

2026 Regular Session

SENATE BILL NO. 139

BY SENATOR FOIL

SUITS AGAINST STATE. Provides for the amount of interest awarded on claims for personal injury or wrongful death in suits against the state or political subdivisions. (8/1/26)

1 AN ACT

2 To amend and reenact R.S. 13:5112(C), relative to suits against the state or a political

3 subdivision; to provide relative to the accrual rate of legal or judicial interest on any

4 claim for personal injury or wrongful death; to provide relative to requirements,

5 conditions, and procedures; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 13:5112(C) is hereby amended and reenacted to read as follows:

8 §5112. Suits against the state or political subdivision; court costs; interest

9 * * *

10 C. Legal interest on any claim for personal injury or wrongful death shall

11 accrue at **the lesser of** six percent per annum **or the rate of judicial interest in**

12 **accordance with R.S. 13:4202. Legal interest shall accrue** from the date service

13 is requested following judicial demand until the judgment thereon is signed by the

14 trial judge in accordance with Code of Civil Procedure Article 1911. Legal interest

15 accruing subsequent to the signing of the judgment shall be at the rate fixed by R.S.

16 9:3500.

17 * * *

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)]

DIGEST

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Present law (R.S. 13:5112) provides that in any suit against the state or any department, board, commission, agency, or political subdivision in which a judgment is rendered, the court may award the successful party court costs and interest.

Present law (R.S. 13:5112(C)) provide that legal interest on any claim for personal injury or wrongful death accrues at 6% per annum from the date service is requested following judicial demand until the signing of the judgment pursuant to present law (C.C.P. Art. 1911). Further provides that legal interest accruing subsequent to the signing of the judgment will be at the rate fixed by present law, (R.S. 9:3500).

Proposed law provides that legal interest on any claim for personal injury or wrongful death accrues at the lesser of 6% per annum or the rate of judicial interest in accordance with present law, (R.S. 13:4202).

Proposed law provides that legal interest accrues from the date service is requested following judicial demand until the signing of the judgment pursuant to present law (C.C.P. Art. 1911).

Proposed law retains present law requirement that legal interest accruing subsequent to the signing of the judgment will be at the rate fixed by present law, (R.S. 9:3500).

Effective August 1, 2026.

(Amends R.S. 13:5112(C))