

2017 Regular Session

HOUSE BILL NO. 340

BY REPRESENTATIVE JAY MORRIS

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

CIVIL/ACTIONS: Provides relative to the availability of attorney fees in suits on open accounts

1 AN ACT

2 To amend and reenact R.S. 9:2781(A) and (C), relative to attorney fees on open accounts;
3 to provide when attorney fees are available; to provide procedures for the avoidance
4 of the requirement to pay attorney fees; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 9:2781(A) and (C) are hereby amended and reenacted to read as
7 follows:

8 §2781. Open accounts; attorney fees; professional fees; open account owed to the
9 state

10 A. When any person fails to pay an open account within thirty days after the
11 claimant sends written demand therefor correctly setting forth the amount owed, that
12 person shall be liable to the claimant for reasonable attorney fees for the prosecution
13 and collection of such claim when ~~judgment on the claim is rendered in favor of the~~
14 claimant suit is filed against the debtor and the claimant is entitled to prevail on the
15 merits of the suit. Citation and service of a petition shall be deemed written demand
16 for the purpose of this Section. If the claimant and his attorney have expressly agreed
17 that the debtor shall be liable for the claimant's attorney fees in a fixed or
18 determinable amount, the claimant is entitled to that amount when ~~judgment on the~~
19 ~~claim is rendered in favor of the claimant~~ suit is filed against the debtor and the

