

2018 Regular Session

HOUSE BILL NO. 454

BY REPRESENTATIVE FOIL

1 AN ACT

2 To amend and reenact R.S. 49:257(B) and to enact R.S. 39:1538(5), relative to claims
3 against the state; to provide with respect to certain final judgments against the state;
4 to require the division of administration to make public certain information
5 concerning final judgments against the state; to require state agencies to report
6 information concerning final judgments to the attorney general; to require the
7 attorney general to prepare reports to the legislature and the division of
8 administration; to require inclusion of information in the comprehensive annual
9 financial report; and to provide for related matters.

10 Be it enacted by the Legislature of Louisiana:

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

12 §1538. Claims against the state

13 * * *

14 (5) The division of administration, in cooperation with the attorney general
15 as provided in R.S. 49:257(B), shall prepare a list of all final judgments against the
16 state that are the result of a claim under Article XII, Section 10 of the Constitution
17 of Louisiana and this Section and which remain unpaid. The list shall be updated
18 quarterly, provided to the attorney general pursuant to R.S. 49:257(B), and
19 information contained therein shall be included within the comprehensive annual
20 financial report in a manner determined by the commissioner of administration.

21 Section 2. R.S. 49:257(B) is hereby amended and reenacted to read as follows:

22 §257. Legal representation of certain state agencies

23 * * *

1 B.(1) In all litigation whereby a state agency, board or commission, including
2 levee boards, appoints, employs, or contracts private legal counsel to represent the
3 state or a state agency, board or commission, including levee boards, pursuant to R.S.
4 39:1538, R.S. 42:262, or R.S. 49:258, or ~~Subsection E~~ of this Section, the secretary
5 of the department, or the head of the state agency, or the board or commission,
6 including levee boards, shall consistently maintain accurate data on legal contracts,
7 legal costs, and all final judgments, all of which shall be reported to the attorney
8 general. At the same time as all final judgments are reported to the attorney general,
9 they shall also be reported to the commissioner of administration, Senate Committee
10 on Finance, and the House Committee on Appropriations. The report shall be in
11 writing or submitted electronically, as determined by the attorney general, and
12 submitted to the attorney general quarterly. The attorney general, in consultation
13 with the commissioner of administration, shall prepare and submit an annual report
14 to the legislature no later than the first day of the regular session, and shall submit
15 quarterly updates of the report to the division of administration, the Senate
16 Committee on Finance, the House Committee on Appropriations, and the legislative
17 fiscal office. The Department of Justice shall implement procedures to carry out the
18 provisions of this Subsection no later than ~~July 1, 2007~~ December 1, 2018.

19 (2) The attorney of record or the prevailing party shall submit a certified copy
20 of the final judgment to the Senate Committee on Finance and the House Committee
21 on Appropriations for the consideration of an appropriation to pay the judgment.

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____