
DIGEST

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HB 759 Engrossed

2018 Regular Session

Foil

Abstract: Provides for a liberative prescription period with respect to private actions for violations of the Unfair Trade Practices and Consumer Protection Law.

Present law authorizes a person who suffers any ascertainable loss of money or movable property as a result of the use or employment by another person of an unfair or deceptive method, act, or unlawful practice to bring an action individually but not in a representative capacity to recover actual damages.

Proposed law retains present law.

Present law provides that an action to recover actual damages is prescribed by one year running from the time of the transaction or act which gave rise to the right of action.

Proposed law amends present law to provide that such action to recover actual damages is subject to a liberative prescription of one year running from the time of the transaction or act which gave rise to the right of action.

(Amends R.S. 51:1409(E))