
SENATE COMMITTEE AMENDMENTS

2019 Regular Session

Amendments proposed by Senate Committee on Senate and Governmental Affairs to
Original Senate Bill No. 182 by Senator Hewitt

1 AMENDMENT NO. 1

2 On page 1, delete lines 7 through 9, and insert:

3 "provide relative to the participation of a sexual harasser in a settlement or judgment
4 in a sexual harassment claim; to provide that agreements to settle sexual"

5 AMENDMENT NO. 2

6 On page 1, line 16, delete "MANDATORY"

7 AMENDMENT NO. 3

8 On page 2, at the end of line 21, delete "sexual harassment", delete lines 22 through 28, and
9 insert the following:

10 "a valid claim of sexual harassment has been filed, the state should consider
11 certain factors in determining whether the alleged sexual harasser should be
12 required to pay all or a portion of the settlement or judgment."

13 AMENDMENT NO. 4

14 On page 3, line 20, change "to the Risk Management Fund," to "to monies from the state
15 risk management program established by R.S. 39:1527 et seq., monies from an
16 exempted institution of higher education pursuant to R.S. 17:3139.5,"

17 AMENDMENT NO. 5

18 On page 3, delete lines 23 through 25

19 AMENDMENT NO. 6

20 On page 3, line 26, delete "(1) Sexual harassment, which shall include" and insert "(9)
21 Sexual harassment" means"

22 AMENDMENT NO. 7

23 On page 4, at the end of line 2, insert "It includes intimidation"

24 AMENDMENT NO. 8

25 On page 4, line 3, delete "(2) Intimidation"

26 AMENDMENT NO. 9

27 On page 4, between lines 5 and 6, insert:

28 "§353. Procedures"

29 AMENDMENT NO. 10

30 On page 4, line 6, change "B." to "A."

1 AMENDMENT NO. 11

2 On page 4, delete lines 15 through 21

3 AMENDMENT NO. 12

4 On page 4, line 22, change "C." to "B."

5 AMENDMENT NO. 13

6 On page 4, delete lines 26 through 29 and on page 5, delete lines 1 through 4

7 AMENDMENT NO. 14

8 On page 5, line 5, change "E." to "C."

9 AMENDMENT NO. 15

10 On page 5, delete lines 8 through 29, and on page 6, delete lines 1 and 2, and insert:

11 **"§354. Settlements**

12 **Notwithstanding any law to the contrary, including but not limited to**
13 **R.S. 13:5108.1, when a claim of sexual harassment has been brought and the**
14 **state, through the state agency, the office of risk management, or the exempted**
15 **institution of higher education, determines that it is a valid claim, the sexual**
16 **harasser shall be responsible for the payment of all or a portion, of the amount**
17 **of the settlement or judgment. In determining the amount that the sexual**
18 **harasser should be responsible for, if the following factors shall be considered:**

- 19 **(1) Whether the attorney general has determined that the alleged**
20 **sexual harasser was engaged in the performance of the duties of**
21 **his office or employment with the state at the time the alleged**
22 **sexual harassment occurred.**
- 23 **(2) If the alleged sexual harasser was free from criminal conduct.**
- 24 **(3) The severity of the sexual harassment.**
- 25 **(4) The stage of litigation.**
- 26 **(5) The ability of the sexual harasser to pay."**

27 AMENDMENT NO. 16

28 On page 7, after line 1, insert the following:

29 "Section 3. This Act shall become effective upon signature by the governor
30 or, if not signed by the governor, upon expiration of the time for bills to become law
31 without signature by the governor, as provided by Article III, Section 18 of the
32 Constitution of Louisiana. If vetoed by the governor and subsequently approved by
33 the legislature, this Act shall become effective on the day following such approval."