

**GREEN SHEET REDIGEST**

**HB 379**

**2021 Regular Session**

**Larvadain**

**LIABILITY/TORTS: Provides for liability for damages caused by sexual harassment**

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DIGEST

Proposed law (C.C. Art. 2315.11) provides for liability for damages caused by an act or acts of sexual assault in the workplace for the perpetrator of the sexual assault.

Proposed law (C.C. Art. 2315.11) defines acts or acts of sexual assault as provided in R.S. 46:2184.

Present law (C.C.P. Art. 863) provides for sanctions for pleadings not verified or certified by an attorney.

Proposed law (C.C. Art. 2315.11) provides for an amount of court costs, reasonable attorney fees, and other related costs to the defendant, as well as other sanctions and relief under C.C.P. Art. 863, for frivolous or fraudulent claims.

Proposed law (C.C. Art. 2315.11) provides for a liberative prescriptive period of three years as provided in C.C. Art. 3496.2.

(Adds C.C. Art. 2315.11)

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Civil Law and Procedure to the original bill:

1. Define an act of sexual harassment in the workplace as provided in R.S. 42:342.

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Judiciary A to the engrossed bill

1. Changes reference from sexual harassment as provided in R.S. 42:342 to sexual assault as defined in R.S. 46:2184.
2. Clarifies three year prescriptive period by referencing Civil Code Article 3496.2.