

2021 Regular Session

HOUSE BILL NO. 169

BY REPRESENTATIVE MAGEE

APPROPRIATIONS/JUDGMENT: Appropriates funds for payment of consent judgment against the Department of Transportation and Development in the suit entitled Miriam Membreno, individually and on behalf of her minor son, Cesar Joel Castillo v. the State of Louisiana, 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 consent judgment signed by the Honorable Donald R. Johnson on February
4 11, 2020, between the State of Louisiana, through the Department of Transportation
5 and Development and Miriam Membreno, individually and on behalf of her minor
6 son, Cesar Joel Castillo, in the suit entitled "Miriam Membreno, Individually And
7 on behalf of her minor son, Cesar Joel Castillo"; to provide for an effective date; and
8 to provide for related matters.

9 Be it enacted by the Legislature of Louisiana:

10 Section 1. The sum of Two Hundred Fifty Thousand and No/100 (\$250,000) dollars
11 is hereby payable out of the State General Fund (Direct) for Fiscal Year 2020-2021 for
12 payment of the consent judgment signed by the Honorable Donald R. Johnson on February
13 11, 2020, between the State of Louisiana, through the Department of Transportation and
14 Development and Miriam Membreno, individually and on behalf of her minor son, Cesar
15 Joel Castillo, in the suit entitled "Miriam Membreno, Individually And on behalf of her
16 minor son, Cesar Joel Castillo", bearing Number 641,586, Section 24, on the docket of the
17 Nineteenth Judicial District Court, parish of East Baton Rouge, state of Louisiana.

18 Section 2. A judgment may only be paid from this appropriation if it is final and
19 shall be paid as to principal, interest, court costs, and expert witness fees as awarded in the
20 judgment. If the provisions of the judgment conflict with the provisions of this Act, the

1 provisions of the judgment shall be controlling. Any other provision of this Act not in
2 conflict with the provisions of a judgment shall control. Payment shall be made only after
3 presentation to the state treasurer of documentation required by the state treasurer. Further,
4 the judgment shall be deemed to have been paid on the effective date of this Act, and interest
5 shall cease to run as of that date.

6 Section 3. This Act shall become effective upon signature by the governor or, if not
7 signed by the governor, upon expiration of the time for bills to become law without signature
8 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
9 vetoed by the governor and subsequently approved by the legislature, this Act shall become
10 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 169 Original

2021 Regular Session

Magee

Appropriates \$250,000 out of the State General Fund (Direct) for FY 2020-2021 for payment of the consent judgment in "Miriam Membreno, Individually And on behalf of her minor son, Cesar Joel Castillo", bearing Number 641,586, Section 24, on the docket of the Nineteenth Judicial District Court, parish of East Baton Rouge.

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.