

2016 Regular Session

HOUSE BILL NO. 556

BY REPRESENTATIVE MORENO

1 AN ACT

2 To amend and reenact Civil Code Article 3493.10 and to enact Civil Code Article 3496.2,
3 relative to liberative prescription; to provide for prescription relative to crimes of
4 sexual assault; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. Civil Code Article 3493.10 is hereby amended and reenacted and Civil
7 Code Article 3496.2 is hereby enacted to read as follows:

8 Art. 3493.10. Delictual actions; two-year prescription; criminal act

9 Delictual actions which arise due to damages sustained as a result of an act
10 defined as a crime of violence under Chapter 1 of Title 14 of the Louisiana Revised
11 Statutes of 1950, except as provided in Article 3496.2, are subject to a liberative
12 prescription of two years. This prescription commences to run from the day injury
13 or damage is sustained.

14 * * *

15 Art. 3496.2. Action against a person for sexual assault

16 A delictual action against a person for any act of sexual assault, as defined
17 in R.S. 46:2184, is subject to a liberative prescription of three years. This
18 prescription commences to run from the day the injury or damage is sustained or the
19 day the victim is notified of the identity of the offender by law enforcement or a

1 judicial agency, whichever is later. This prescriptive period shall be subject to any
2 exception of peremption provided by law.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____