
DIGEST

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HB 431 Reengrossed

2025 Regular Session

Chenevert

Abstract: Changes the pure comparative fault system to a modified comparative fault system with a 51% bar to recovery.

Present law provides that if a person suffers injury, death, or loss as the result partly of his own negligence and partly as a result of the fault of another person or persons, the amount of damages the plaintiff can recover shall be reduced in proportion to the degree or percentage of negligence attributable to the person suffering the injury, death, or loss.

Proposed law changes present law by barring a plaintiff's recovery for damages if the plaintiff is found 51% or more at fault in causing his own damages.

Effective January 1, 2026.

(Amends C.C. Art. 2323(A))

Summary of Amendments Adopted by House

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

1. Change the threshold for a plaintiff's bar to recovery from 50% to 51%.

The House Floor Amendments to the engrossed bill:

1. Make technical corrections.