

2026 Regular Session

HOUSE BILL NO. 190

BY REPRESENTATIVE SCHLEGEL

(On Recommendation of the Louisiana State Law Institute)

LIABILITY/TORTS: Provides for a standard of care in certain activities related to software and computer programs

1 AN ACT

2 To enact Civil Code Article 2317.2, relative to software and computer programs; to provide
3 for a standard of care in design, development, licensing, manufacture, and sale; and
4 to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. Civil Code Article 2317.2 is hereby enacted to read as follows:

7 Art. 2317.2. Software and computer programs

8 Any person who designs, develops, licenses, manufactures, or sells a
9 computer program or software that provides an interactive or personalized user
10 experience based on the user's data or information owes a duty to exercise reasonable
11 care in the design, development, licensing, manufacture, or sale of the computer
12 program or software.

13 Revision Comments - 2026

14 This Article does not foreclose the availability of any other cause of action
15 or theory of liability pursuant to this Code or other applicable law, including the
16 Louisiana Products Liability Act, R.S. 9:2800.51 et seq.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, 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)]

HB 190 Original

2026 Regular Session

Schlegel

Abstract: Provides relative to the standard of care for activities related to computer programs and software.

Proposed law (C.C. Art. 2317.2) requires a person to exercise reasonable care in the design, development, manufacture, and sale of certain computer programs and software.

(Adds C.C. Art. 2317.2)