

2026 Regular Session

SENATE BILL NO. 361

BY SENATOR MIZELL

CIVIL PROCEDURE. Provides for limitations relative to claims for general damages.  
(8/1/26)

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AN ACT

To enact Civil Code Art. 2315.14, relative to general damages; to provide for limitations of liability; to provide for exceptions; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. Civil Code Art. 2315.14 is hereby enacted to read as follows:

**Art. 2315.14. General damages; limitation of liability; exceptions**

**A. Except as otherwise provided in this Article, general damages shall not be awarded in a delictual action in an amount in excess of five hundred thousand dollars, regardless of the number of parties against whom the action is brought or the number of actions brought.**

**B. If the trier of fact finds that a claimant has suffered a permanent mental injury that severely impairs the claimant's ability to be employed or enjoy a reasonable standard of living, general damages shall not be awarded in a delictual action in an amount in excess of one million dollars, regardless of the number of parties against whom the action is brought or the number of actions brought.**

**C. The limitations on general damages imposed by Paragraph A and**

1           **Paragraph B of this Article shall not apply if the trier of fact finds that the**  
 2           **claimant has suffered permanent and severe physical injury, including a**  
 3           **substantial physical abnormality or disfigurement, loss of use of a limb, loss of**  
 4           **or substantial impairment to a major body organ or system, or an injury that**  
 5           **renders the claimant permanently incapable of independent self-care or the**  
 6           **ability to perform life-sustaining activities.**

7           **D. The limitations on general damages imposed by Paragraph A and**  
 8           **Paragraph B of this Article shall not apply if the trier of fact finds by clear and**  
 9           **convincing evidence that the tortfeasor's actions were intentional or malicious.**

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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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	DIGEST	
SB 361 Original	2026 Regular Session	Mizell

Proposed law provides that except as otherwise provided in proposed law, general damages shall not be awarded in a delictual action in an amount in excess of \$500,000, regardless of the number of parties against whom the action is brought or the number of actions brought.

Proposed law provides that if the trier of fact finds that a claimant has suffered a permanent mental injury that severely impairs the claimant's ability to be employed or enjoy a reasonable standard of living, general damages shall not be awarded in a delictual action in an amount in excess of \$1 million, regardless of the number of parties against whom the action is brought or the number of actions brought.

Proposed law provides that the limitations on general damages imposed by proposed law shall not apply if the trier of fact finds that the claimant has suffered permanent and severe physical injury, including a substantial physical abnormality or disfigurement, loss of use of a limb, loss of or substantial impairment to a major body organ or system, or an injury that renders the claimant permanently incapable of independent self-care or the ability to perform life-sustaining activities.

Proposed law provides that the limitations on general damages imposed by proposed law shall not apply if the trier of fact finds by clear and convincing evidence that the tortfeasor's actions were intentional or malicious.

Effective August 1, 2026.

(Adds C.C. Art. 2315.14)