

HOUSE SUMMARY OF SENATE AMENDMENTS

HB 291

2025 Regular Session

Galle

CIVIL/PROCEDURE: Provides relative to prescriptive periods for wrongful death and survival actions

Synopsis of Senate Amendments

1. Specifies that the prescriptive period for medical malpractice wrongful death and survival actions prescribe one year from the death of the deceased, as provided in R.S. 9:5628.

Digest of Bill as Finally Passed by Senate

Present law provides a prescriptive period of one year for survival actions.

Proposed law changes the prescriptive period for survival actions to one year from the death of the deceased, or two years from the day that injury is sustained, whichever is longer.

Present law provides a prescriptive period of one year for wrongful death actions.

Proposed law changes the prescriptive period for wrongful death actions to one year from the death of the deceased, or two years from the day that injury is sustained, whichever is longer.

Proposed law provides that the right of action granted by proposed law for medical malpractice actions prescribes one year from the death of the deceased.

(Amends C.C. Arts. 2315.1(A)(intro. para.) and 2315.2(B); Adds C.C. Arts. 2315.1(F) and 2315.2(F))