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## DIGEST

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Wesley Bishop

HB No. 1077

**Abstract:** Provides for a limitation of liability under the La. Governmental Claims Act for governmental employees by prohibiting seizure of property under certain circumstances.

Present law provides that under the La. Governmental Claims Act, any judgment or settlement against the state, state agency, or political subdivision, or their officers and employees, shall be payable only out of funds appropriated for that purpose by the legislature or political subdivision.

Proposed law retains present law and provides that if a covered individual or employee of a political subdivision is found to have been acting within the course and scope of his employment through judgment or by compromise and settlement, the property of that covered individual or employee shall not be subject to seizure, unless the injury, death, loss, or damage was caused by the gross negligence or willful or wanton misconduct of the covered individual or employee.

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

(Amends R.S. 13:5109(C); Adds R.S. 13:5109(B)(3) and (D))

### Summary of Amendments Adopted by House

Committee Amendments Proposed by House Committee on Civil Law and Procedure to the original bill.

1. Deleted the term "personal" with regard to property of the covered individual or employee.
2. Added that the limitation shall not apply if the injury, death, loss, or damage was caused by the gross negligence or willful or wanton misconduct of the covered individual or employee.