

SENATE COMMITTEE AMENDMENTS

2019 Regular Session

Amendments proposed by Senate Committee on Judiciary A to Original Senate Bill No. 154  
by Senator Ward

AMENDMENT NO. 1

On page 1, delete line 2 and insert

"To amend and reenact R.S. 32:291 and Civil Code Arts. 3492 and 3493, to enact  
Code of Evidence Art. 416, and to repeal R.S. 32:295.1(E), relative to civil liability  
and damages; to provide relative"

AMENDMENT NO. 2

On page 2, after line 8 insert

"Section 2. Civil Code Articles 3492 and 3493 are hereby amended and reenacted to  
read as follows:

Art. 3492. Delictual actions

Delictual actions are subject to a liberative prescription of ~~one year~~  
**two years**. This prescription commences to run from the day injury or  
damage is sustained. It does not run against minors or interdicts in actions  
involving permanent disability and brought pursuant to the Louisiana  
Products Liability Act or state law governing product liability actions in  
effect at the time of the injury or damage.

Art. 3493. Damage to immovable property; commencement and accrual of  
prescription

When damage is caused to immovable property, the ~~one~~ **two** year  
prescription commences to run from the day the owner of the immovable  
acquired, or should have acquired, knowledge of the damage.

Section 3. Code of Evidence Article 416 is hereby enacted to read as follows:

**Art. 416. Wearing of safety belt**

**In any action to recover damages arising out of the ownership,  
common maintenance, or operation of a motor vehicle, failure to wear  
a safety belt in violation of law may be considered evidence of  
comparative negligence. The admissibility of such evidence shall be  
determined by the court out of the hearing of the jury.**

Section 4. R.S. 32:295.1(E) is hereby repealed."