

2025 Regular Session

HOUSE BILL NO. 291

BY REPRESENTATIVES GALLE, ADAMS, BAGLEY, BAYHAM, BERAULT,
CARRIER, ROBBY CARTER, CARVER, CHASSION, CREWS, DICKERSON,
EDMONSTON, EGAN, KNOX, STAGNI, TAYLOR, VENTRELLA, AND
WILDER

1 AN ACT

2 To amend and reenact Civil Code Article 2315.1(A)(introductory paragraph) and 2315.2(B)
3 and to enact Civil Code Articles 2315.1(F) and 2315.2(F), relative to prescription in
4 wrongful death and survival actions; to provide for a prescriptive period of two years
5 from the date of death of the deceased; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. Civil Code Article 2315.1(A)(introductory paragraph) and 2315.2(B) are
8 hereby amended and reenacted and Civil Code Articles 2315.1(F) and 2315.2(F) are hereby
9 enacted to read as follows:

10 Art. 2315.1. Survival action

11 A. If a person who has been injured by an offense or quasi offense dies, the
12 right to recover all damages for injury to that person, his property or otherwise,
13 caused by the offense or quasi offense, shall survive for a period of one year from
14 the death of the deceased or two years from the day that injury or damage is
15 sustained, whichever is longer, in favor of:

16 * * *

17 F. The prescriptive period for medical malpractice survival actions is
18 governed by R.S. 9:5628.

19 * * *

20 Art. 2315.2. Wrongful death action

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PRESIDENT OF THE SENATE

APPROVED: _____