

2018 Regular Session

HOUSE BILL NO. 471

BY REPRESENTATIVE STOKES

BUDGETARY CONTROLS: Requires the division of administration to establish, maintain, and make public, a list of unpaid outstanding final tort judgments against the state

1 AN ACT

2 To enact R.S. 39:1538(5), relative to claims against the state; to provide with respect to
3 certain final judgments against the state; to require the division of administration to
4 make public certain information concerning final judgments against the state; to
5 require inclusion of information in the comprehensive annual financial report; and
6 to provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 39:1538(5) is hereby enacted to read as follows:

9 §1538. Claims against the state

10 * * *

11 (5) The division of administration shall develop and maintain a listing of all
12 final judgments against the state that are the result of a claim under Article XII,
13 Section 10 of the Constitution of Louisiana and this Section and which remain
14 unpaid. The date upon which each judgment became final shall be indicated. The
15 list shall be updated quarterly, made available on the division of administration's
16 website, and information contained therein shall be included within the
17 comprehensive annual financial report in a manner determined by the commissioner
18 of administration.

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 471 Draft

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Stokes

Abstract: Requires the division of administration to maintain and make public a list of unpaid final tort judgments against the state.

Present law provides with respect to claims against the state and its agencies (state). The state is liable for claims in the same manner and to the same extent as a private individual under like circumstances.

Present constitution provides that no judgment against the state shall be exigible, payable or paid except from funds appropriated by the legislature.

Proposed law retains present law and adds a requirement for the division of administration to develop and maintain a list of all final tort judgments against the state which remain unpaid, including the date each judgment became final. The list shall be updated quarterly, available on the division of administration's website, and included within the comprehensive annual financial report.

(Adds R.S. 39:1538(5))