

2024 Regular Session

SENATE BILL NO. 330

BY SENATOR SEABAUGH

LIABILITY. Provides for liability for judgment of dismissal. (8/1/24)

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AN ACT

To enact Code of Civil Procedure Arts. 971.1 and 1674, relative to liability; to provide relative to civil actions; to provide with respect to pretrial and post-trial motions; to provide relative to the effect of a judgment of dismissal; to provide relative to costs and attorney fees; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. Code of Civil Procedure Arts. 971.1 and 1674 are hereby enacted to read as follows:

**Art. 971.1. Effect of judgment of dismissal; pretrial motions; costs**

**Any defendant, against whom all causes of action are dismissed by the granting of any dispositive motion or exception prior to trial, shall be granted judgment against every plaintiff filing such action in an amount equal to the costs and attorney fees incurred in defense of the action.**

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**Art. 1674. Effect of judgment of dismissal; post-trial motions; costs**

**Any defendant who, after a trial, obtains a judgment which results in dismissal of all causes of action, shall be granted judgment against every**

1            **plaintiff filing such action in an amount equal to the costs and attorney fees**  
2            **incurred in defense of the action.**

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The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Hanna Gettys.

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DIGEST

SB 330 Original                      2024 Regular Session                      Seabaugh

Proposed law provides that any defendant, against whom all causes of action are dismissed by the granting of any dispositive motion or exception prior to trial, shall be granted judgment against every plaintiff filing such action in an amount equal to the costs and attorney fees incurred in defense of the action.

Proposed law provides that any defendant who, after a trial, obtains a judgment which results in dismissal of all causes of action, shall be granted judgment against every plaintiff filing such action in an amount equal to the cost and attorney fees incurred in defense of the action.

Effective August 1, 2024.

(Adds C.C.P. Arts. 971.1 and 1674)