

RÉSUMÉ DIGEST

ACT 414 (HB 293)

2017 Regular Session

Amedee

Existing law prevents the state from having any liability for damage caused by a district attorney, coroner, assessor, sheriff, clerk of court, or other public officer of a political subdivision.

New law creates an exception to existing 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.

New 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 (JLCB).

New 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 the JLCB.

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

Effective August 1, 2017.

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