

2025 Regular Session

SENATE RESOLUTION NO. 158

BY SENATOR FOIL

LIABILITY. Urges and requests the Louisiana State Law Institute to study and recommend legislation relative to the Louisiana Governmental Claims Act.

A RESOLUTION

To authorize and direct the Louisiana State Law Institute to study and recommend legislation relative to the Louisiana Governmental Claims Act, any provisions of the Code of Civil Procedure or Civil Code Ancillaries related thereto, and other provisions of law relative to claims against the state and the administration thereof, and to submit a report of its findings, recommendations and proposed legislation to the legislature no later than March 1, 2026.

WHEREAS, R.S. 13:5151 et seq., provides for the substantive law and certain procedures for suits in contract or for injury to person or property against the state, political subdivisions, officers and employees and others arising out of the discharge of official duties or within the course and scope of employment; and

WHEREAS, various provisions of the Code of Civil Procedure and Civil Code Ancillaries contain, or may contain, provisions affecting the effect or implementation of the Louisiana Governmental Claims Act; and

WHEREAS, R.S. 39:1527 et seq., provides for the administration of certain claims against the state based upon the Louisiana Governmental Claims Act; and

WHEREAS, neither the Louisiana Governmental Claims Act nor the provisions of law relative to risk management nor any ancillary provisions of law that impact the

1 application of the Louisiana Governmental Claims Act have been reviewed on a
2 comprehensive basis for many years; and

3 WHEREAS, given that from time to time amendments have been made to these
4 statutes and various judicial decisions rendered, it is appropriate to review, and as may be
5 desirable, amend the relevant statutes to comport with the intent of the Louisiana
6 Legislature; and

7 WHEREAS, the Louisiana State Law Institute has the capability and expertise to
8 study and make recommendations for potential changes to these statutes.

9 THEREFORE, BE IT RESOLVED that the Senate of the Legislature of Louisiana
10 does hereby authorize and direct the Louisiana State Law Institute to study and recommend
11 legislation to revise and amend the substantive and procedural law for asserting claims
12 against the state and its political subdivisions as well as officers and employees acting in
13 course and scope of their employment and for the administration of claims covered by the
14 state risk management program, and to make its report to the legislature no later than
15 March 1, 2026.

16 BE IT FURTHER RESOLVED that a copy of this Resolution be transmitted to the
17 director of the Louisiana State Law Institute.

18 BE IT FURTHER RESOLVED that the Louisiana State Law Institute shall submit
19 one printed copy and one electronic copy of any report produced pursuant to this Resolution
20 to the David R. Poynter Legislative Research Library as required by R.S. 24:772.

The original instrument and the following digest, which constitutes no part
of the legislative instrument, were prepared by Senate Legislative Services.
The keyword, summary, and digest do not constitute part of the law or proof
or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

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Requests the Louisiana State Law Institute to study and recommend legislation relative to
the Louisiana Governmental Claims Act.