

2026 Regular Session

SENATE BILL NO. 131

BY SENATOR PRESSLY

ATTORNEYS. Provides for limitations on recovery of attorney fees and costs in occupational licensing board disciplinary hearings. (8/1/26)

1 AN ACT

2 To amend and reenact R.S. 37:21, relative to professions and occupations; to provide
3 relative to limiting recovery of attorney fees and costs in disciplinary proceedings
4 initiated by professional or occupational licensing boards; to provide relative to
5 licensees; to provide relative to negotiations; to provide relative to suspension and
6 probationary periods; to provide relative to monetary fees; to provide relative to
7 certain offers of judgments; to provide relative to consent order negotiations; to
8 provide relative to attorney fees and costs incurred by the board; and to provide for
9 related matters.

10 Be it enacted by the Legislature of Louisiana:

11 Section 1. R.S. 37:21 is hereby amended and reenacted to read as follows:

12 §21. Limitations on disciplinary proceedings by professional or occupational boards
13 and commissions; **recovery of attorney fees and costs**

14 A.(1) Unless a special law is applicable, no proceeding of any kind may be
15 initiated by a professional or occupational board or commission as follows:

16 (a) If the nature of the complaint is based on negligence or gross negligence,
17 no proceeding may be initiated after two years from discovery by the complainant.

1 However, under no circumstances shall such a proceeding be initiated more than five
2 years from the date of the act or omission.

3 (b) If the nature of the complaint is based on an intentional act or omission,
4 no proceeding may be initiated after two years from discovery by the complainant.
5 However, under no circumstances shall such a proceeding be initiated more than five
6 years from the date of the act or omission.

7 (c) If the nature of the complaint is based on fraud, no proceeding may be
8 initiated after two years from discovery by the complainant.

9 (d) If the nature of the complaint is based on a license or rules violation, no
10 proceeding may be initiated after five years from the date of the act or omission.

11 (2) In all cases where a complaint is filed with a professional or occupational
12 board or commission, the board or commission shall notify the licensee who is
13 specifically named in the complaint as the subject of the complaint in writing of the
14 complaint within six months after the filing of the complaint or be barred from
15 further action thereon. The board or commission shall hold any required hearing
16 within six months after the notice of the hearing, but this period may be interrupted
17 by the filing of procedural motions or suspended as provided in Paragraph (3) of this
18 Subsection.

19 (3) The time periods provided in this Subsection are suspended during the
20 pendency of a legal action involving the licensee as a party or witness if the
21 complaint arises from the same facts giving rise to the legal action or arises from the
22 licensee's activities in the legal action. For the purposes of this Subsection, "legal
23 action" includes litigation, arbitration, mediation, administrative proceeding, or other
24 disciplinary proceeding.

25 B. The provisions of ~~this Section~~ **Subsection A of this Section** shall not
26 apply to the following:

27 (1) The Louisiana State Board of Medical Examiners.

28 (2) The Louisiana State Board of Dentistry.

29 (3) A certified public accountant.

- 1 (4) Repealed by Acts 2023, No. 381, §2, eff. August 1, 2023.
- 2 (5) The Louisiana State Board of Embalmers and Funeral Directors.
- 3 (6) The Louisiana Board of Examiners for Speech-Language Pathology and
- 4 Audiology.
- 5 (7) The Louisiana Board of Pharmacy.
- 6 (8) The Louisiana State Board of Nursing.
- 7 (9) The Louisiana State Board of Social Work Examiners.
- 8 (10) The Louisiana Physical Therapy Board.
- 9 (11) The Louisiana State Board of Practical Nurse Examiners.

10 C. The provisions of Paragraph (A)(2) of this Section with respect to the time
11 of hearing only shall not apply to the following:

- 12 (1) The Louisiana Professional Engineering and Land Surveying Board.
- 13 (2) The State Board of Architectural Examiners.

14 **D. When a professional or occupational board initiates a disciplinary**
 15 **action against a licensee and the final resolution of the proceeding before the**
 16 **board results in a consent order, judgment, or finding in which the length of the**
 17 **suspension or probationary period imposed or the amount of the monetary**
 18 **payment required of the licensee is less than an offer of judgment made or**
 19 **monetary amount offered previously by the licensee in a consent order**
 20 **negotiation, the board shall not collect from the licensee the attorney fees or**
 21 **costs of the proceeding incurred by the board after the offer of judgment or**
 22 **offer in negotiation was made in writing.**

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

SB 131 Reengrossed 2026 Regular Session Pressly

Present law (R.S. 37:21(B)) provides that the provisions of present law (R.S. 37:21) do not apply to certain professional or occupational licensing boards.

Proposed law provides that the provisions of present law (R.S. 37:21(A)) do not apply to certain professional or occupational licensing boards.

Proposed law provides that when a professional or occupational board initiates a disciplinary action against a licensee and the final resolution of the proceeding before the board results in a consent order, judgment or finding in which the length of the suspension or probationary period imposed or the amount of the monetary payment required of the licensee is less than an offer of judgment made or monetary amount offered previously by the licensee in a consent order negotiation, the board shall not collect from the licensee the attorney fees or costs of the proceeding incurred by the board after the offer of judgment or offer in negotiation was made in writing.

Effective August 1, 2026.

(Amends R.S. 37:21)

Summary of Amendments Adopted by Senate

Senate Floor Amendments to engrossed bill

1. Make technical changes.