

2021 Regular Session

HOUSE BILL NO. 272

BY REPRESENTATIVE SCHEXNAYDER

APPROPRIATIONS/JUDGMENT: Appropriates funds for payment of consent judgment against the state in the suit entitled Joseph S. Lessard et al. v. DOTD 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 captioned "Joseph S. Lessard, Tammy Marie Lessard,
4 Travis P. Lessard, Sr., Jenna Lessard Guerra, Travis P. Lessard, Jr. and Joseph
5 Robert Lessard versus the State of Louisiana through the Department of
6 Transportation and Development, the parish of Livingston, John D. Kreher, and
7 Charlotte Kreher Cook" between the state of Louisiana, through the Department of
8 Transportation and Development, and Joseph S. Lessard, Tammy Marie Lessard,
9 Jenna Lessard Guerra, Travis P. Lessard, Jr., and Joseph Robert Lessard; to provide
10 for certain requirements and limitations; to provide for an effective date; and to
11 provide for related matters.

12 Be it enacted by the Legislature of Louisiana:

13 Section 1. The sum of One Million One Hundred Thousand and No/100
14 (\$1,100,000) Dollars is hereby payable out of the State General Fund (Direct) for Fiscal Year
15 2020-2021 for payment of the consent judgment captioned "Joseph S. Lessard, Tammy
16 Marie Lessard, Travis P. Lessard, Sr., Jenna Lessard Guerra, Travis P. Lessard, Jr. and
17 Joseph Robert Lessard versus the State of Louisiana through the Department of
18 Transportation and Development, the parish of Livingston, John D. Kreher, and Charlotte
19 Kreher Cook", signed on August 7, 2019, between the state of Louisiana, through the
20 Department of Transportation and Development and Joseph S. Lessard, Tammy Marie
21 Lessard, Jenna Lessard Guerra, Travis P. Lessard, Jr., and Joseph Robert Lessard bearing

1 Number 149,798 Div "B" on the docket of the Twenty-First Judicial District Court, parish
2 of Livingston, state of Louisiana.

3 Section 2. The judgment may only be paid from this appropriation if it is final and
4 shall be paid as to principal, interest, court costs, and expert witness fees as awarded in the
5 judgment. If the provisions of the judgment conflict with the provisions of this Act, the
6 provisions of the judgment shall be controlling. Any other provision of this Act not in
7 conflict with the provisions of the judgment shall control. Payment shall be made only after
8 presentation to the state treasurer of documentation required by the state treasurer. Further,
9 the judgment shall be deemed to have been paid on the effective date of this Act, and interest
10 shall cease to run as of that date.

11 Section 3. This Act shall become effective upon signature by the governor or, if not
12 signed by the governor, upon expiration of the time for bills to become law without signature
13 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
14 vetoed by the governor and subsequently approved by the legislature, this Act shall become
15 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 272 Original

2021 Regular Session

Schexnayder

Appropriates \$1.1 Million out of the State General Fund (Direct) for FY 2020-2021 for payment of the consent judgment captioned "Joseph S. Lessard, Tammy Marie Lessard, Travis P. Lessard, Sr., Jenna Lessard Guerra, Travis P. Lessard, Jr. and Joseph Robert Lessard versus the State of Louisiana through the Department of Transportation and Development, the parish of Livingston, John D. Kreher, and Charlotte Kreher Cook", bearing No. 149,798 Div "B" on the docket of the 21st JDC, parish of Livingston.

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.