

HOUSE SUMMARY OF SENATE AMENDMENTS

HB 454

2018 Regular Session

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ADMINISTRATION DIVISION: Requires the division of administration to establish, maintain, and make public, a list of unpaid outstanding final tort judgments against the state

Synopsis of Senate Amendments

1. Requires that the attorney general report a list of final outstanding tort judgments against the state to the legislature at the beginning of each regular session, and requires that quarterly updates of the report be provided to the division of administration, House Committee on Appropriations, Senate Committee on Finance, and legislative fiscal office.
2. Requires that state agencies report information concerning all final outstanding tort judgments against the agency to attorney general, commissioner of administration, House Committee on Appropriations, and Senate Committee on Finance.

Digest of Bill as Finally Passed by Senate

Present law provides with respect to claims against the state and its agencies (state). The state is liable for claims in the same manner and to the same extent as a private individual under like circumstances.

Present constitution provides that no judgment against the state shall be exigible, payable or paid except from funds appropriated by the legislature.

Present law requires the heads of state agencies maintain accurate data on legal costs of litigation when the state agency employs private legal counsel and to report these costs to the attorney general.

Proposed law retains present law and further requires that each agency also provide to the attorney general, commissioner of administration, House Committee on Appropriations, and Senate Committee on Finance information concerning all outstanding final tort judgments involving the agency.

Proposed law requires the attorney general, in consultation with the commissioner of administration, to develop a report concerning final outstanding tort judgments against the state to be provided to the legislature at the beginning of each regular session. Further, quarterly updates of the report shall be provided by the attorney general to the division of administration, House Committee on Appropriations, Senate Committee on Finance, and legislative fiscal office.

Proposed law requires that information related to outstanding final tort judgments pending against the state be included in the comprehensive annual financial report.

(Amends R.S. 49:257(B); Adds R.S. 39:1538(5))