

2015 Regular Session

HOUSE BILL NO. 492

BY REPRESENTATIVES PATRICK WILLIAMS AND SEABAUGH

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

PRESCRIPTION: Provides for the liberative prescriptive period applicable to certain actions

1 AN ACT

2 To amend and reenact Civil Code Article 3494 and to enact Section 3-A of Chapter 4 of  
3 Title XXIV of Book III of the Civil Code, to be comprised of Articles 3498.1 and  
4 3498.2, relative to liberative prescription; to increase the prescriptive period  
5 applicable to certain actions arising from contracts; and to provide for related  
6 matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. Civil Code Article 3494 is hereby amended and reenacted and Section 3-  
9 A of Chapter 4 of Title XXIV of Book III of the Civil Code, comprised of Articles 3498.1  
10 and 3498.2, is hereby enacted to read as follows:

11 Art. 3494. Actions subject to a three-year prescription

12 The following actions are subject to a liberative prescription of three years:

13 (1) ~~An action for the recovery of compensation for services rendered,~~  
14 ~~including payment of salaries, wages, commissions, tuition fees, professional fees,~~  
15 ~~fees and emoluments of public officials, freight, passage, money, lodging, and~~  
16 ~~board;~~

17 (2) ~~An action for arrearages of rent and annuities;~~

18 (3) ~~An action on money lent;~~

19 (4) ~~An action on an open account; and~~



- (4) On an open account.
- (5) To recover underpayments or overpayments of royalties from the production of minerals, except it does not apply to any payments, rent, or royalties derived from state-owned properties.

Proposed law increases present law liberative prescription from three years to seven years for actions on an open account, actions for arrearages of rent and annuities, and actions for the recovery of compensation for services rendered.

(Amends C.C. Art. 3494; Adds C.C. Arts. 3498.1 and 3498.2)