



LEGISLATIVE FISCAL OFFICE
Fiscal Note

Fiscal Note On: **HB 64** HLS 25RS 444

Bill Text Version: **ENROLLED**

Opp. Chamb. Action:

Proposed Amd.:

Sub. Bill For.:

Date: June 9, 2025	6:49 PM	Author: JOHNSON, MIKE
Dept./Agy.: Attorney General		
Subject: Legal Representation of Sovereign Interests of the State		Analyst: Daniel Druilhet

ATTORNEY GENERAL

EN NO IMPACT See Note

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Provides relative to legal representation of sovereign interests of the state

Current law provides the authority of the governor to require and direct the Attorney General (AG) to render assistance to any state governmental entities and political subdivisions to assume full charge and control of all legal proceedings relating to such matters; provides for the preservation and protection of powers reserved to the state. Proposed law advises on state sovereignty and that the AG has the authority to institute, defend, or intervene in any suit to protect sovereign state interests; provides that the AG may represent the state and its entities, officials, and employees and any other institutions, and political subdivisions created by the constitution or state law to defend its interests; provides notice requirements by state entities to the governor and AG for any notices, claims, or demands made by a federal entity or any party in litigation seeking to impose continuing federal jurisdiction over any state entity; provides that neither the state or any state entity may enter into a consent judgment in federal court without the AG or governor’s approval when the judgment creates, establishes, or imposes injunctive relief, enforceable through continuing oversight by the federal court, with future binding conditions or obligations that exceed 60 days to effect the settlement; does not require consent by the AG or governor if the agreement settles litigation without creating future obligations requiring continuing federal judicial oversight; provides that any agreement containing an obligation exceeding the consenting party’s term of office shall be considered unenforceable against the governmental entity or successor official and an ultra vires act.

EXPENDITURES	2025-26	2026-27	2027-28	2028-29	2029-30	5 -YEAR TOTAL
State Gen. Fd.	\$0	\$0	\$0	\$0	\$0	\$0
Agy. Self-Gen.	\$0	\$0	\$0	\$0	\$0	\$0
Ded./Other	\$0	\$0	\$0	\$0	\$0	\$0
Federal Funds	\$0	\$0	\$0	\$0	\$0	\$0
Local Funds	\$0	\$0	\$0	\$0	\$0	\$0
Annual Total	\$0	\$0	\$0	\$0	\$0	\$0

REVENUES	2025-26	2026-27	2027-28	2028-29	2029-30	5 -YEAR TOTAL
State Gen. Fd.	\$0	\$0	\$0	\$0	\$0	\$0
Agy. Self-Gen.	\$0	\$0	\$0	\$0	\$0	\$0
Ded./Other	\$0	\$0	\$0	\$0	\$0	\$0
Federal Funds	\$0	\$0	\$0	\$0	\$0	\$0
Local Funds	\$0	\$0	\$0	\$0	\$0	\$0
Annual Total	\$0	\$0	\$0	\$0	\$0	\$0

EXPENDITURE EXPLANATION

There is no anticipated direct material effect on governmental expenditures as a result of this measure.

The proposed law’s requirement for notice to the governor and the Attorney General (AG) of any notice, claim, or demand made by a federal agency or staff, agent, or official of the federal government, or any party in litigation which seeks to impose continuing federal court jurisdiction from any state department, agency, board or commission, state official or employee, or any other state institution, or local political subdivision (within 30 days of receipt of the notice from the federal government or any party in litigation which seeks to impose continuing federal court jurisdiction) would involve nominal expenditures that would not arise to the level of any significant fiscal impact.

Moreover, the proposed law’s provision allowing the AG to hire special counsel to institute suits in the name of the state or defend suits that implicate the state in matters that involve continuing federal jurisdiction is within the authority already granted to the Attorney General. To the extent that the AG utilizes this existing authority to intervene in any additional litigation involving any additional state entities or local political subdivisions, the AG may incur additional expenditures, which are not quantifiable.

REVENUE EXPLANATION

There is no anticipated direct material effect on governmental revenues as a result of this measure.

Senate

Dual Referral Rules

House

- ☐ 13.5.1 >= \$100,000 Annual Fiscal Cost {S & H}
- ☐ 13.5.2 >= \$500,000 Annual Tax or Fee Change {S & H}
- ☐ 6.8(F)(1) >= \$100,000 SGF Fiscal Cost {H & S}
- ☐ 6.8(G) >= \$500,000 Tax or Fee Increase or a Net Fee Decrease {S}



Patrice Thomas
Deputy Fiscal Officer