

2020 Regular Session

SENATE BILL NO. 241

BY SENATOR CONNICK

PRESCRIPTION. Extends prescriptive period for delictual actions from one to two years, but except medical malpractice. (1/1/21)

1 AN ACT

2 To amend and reenact Civil Code Article 3493.10 and to repeal Civil Code Article 3492; to  
3 extend the general prescriptive period for delictual actions; to provide terms and  
4 conditions; to provide for an effective date; 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 to read as  
7 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**  
13 **injury or damage is sustained. It does not run against minors or interdicts in**  
14 **actions involving permanent disability and brought pursuant to the Louisiana**  
15 **Products Liability Act or state law governing product liability actions in effect**  
16 **at the time of the injury or damage.**

17 Section 2. Civil Code Article 3492 is hereby repealed.

