

2024 Regular Session

HOUSE BILL NO. 315

BY REPRESENTATIVES MIKE JOHNSON, BAYHAM, BILLINGS, ROBBY CARTER, DICKERSON, EDMONSTON, GREEN, LARVADAIN, MUSCARELLO, STAGNI, AND VENTRELLA AND SENATORS BOUDREAUX, CARTER, CONNICK, DUPLESSIS, FIELDS, HARRIS, JACKSON-ANDREWS, JENKINS, AND SEABAUGH

1 AN ACT

2 To enact Civil Code Articles 3493.11 and 3493.12, and to repeal Civil Code Articles 3492
3 and 3493, relative to tort actions; to provide prescriptive periods for tort actions; to
4 provide for applicability; to provide for an effective date; and to provide for related
5 matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. Civil Code Articles 3493.11 and 3493.12 are hereby enacted to read as
8 follows:

9 Art. 3493.11. Delictual actions

10 Delictual actions are subject to a liberative prescription of two years. This
11 prescription commences to run from the day injury or damage is sustained. It does
12 not run against minors or interdicts in actions involving permanent disability and
13 brought pursuant to the Louisiana Products Liability Act or state law governing
14 product liability actions in effect at the time of the injury or damage.

15 Art. 3493.12. Damage to immovable property; commencement and accrual of
16 prescription

17 When damage is caused to immovable property, the two-year prescription
18 commences to run from the day the owner of the immovable acquired, or should
19 have acquired, knowledge of the damage.

1 Section 2. Civil Code Articles 3492 and 3493 are hereby repealed their entirety.

2 Section 3. The provisions of this Act shall be given prospective application only and

3 shall apply to delictual actions arising after the effective date of this Act.

4 Section 4. This Act shall become effective on July 1, 2024.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____