noneconomic losses in the event the liability limits under new law are found to be unconstitutional or invalid from \$1 million per occurrence to \$1 million per person.

Effective August 1, 2024.

(Amends R.S. 30:1109(B))