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## DIGEST

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HB 193 Reengrossed

2025 Regular Session

Amedee

**Abstract:** Provides relative to suits by prisoners and the procedure for dismissal.

Present law provides that no prisoner shall assert a claim under state law until such administrative remedies are exhausted. If a suit is filed in contravention to present law the court shall dismiss the suit without prejudice.

Proposed law retains present law but provides that a suit dismissed under present law shall not interrupt prescription and removes the provision under present law that the suit is dismissed without prejudice.

Proposed law provides that if a prisoner fails to timely initiate or pursue his administrative remedies within the deadlines established, his claim is abandoned and any subsequent claim shall be dismissed with prejudice.

Proposed law provides that if the administrative remedy process is ongoing and incomplete at the time the prisoner suit is filed, the suit shall be dismissed without prejudice.

Proposed law provides that failure to exhaust administrative remedies may be raised by dilatory exception.

(Amends R.S. 15:1184(A)(2))

### Summary of Amendments Adopted by House

#### The House Floor Amendments to the engrossed bill:

1. Change the exception for a failure to exhaust administrative remedies from a peremptory exception to a dilatory exception
2. Make a technical change.