

**HOUSE SUMMARY OF SENATE AMENDMENTS****HB 293****2017 Regular Session****Amedee**

DISTRICT ATTORNEYS: Provides relative to the limitation of liability of the state

**Synopsis of Senate Amendments**

1. Clarifies that indemnification pursuant to proposed law takes place for both the district attorney and his office.
2. Deletes provisions that make proposed law applicable to all claims filed in court on or after Nov. 1, 2015.

**Digest of Bill as Finally Passed by Senate**

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 provides that payment of a final judgment or payment of legal services shall be made by legislative appropriation and any payment must be approved by a subcommittee of the Joint Legislative Committee on the Budget.

Proposed law provides that the attorney defending the claim must present a detailed abstract of the facts of the case and the calculation of fees to the subcommittee of JLCB.

Proposed law requires the abstract submitted by the defense attorney and the amount of the final judgment to be a public record, except material that reflect the mental impressions, conclusions, opinions, or theories of an attorney.

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