

2026 Regular Session

SENATE BILL NO. 467

BY SENATOR SEABAUGH

COURTS. Provides relative to appeals. (gov sig)

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AN ACT

To amend and reenact Code of Civil Procedure Art. 2124(B)(1)(a) and (D), relative to appeals; to limit the amount of security to be furnished for a suspensive appeal; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. Code of Civil Procedure Art. 2124(B)(1)(a) and (D) are hereby amended and reenacted to read as follows:

Art. 2124. Security to be furnished for an appeal

* * *

B. The security to be furnished for a suspensive appeal is determined in accordance with the following rules:

(1) When the judgment is for a sum of money, the amount of the security shall be equal to the amount of the judgment, including the interest allowed by the judgment to the date the security is furnished, exclusive of the costs.

(a) However, in all cases, except litigation related to the Tobacco Master Settlement Agreement, or any litigation where the state is a judgment creditor, where the amount of the judgment exceeds one hundred fifty million dollars, the trial court,

1 upon motion and after a hearing, may, in the exercise of its broad discretion, fix the
 2 security in an amount sufficient to protect the rights of the judgment creditor while
 3 at the same time preserving the favored status of appeals in Louisiana.
 4 **Notwithstanding any other provision of law to the contrary, in any civil action**
 5 **to which this Subparagraph applies, the aggregate amount of security required**
 6 **for a suspensive appeal of any one judgment shall not exceed one hundred fifty**
 7 **million dollars, exclusive of costs.**

8 * * *

9 D. For good cause shown, the trial judge in the case of the appeal of a money
 10 judgment to be secured by a surety bond may fix the amount of the security at an
 11 amount not to exceed one hundred fifty percent of the amount of the judgment,
 12 including the interest allowed by the judgment to the date the security is furnished,
 13 exclusive of the costs, **or one hundred fifty million dollars, exclusive of costs,**
 14 **whichever is less.**

15 Section 2. This Act shall become effective upon signature by the governor or, if not
 16 signed by the governor, upon expiration of the time for bills to become law without signature
 17 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
 18 vetoed by the governor and subsequently approved by the legislature, this Act shall become
 19 effective on the day following such approval.

The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Senate Legislative Services. The keyword, summary, 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)]

DIGEST

SB 467 Original

2026 Regular Session

Seabaugh

Present law provides that the amount of security furnished on a suspensive appeal of a money judgment is equal to the amount of the judgment including interest allowed by the judgment to the date the security is furnished, exclusive of costs.

Present law provides that when the judgment exceeds \$150 million, the court may, in the exercise of its broad discretion, fix the security in an amount sufficient to protect the rights of the judgment creditor.

Present law provides an exception from the security required for litigation related to the Master Settlement Agreement or any litigation where the state is a party.

Present law provides that in all cases of litigation related to the Master Settlement Agreement, or any litigation where the state is a party, the amount of security will be determined in accordance with present law.

Present law allows an aggrieved appellant to challenge the trial court's determination of the amount required to be furnished as security.

Present law provides for the application of supervisory writs to review the trial court's determination of the appropriate amount of security to be furnished.

Present law provides that the time for taking the suspensive appeal under present law will be interrupted until the trial court fixes the amount of the security and commences anew on the date the security is fixed.

Proposed law retains present law and adds that the aggregate amount of security required for a suspensive appeal of any one judgment will not exceed \$150,000,000, exclusive of costs.

Effective upon signature of the governor or lapse of time for gubernatorial action.

(Amends C.C.P. Art. 2124(B)(1)(a) and (D)).