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Synopsis of Senate Amendments

- ## Digest of Bill as Finally Passed by Senate

political subdivision shall immediately notify the governor and the attorney general by providing a copy of such notice, claim, or demand within 30 days of receipt of the notice, claim, or demand. Proposed law further requires the entity to notify all parties and the court of the statutory right of the attorney general to intervene and shall seek a 60-day stay of the litigation to provide notice and provide the attorney general time to intervene.

Proposed law provides that neither the state nor any department, agency, board, commission, institution, or local political subdivision may enter into a judgment by consent in federal court without the approval of the attorney general and the governor when the proposed judgment creates, establishes, or imposes injunctive relief, enforceable through continued oversight by the federal court, with future binding conditions or obligations that exceed 60 days to effect the settlement.

Proposed law shall not require consent by the attorney general or the governor if the agreement settles litigation without creating future obligations requiring continuing federal judicial oversight.

Proposed law provides that any agreement that contains an obligation that exceeds the consenting party's term of office, as a matter of public policy of this state, shall be considered unenforceable against the governmental entity or successor official and an ultra vires act.

Proposed law provides that the provisions of proposed law shall apply to any pending consent decree or any judgment that imposes continuing jurisdiction of any court over the state or any state department, board, commission, or other institution, or any local political subdivision created by the La. Const. or state law, including but not limited to school boards and charters, or any public official or employee thereof.

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

(Amends R.S. 42:265 and R.S. 49:21)