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## DIGEST

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HB 291 Reengrossed

2025 Regular Session

Galle

**Abstract:** Extends the prescriptive period for wrongful death and survival actions.

Present law provides a prescriptive period of one year for survival actions.

Proposed law changes the prescriptive period for survival actions to one year from the death of the deceased, or two years from the day that injury is sustained, whichever is longer.

Present law provides a prescriptive period of one year for wrongful death actions.

Proposed law changes the prescriptive period for wrongful death actions to one year from the death of the deceased, or two years from the day that injury is sustained, whichever is longer.

Proposed law provides that the prescriptive period for medical malpractice survival and wrongful death actions are governed by present law (R.S. 9:5628).

(Amends C.C. Arts. 2315.1(A)(intro. para.) and 2315.2(B); Adds C.C. Arts 2315.1(F) and 2315.2(F))

### Summary of Amendments Adopted by House

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

1. Make technical changes.
2. Provide that the prescriptive period for medical malpractice survival and wrongful death actions is governed by R.S. 9:5628.
3. Provide that the prescriptive period for wrongful death and survival actions prescribes one year from the death of the deceased or two years from the day that injury or damage is sustained, whichever is longer.