

2016 Regular Session

**Approved  
6-6-16**

HOUSE STUDY REQUEST NO. 2

BY REPRESENTATIVE SEABAUGH

PRESCRIPTION: Requests the House Committee on Civil Law and Procedure to study the liberative prescriptive period applicable to certain actions

1 A STUDY REQUEST

2 To the House Committee on Civil Law and Procedure to study extending the liberative  
3 prescriptive period applicable to certain actions, and to report its findings to the  
4 House of Representatives prior to the convening of the 2017 Regular Session.

5 WHEREAS, existing law provides a three-year liberative prescriptive period for  
6 actions based in contract for the recovery of compensation, actions for the arrearage of rent  
7 and annuities, actions on money lent, actions on open accounts, and actions to recover  
8 underpayments or overpayments of royalties from the production of minerals; and

9 WHEREAS, in certain cases, a three-year liberative prescriptive period does not  
10 provide sufficient time within which to resolve the contractual issues prior to being required  
11 to file suit in order to protect a creditor's rights to collect money owed; and

12 WHEREAS, House Bill No. 492 of the 2015 Regular Session was introduced to  
13 extend the three-year liberative prescriptive period to a new seven-year liberative  
14 prescriptive period for certain actions based in contract in order to allow creditor and debtor  
15 sufficient time to resolve issues with their contracts prior to bringing an action to enforce the  
16 contract.

17 THEREFORE, the House of Representatives of the Legislature of Louisiana requests  
18 the House Committee on Civil Law and Procedure to study extending the liberative  
19 prescriptive period applicable to certain actions and to report its findings to the House of  
20 Representatives prior to the convening of the 2017 Regular Session.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

---

HSR 2 Original

2016 Regular Session

Seabaugh

Requests the House Committee on Civil Law and Procedure to study extending the liberative prescriptive period applicable to certain actions, and to report its findings to the House of Representatives prior to the convening of the 2017 R.S.