

2025 Regular Session

HOUSE BILL NO. 72

BY REPRESENTATIVE DEWITT

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

PRESCRIPTION: Provides relative to prescription of certain debts

1 AN ACT

2 To amend and reenact R.S. 9:5701, relative to prescriptive periods for certain debts; to
3 provide for definitions; to provide for applicability; and to provide for related
4 matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 9:5701 is hereby amended and reenacted to read as follows:

7 §5701. Debts due charitable or educational institution or fund

8 A. For purposes of this Section "writing" shall have the same meaning as
9 provided in Code of Evidence Article 1001.

10 B. Except as provided in Subsection ~~B~~ C of this Section, actions for debts
11 including student loans, stipends, or benefits due to any charitable or educational
12 institution in the state or to any fund bequeathed for charitable or educational
13 purposes, or educational obligations owed to the state or its agencies, other than
14 obligations created under the Federal Family Education Loan Program, are
15 prescribed by thirty years, provided the debt is evidenced in writing.

16 ~~B.~~ C. Actions for debts, due to public institutions of higher education in this
17 state, other than student loans, stipends, or benefits are prescribed by ten years,
18 provided the debt is evidenced in writing.

1 Section 2. The provisions of this Act shall be remedial and retroactive in nature, but
2 shall not revive any obligation pursuant to this Section which has been adjudicated on the
3 effective date of this Section.

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)]

HB 72 Original

2025 Regular Session

Dewitt

Abstract: Defines writing for purposes of prescription of certain debts.

Present law provides that actions for debts including student loans, stipends, or benefits due to any charitable or educational institution in the state other than obligations created under the Federal Family Education Loan Program, are prescribed by 30 years, provided the debt is evidenced in writing.

Present law provides that actions for debts due to public institutions of higher education in this state, other than student loans, stipends, or benefits are prescribed by 10 years provided the debt is evidenced in writing.

Proposed law defines "writing" for the purposes of present law.

Proposed law is remedial and retroactive in nature but shall not revive any obligation which has been adjudicated on the effective date of proposed law.

(Amends R.S. 9:5701)