

Regular Session, 2014

HOUSE BILL NO. 748

BY REPRESENTATIVE MORENO AND SENATOR MORRELL

CIVIL/ACTIONS: Authorizes exemplary damages in certain suits arising from domestic abuse

1 AN ACT

2 To enact Civil Code Article 2315.8, relative to exemplary damages; to provide for
3 exemplary damages in suits between certain family or household members arising
4 from domestic abuse; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. Civil Code Article 2315.8 is hereby enacted to read as follows:

7 Art. 2315.8. Liability for damages caused by domestic abuse

8 In addition to general and special damages, exemplary damages may be
9 awarded upon proof that the injuries on which the action is based were caused by a
10 wanton and reckless disregard for the rights and safety of a family or household
11 member, as defined in R.S. 46:2132, through acts of domestic abuse, regardless of
12 whether the defendant was prosecuted for his or her acts.

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)]

Moreno

HB No. 748

Abstract: Authorizes exemplary damages to be awarded in suits between certain family or household members arising from domestic abuse.

Proposed law authorizes exemplary damages to be awarded in suits between certain family or household members arising from acts of domestic abuse when the injuries are caused by a wanton and reckless disregard for the rights and safety of the family or household member.

(Adds C.C. Art. 2315.8)