

2020 First Extraordinary Session

HOUSE BILL NO. 48

BY REPRESENTATIVE JORDAN

CIVIL/IMMUNITY: Provides with respect to immunity from civil liability for law enforcement engaged in certain actions (Item #40)

1 AN ACT

2 To amend and reenact R.S. 9:2800.10(C) and to enact 9:2793.1(D), 2798.1(E) and
3 2800.10(D), relative to immunity from civil liability; to provide relative to law
4 enforcement immunity; to provide for exceptions to immunity; and to provide for
5 related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 9:2800.10(C) is hereby amended and reenacted and R.S.
8 9:2793.1(D), 2798.1(E), and 2800.10(D) are hereby enacted to read as follows:

9 §2793.1. Immunity from liability for public entities; fire department; law
10 enforcement agency; public emergencies; F.B.I. agents

11 * * *

12 (D) No element of qualified immunity or any other kind of immunity are
13 available to law enforcement officers as a defense to liability for claims for wrongful
14 death or physical injury by law enforcement officers.

15 * * *

16 §2798.1. Policymaking or discretionary acts or omissions of public entities or their
17 officers or employees

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