

2022 Regular Session

HOUSE BILL NO. 916

BY REPRESENTATIVE MINCEY

APPROPRIATIONS/JUDGMENT: Appropriates funds for payment of the consent judgment against the state in the suit entitled State Farm Mutual Automobile Insurance Co. v. State of La. through the Dept. of Transportation

1 AN ACT

2 To appropriate monies out of the state general fund for Fiscal Year 2021-2022 to be used to
3 pay the consent judgment captioned "David L. Ocmand and Linda C. Ocmand versus
4 Town of Brusly and the State of Louisiana, through the Department of
5 Transportation consolidated with Louisiana Farm Bureau Casualty Insurance
6 Company versus the State of Louisiana, through the Department of Transportation
7 consolidated with State Farm Mutual Automobile Insurance Com. versus the State
8 of Louisiana, through the Department of Transportation" between the state of
9 Louisiana, through the Department of Transportation and Development, and State
10 Farm Mutual Automobile Insurance Company; to provide for an effective date; and
11 to provide for related matters.

12 Be it enacted by the Legislature of Louisiana:

13 Section 1. The sum of Fifteen Thousand and No/100 (\$15,000) Dollars is hereby
14 payable out of the State General Fund (Direct) for Fiscal Year 2021-2022 for payment of the
15 consent judgment captioned "David L. Ocmand and Linda C. Ocmand versus Town of
16 Brusly and the State of Louisiana, through the Department of Transportation consolidated
17 with Louisiana Farm Bureau Casualty Insurance Company versus the State of Louisiana,
18 through the Department of Transportation consolidated with State Farm Mutual Automobile
19 Insurance Com. versus the State of Louisiana, through the Department of Transportation",
20 signed on February 4, 2020, between the state of Louisiana, through the Department of

1 Transportation and Development and State Farm Mutual Automobile Insurance Company,
2 bearing Number 1042919, Division D, on the docket of the Eighteenth Judicial District,
3 parish of West Baton Rouge, state of Louisiana.

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

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

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 916 Original

2022 Regular Session

Mincey

Appropriates \$15,000 out of the State General Fund (Direct) for FY 2021-2022 for payment of the consent judgment entitled State Farm Mutual Automobile Insurance Co. v. State of La., through the Dept. of Transportation and Development, bearing No. 1042919, Division D, on the docket of the 18th Judicial District, parish of West Baton Rouge.

Proposed law provides relative to payment. Provides relative to conflicts between the 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.