ACT 317 (SB 39)   **2025 Regular Session**   **Morris**

<u>New law</u> provides for limitation of liability of a public entity for false imprisonment of an offender sentenced to a term of imprisonment.

<u>New law</u> provides for definitions of "department", "offender", "false imprisonment"and "bona fide termination" as related to the limitation of liability of a public entity for false imprisonment of a prisoner.

<u>New law</u> provides that any civil action for damages based on claims of false imprisonment shall be governed by <u>existing law</u>.

<u>New law</u> provides that an offender challenging the computation or calculation of the offender's sentence, release date, good time date, or parole date shall pursue that claim through the Corrections Administrative Remedy Procedure (CARP), including judicial review in the parish of EBR in the 19th JDC.

<u>New law</u> provides that no civil action for damages based on claims of false imprisonment arising from the computation or calculation of the offender's sentence, release date, good time date, or parole date shall be brought against a sheriff or the department, or any officer or employee thereof, unless the offender first obtains a bona fide termination in the offender's favor in proceedings brought pursuant to <u>existing law</u> (R.S. 15:1171 et seq.), including judicial review.

<u>New law</u> provides that any civil action for damages claiming false imprisonment brought while underlying proceedings seeking a bona fide termination are ongoing, but before a bona fide termination is obtained, shall be dismissed without prejudice.

<u>New law</u> provides that any civil action for damages claiming false imprisonment brought after the offender fails to timely initiate or pursue the procedure required to challenge the computation or calculation of the offender's sentence, release date, good time date, or parole date, shall be dismissed with prejudice.

<u>New law</u> provides that <u>new law</u> shall have prospective application only.

Effective August 1, 2025.

(Adds R.S. 9:2800.30)