
DIGEST

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HB 293 Original

2017 Regular Session

Amedee

Abstract: Provides for indemnification of the district attorney's office by the state and representation of the district attorney's office by the attorney general's office.

Present law prevents the state from having any liability for damage caused by a district attorney.

Proposed law creates an exception to present law and requires the state to indemnify the district attorney's office against claims or suits in federal court based on the constitutional validity of a statute when the district attorney's office has not initiated any prosecution based upon that statute.

Proposed law permits the attorney general's office to defend the district attorney's office and provides for the means of reaching a settlement.

Proposed law requires the payment of final judgments or consent judgments by legislative appropriation for claims against the district attorney and requires submission to the Joint Legislative Committee on the Budget.

(Amends R.S. 42:1441(A); Adds R.S. 42:1441(D))