

ACT No. 443

2018 Regular Session

HOUSE BILL NO. 5

BY REPRESENTATIVE CONNICK

1 AN ACT

2 To amend and reenact Civil Code Article 3463, relative to prescription; to provide for the
3 effect of dismissal of a party in certain circumstances; and to provide for related
4 matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. Civil Code Article 3463 is hereby amended and reenacted to read as
7 follows:

8 Art. 3463. Duration of interruption; abandonment or discontinuance of suit

9 An interruption of prescription resulting from the filing of a suit in a
10 competent court and in the proper venue or from service of process within the
11 prescriptive period continues as long as the suit is pending. Interruption is
12 considered never to have occurred if the plaintiff abandons, voluntarily dismisses the
13 action at any time either before the defendant has made any appearance of record or
14 thereafter, or fails to prosecute the suit at the trial.

1 A settlement and subsequent dismissal of a defendant pursuant to a
2 transaction or compromise shall not qualify as a voluntary dismissal pursuant to this
3 Article.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____