

2021 Regular Session

HOUSE BILL NO. 321

BY REPRESENTATIVE DAVIS

APPROPRIATIONS/JUDGMENT: Appropriates funds for payment of the judgment against the state in the suit entitled Louise Kaltenbaugh, Ph.D. et al. v. Board of Supervisors, Southern University and Agricultural and Mechanical College at Baton Rouge c/w Dayanand Thangada et al. v Board of Supervisors, Southern University and Agricultural and Mechanical College at Baton Rouge

1 AN ACT

2 To appropriate monies out of the state general fund for Fiscal Year 2020-2021 to be used to  
3 pay the judgment captioned "Louise Kaltenbaugh, Ph.D., et al. versus Board of  
4 Supervisors, Southern University and Agricultural and Mechanical College at Baton  
5 Rouge (Southern University at New Orleans Campus) consolidated with Dayanand  
6 Thangada, Audrey S. McGee and Shirley A. Williams-Scott versus Board of  
7 Supervisors, Southern University and Agricultural and Mechanical College at Baton  
8 Rouge (Southern University at New Orleans)" against the Board of Supervisors,  
9 Southern University Agricultural and Mechanical College (Southern University at  
10 New Orleans Campus) in favor of Shirley Williams-Scott, Audrey S. McGee, and  
11 Robert Perry; to provide for additional costs; to provide for certain requirements and  
12 limitations; to provide for an effective date; and to provide for related matters.

13 Be it enacted by the Legislature of Louisiana:

14 Section 1. The sum of four hundred twenty-three thousand five hundred sixty-one  
15 and no/100 (\$423,561) dollars plus legal interest from the date of judicial demand and costs  
16 to be fixed by the Civil District Court for the parish of Orleans is hereby payable out of the  
17 State General Fund (Direct) for Fiscal Year 2020-2021 for payment of the judgment  
18 captioned "Louise Kaltenbaugh, Ph.D., et al. versus Board of Supervisors, Southern  
19 University and Agricultural and Mechanical College at Baton Rouge (Southern University

1 at New Orleans Campus) consolidated with Dayanand Thangada, Audrey S. McGee and  
 2 Shirley A. Williams-Scott versus Board of Supervisors, Southern University and  
 3 Agricultural and Mechanical College at Baton Rouge (Southern University at New  
 4 Orleans)", signed on August 14, 2018, against the Board of Supervisors, Southern University  
 5 Agricultural and Mechanical College (Southern University at New Orleans Campus) in favor  
 6 of Shirley Williams-Scott, Audrey S. McGee, and Robert Perry bearing Number 2006-4126,  
 7 Section "D-12" c/w 2006-5735, Section "D-12", on the docket of the Civil District Court,  
 8 parish of Orleans, state of Louisiana.

9 Section 2. The judgment may only be paid from this appropriation if it is final and  
 10 shall be paid as to principal, interest, court costs, and expert witness fees as awarded in the  
 11 judgment. If the provisions of the judgment conflict with the provisions of this Act, the  
 12 provisions of the judgment shall be controlling. Any other provision of this Act not in  
 13 conflict with the provisions of the judgment shall control. Payment shall be made only after  
 14 presentation to the state treasurer of documentation required by the state treasurer. Further,  
 15 the judgment shall be deemed to have been paid on the effective date of this Act, and interest  
 16 shall cease to run as of that date.

17 Section 3. This Act shall become effective upon signature by the governor or, if not  
 18 signed by the governor, upon expiration of the time for bills to become law without signature  
 19 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If  
 20 vetoed by the governor and subsequently approved by the legislature, this Act shall become  
 21 effective on the day following such approval.

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#### 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)]

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HB 321 Original

2021 Regular Session

Davis

Appropriates \$423,561 plus legal interest and court costs out of the State General Fund (Direct) for FY 2020-2021 for payment of the consent judgment in the suit entitled "Louise Kaltenbaugh, Ph.D., et al. v. Board of Supervisors, Southern University c/w Dayanand Thangada, Audrey S. McGee and Shirley A. Williams-Scott v. Board of Supervisors, Southern University, bearing No. 2006-4126, Section "D-12" c/w 2006-5735, Section "D-12"" on the docket of the Civil District Court, parish of Orleans.

Proposed law provides requirements for payment from the state treasury. Provides contingencies in case of conflict between judgment and proposed law. Prohibits accrual of interest on the judgment as of the effective date of proposed law.

Effective upon signature of governor or lapse of time for gubernatorial action.