

Regular Session, 2014

SENATE BILL NO. 291

BY SENATOR MORRELL AND REPRESENTATIVE MORENO

CIVIL PROCEDURE. Authorizes exemplary damages in certain suits arising from domestic abuse. (8/1/14)

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AN ACT

To enact Civil Code Article 2315.8, relative to exemplary damages; to provide for exemplary damages in suits between certain household members arising from domestic abuse; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. Civil Code Article 2315.8 is hereby enacted to read as follows:

Art. 2315.8. Liability for damages caused by domestic abuse

In addition to general and special damages, exemplary damages may be awarded upon proof that the injuries on which the action is based were caused by a wanton and reckless disregard for the rights and safety of a family or household member, as defined in R.S. 46:2132, through acts of domestic abuse, regardless of whether the defendant was prosecuted for his or her acts.

The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Angela L. De Jean.

DIGEST

Morrell (SB 291)

Proposed law authorizes exemplary damages to be awarded in suits between certain household members arising from acts of domestic abuse when the injuries are caused by a

wanton and reckless disregard for the rights and safety of the household member.

Effective August 1, 2014.

(Adds C.C. Art. 2315.8)