

2020 Regular Session

SENATE BILL NO. 512

BY SENATORS BOUDREAUX AND CONNICK

FUNDS/FUNDING. Provides for the use and exemptions applicable to payments, grants, and loans made by governmental entities to persons resulting from the occurrence of an extraordinary emergency event. (gov sig)

1 AN ACT

2 To enact R.S. 20:34, relative to funds received from governmental entities as the result of
3 an extraordinary emergency event; to provide definitions; to provide exemptions
4 from certain legal proceedings; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 20:34 is hereby enacted to read as follows:

7 **§34. Payments, grants, and loans made by the United States, any state of**
8 **the union, or any federal or state agency resulting from the occurrence of an**
9 **extraordinary emergency event**

10 **A. It is the public policy of the state of Louisiana that all payments,**
11 **grants, or loans made by the United States, any state of the union, or any federal**
12 **or state agency as a result of a national or statewide extraordinary emergency**
13 **event shall be used by the payee, grantee, or borrower for the purposes intended**
14 **by the governmental authority which pays, grants, or lends the funds.**

15 **B. By way of illustration and not exclusion, an "extraordinary**
16 **emergency event" as used in this Section, includes but is not limited to, any of**
17 **the following:**

1 **(1) An act of war or terrorism.**

2 **(2) A riot or insurrection against the lawful governing authority.**

3 **(3) A declared natural disaster or state of emergency.**

4 **(4) An economic crisis.**

5 **(5) A pandemic or other declared public health emergency.**

6 **C. Any and all government payments or grants made to, and the**
7 **proceeds of any governmental loans received, as a result of an extraordinary**
8 **emergency event by any natural or juridical person who is a citizen of the**
9 **United States and domiciled in this state:**

10 **(1) Are exempt from seizure, sale, attachment, or restraint under any**
11 **writ, mandate, or process whatsoever, except for the payment of alimony and**
12 **child support as may be otherwise allowed by law.**

13 **(2) May not be assigned as security or otherwise for the payment of any**
14 **debt existing prior to the extraordinary emergency event for which the payment**
15 **was made.**

16 **D. After receipt by the person, all grant payments or proceeds shall**
17 **continue to be exempt from seizure and shall retain their exempt status, and**
18 **shall not be liable to attachment, garnishment, or other process, or to be levied,**
19 **seized, taken, appropriated, or applied by any legal or equitable process or**
20 **operation of law to pay any debt of the payee, grantee, or borrower, provided**
21 **that said funds or loan proceeds are clearly traceable and identifiable as grant**
22 **payments or loan proceeds and as are held separately in an escrow account**
23 **expressly identified as an account opened under this Section.**

24 Section 2. This Act shall become effective upon signature by the governor or, if not
25 signed by the governor, upon expiration of the time for bills to become law without signature
26 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
27 vetoed by the governor and subsequently approved by the legislature, this Act shall become
28 effective on the day following such approval.

