

2021 Regular Session

HOUSE BILL NO. 111

BY REPRESENTATIVE CREWS

APPROPRIATIONS/JUDGMENT: Appropriates funds for payment of consent judgment against the state in the suit entitled "Jacquelyn R. O'Brien versus Mastec North America, Inc., et al c/w Travis Gerace et al versus Westley Eugene Worley et al c/w Daniel Joseph O'Brien, Jr., et al versus Westley Eugene Worley, et al c/w Lonnie P. Fontenot versus Westley Worley, et al c/w John May, III and Steven Guillory, II versus Ace American Insurance Company et al"

1 AN ACT

2 To appropriate monies out of the state general fund for Fiscal Year 2020-2021 to be used to
3 pay the March 3, 2020, consent judgment between the State of Louisiana, through
4 the Department of Transportation and Development and Travis Grace and Teryl
5 Gene Gerace in the suit entitled "Jacquelyn R. O'Brien versus Mastec North
6 America, Inc., et al c/w Travis Gerace and Teryl Gene Gerace, Individually and o/b/o
7 Roma Hooks O'Brien versus Westley Eugene Worley, Mastec North America, Inc.,
8 Ace American Ins. Co. Steven Antoine Guillory, II John P. May, III, Louisiana Farm
9 Bureau Casualty Ins. Co. and State Farm Mutual Automobile Insurance Co. c/w
10 Daniel Joseph O'Brien, Jr., Dustin Blake O'Brien, Dylan Blaine O'Brien, and Leslie
11 Dewayne O'Brien, Individually and On Behalf Of the Estate of Daniel Joseph
12 O'Brien, Sr. versus Westley Eugene Worley, Mastec North America, Inc., and Ace
13 American Insurance Company c/w Lonnie P. Fontenot versus Westley Worley,
14 Mastec North America, Inc., Ari Fleet LT, and Ace American Insurance Company
15 c/w John May, III and Steven Guillory, II versus Ace American Insurance Company,
16 Westley Worley and Mastec North America, Inc."; to provide for an effective date;
17 and to provide for related matters.

18 Be it enacted by the Legislature of Louisiana:

19 Section 1. The sum of Fifty Thousand and No/100 (\$50,000.00) Dollars is hereby
20 payable out of the State General Fund (Direct) for Fiscal Year 2020-2021 for payment of the

1 March 3, 2020, consent judgment between the State of Louisiana, through the Department
2 of Transportation and Development and Travis Grace and Teryl Gene Gerace in the
3 combined suit entitled "Jacquelyn R. O'Brien versus Mastec North America, Inc., et al c/w
4 Travis Gerace and Teryl Gene Gerace, Individually and o/b/o Roma Hooks O'Brien versus
5 Westley Eugene Worley, Mastec North America, Inc., Ace American Ins. Co. Steven
6 Antoine Guillory, II John P. May, III, Louisiana Farm Bureau Casualty Ins. Co. and State
7 Farm Mutual Automobile Insurance Co. c/w Daniel Joseph O'Brien, Jr., Dustin Blake
8 O'Brien, Dylan Blaine O'Brien, and Leslie Dewayne O'Brien, Individually and On Behalf
9 Of the Estate of Daniel Joseph O'Brien, Sr. versus Westley Eugene Worley, Mastec North
10 America, Inc., and Ace American Insurance Company c/w Lonnie P. Fontenot versus
11 Westley Worley, Mastec North America, Inc., Ari Fleet LT, and Ace American Insurance
12 Company c/w John May, III and Steven Guillory, II versus Ace American Insurance
13 Company, Westley Worley and Mastec North America, Inc.", bearing Numbers 48068
14 Division "C", 48,279 Division "C", 48344 Division "D", 48,392 Division "D", and 48419
15 Division "D" on the docket of the 18th Judicial District Court, parish of Pointe Coupee, state
16 of Louisiana.

17 Section 2. A judgment may only be paid from this appropriation if it is final and
18 shall be paid as to principal, interest, court costs, and expert witness fees as awarded in the
19 judgment. If the provisions of the judgment conflict with the provisions of this Act, the
20 provisions of the judgment shall be controlling. Any other provision of this Act not in
21 conflict with the provisions of a judgment shall control. Payment shall be made only after
22 presentation to the state treasurer of documentation required by the state treasurer. Further,
23 the judgment shall be deemed to have been paid on the effective date of this Act, and interest
24 shall cease to run as of that date.

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

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 111 Original

2021 Regular Session

Crews

Appropriates \$50,000 out of the State General Fund (Direct) for FY 2020-2021 for payment of the consent judgment between the State of Louisiana, through the Department of Transportation and Development and Travis Grace and Teryl Gene Gerace in the combined suit entitled "Jacquelyn R. O'Brien versus Mastec North America, Inc., et al c/w Travis Gerace et al versus Westley Eugene Worley et al c/w Daniel Joseph O'Brien, Jr., et al versus Westley Eugene Worley, et al c/w Lonnie P. Fontenot versus Westley Worley, et al c/w John May, III and Steven Guillory, II versus Ace American Insurance Company et al", bearing Nos. 48068 Div. "C", 48,279 Div. "C", 48344 Div. D, 48,392 Div. "D", and 48419 Div. "D" on the docket of the 18th JDC, parish of Pointe Coupee.

Proposed law provides requirements for payment from the state treasury. Provides contingencies in case of conflict between judgment and proposed law. Prohibits accrual of interest on the judgment as of the effective date of proposed law.

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