

**ACT No. 627**

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: \_\_\_\_\_