

2021 Regular Session

HOUSE BILL NO. 379

BY REPRESENTATIVES LARVADAIN AND LANDRY AND SENATOR BARROW

1 AN ACT

2 To enact Civil Code Article 2315.11, relative to damages; to provide for exemplary
3 damages; to provide relative to sexual assault in the workplace; to provide for
4 attorney fees and court costs; to provide for liberative prescription; and to provide
5 for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. Civil Code Article 2315.11 is hereby enacted to read as follows:

8 Art. 2315.11. Liability for damages caused by sexual assault

9 A. In addition to general and special damages, exemplary damages may be
10 awarded upon proof that the injuries on which the action is based were caused by an
11 act or acts of sexual assault in the workplace.

12 B. The provisions of this Article shall be applicable only to the perpetrator
13 of the sexual assault.

14 C. Upon motion of the defendant or upon its own motion, if the court
15 determines that an action seeking damages under this Article is frivolous or
16 fraudulent, the court shall award costs of court, reasonable attorney fees, and any
17 other related costs to the defendant and any other sanctions and relief requested
18 pursuant to Code of Civil Procedure Article 863.

1 D. An action under the provisions of this Article shall be subject to a
2 liberative prescriptive period provided for in Article 3496.2

3 E. As used in this Article, sexual assault is as defined in R.S. 46:2184.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____