HLS 16RS-5072 ORIGINAL

2016 Regular Session

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HOUSE STUDY REQUEST NO. 3

BY REPRESENTATIVE GAROFALO

CONSUMERS/PROTECTION: Requests the House Committee on Civil Law and Procedure to study various aspects of unfair trade practice and consumer protection laws

A STUDY REQUEST

2	To the House Committee on Civil Law and Procedure to study Louisiana's policies relative
3	to standing, measures of damages, and proof requirements for private actions
4	alleging violations of the Unfair Trade Practices and Consumer Protection Law and
5	to report its findings to the House of Representatives no later than thirty days prior
6	to the convening of the 2017 Regular Session of the Legislature of Louisiana.
7	WHEREAS, the Unfair Trade Practices and Consumer Protection Law allows private
8	plaintiffs to file lawsuits and seek damages for alleged violations; and
9	WHEREAS, the Unfair Trade Practices and Consumer Protection Law does not
0	specifically provide that private plaintiffs seeking damages for violations must prove that
1	they were misled by a questionable business practice; and
12	WHEREAS, the Unfair Trade Practices and Consumer Protection Law does not limit
13	damages in private lawsuits for alleged violations to a plaintiff's monetary loss; and
14	WHEREAS, businesses and consumers are both harmed by unwarranted lawsuits;
15	and
16	WHEREAS, unnecessary litigation imposes strain on the Louisiana courts.
17	THEREFORE, the House of Representatives of the Legislature of Louisiana requests
8	that the House Committee on Civil Law and Procedure study Louisiana's policies relative
19	to standing, measures of damages, and proof requirements for private actions alleging
20	violations of the Unfair Trade Practices and Consumer Protection Law and to report its

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1 findings to the House of Representatives no later than thirty days prior to the convening of

2 the 2017 Regular Session of the Legislature of Louisiana.

DIGEST

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HSR 3 Original

2016 Regular Session

Garofalo

Requests the House Committee on Civil Law and Procedure to study Louisiana's policies relative to standing, measures of damages, and proof requirements for private actions alleging violations of the Unfair Trade Practices and Consumer Protection Law and to report its findings to the House of Representatives no later than 30 days prior to the convening of the 2017 R.S.