

2026 Regular Session

HOUSE BILL NO. 194

BY REPRESENTATIVE RISER AND SENATOR CATHEY

LIABILITY: Provides relative to preemptive periods

1 AN ACT

2 To amend and reenact R.S. 9:5607(A), relative to actions against a professional engineer,
3 surveyor, professional interior designer, architect, or real estate developer; to provide
4 relative to preemptive periods; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 9:5607(A) is hereby amended and reenacted to read as follows:

7 §5607. Actions against a professional engineer, surveyor, professional interior
8 designer, architect, real estate developer; preemptive periods

9 A. No action for damages against any professional engineer, surveyor,
10 engineer intern, surveyor intern, or licensee as defined in R.S. 37:682, or any
11 professional architect, landscape architect, architect intern, or agent as defined in
12 R.S. 37:141, or professional interior designer, or licensee as defined in R.S. 37:3171,
13 or other similar licensee licensed ~~under~~ pursuant to the laws of this state, or real
14 estate developer relative to development plans which have been certified by a
15 professional engineer or professional architect, whether based upon tort, or breach
16 of contract, or otherwise arising out of an engagement to provide any manner of
17 movable or immovable planning, construction, design, or building, which may
18 include but is not limited to consultation, planning, designs, drawings, specifications,
19 investigation, evaluation, measuring, or administration related to any building,

1 construction, demolition, or work, shall be brought unless filed in a court of
2 competent jurisdiction and proper venue at the latest within five years from:

3 (1)(a) The date of registry in the mortgage office of acceptance of the work
4 by the owner; ~~or,~~

5 ~~(2)(b) The date the owner has occupied or taken possession of the~~
6 ~~improvement, in whole or in part, if no such acceptance is recorded; or~~ If no such
7 acceptance is recorded within six months from the date the owner has occupied or
8 taken possession of the improvement, in whole or in part, the date the improvement
9 has been thus occupied by the owner.

10 ~~(3)(2)~~ (2) The date the person furnishing ~~such~~ the services has completed the
11 services with regard to actions against that person, if the person performing or
12 furnishing the services, ~~as described herein,~~ described in this Subsection does not
13 render the services preparatory to construction, or if the person furnishes such
14 services preparatory to construction but ~~the person furnishing such services~~ does not
15 perform any inspection of the work.

16 * * *

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 194 Original

2026 Regular Session

Riser

Abstract: Specifies the preemptive period for actions against a professional engineer, surveyor, professional interior designer, architect, or real estate developer.

Present law (R.S. 9:5607(A)) provides a preemptive period of five years for actions against certain design and construction professionals. Requires an action to be brought within five years from:

- (1) The date of registry in the mortgage office of acceptance of the work by the owner.
- (2) The date the owner has occupied or taken possession of the improvement if no acceptance is recorded.
- (3) The date the person furnishing services has completed the services, when the services were not in preparation for construction, or the services were in preparation for construction, but the person did not inspect the work.

Proposed law changes present law relative to the peremptive period applicable to an owner's acceptance of work. If the owner's acceptance of work was not timely recorded, proposed law requires the owner to bring any action pursuant to present law within five years from the date the owner occupied or took possession of the improvement.

Proposed law otherwise retains present law.

(Amends R.S. 9:5607(A))