

2021 Regular Session

HOUSE BILL NO. 665

BY REPRESENTATIVE HILFERTY

APPROPRIATIONS/JUDGMENT: Appropriates funds for payment of the consent judgment against the state in the suit entitled Thomas Cole v. State of Louisiana

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 "Thomas Cole versus State of Louisiana,  
4 through the Louisiana Department of Transportation and Development" between the  
5 state of Louisiana, through the Department of Transportation and Development, and  
6 Thomas Cole; to provide for certain requirements and limitations; to provide for an  
7 effective date; and to provide for related matters.

8 Be it enacted by the Legislature of Louisiana:

9 Section 1. The sum of Three Hundred Fifty Thousand and No/100 (\$350,000)  
10 Dollars is hereby payable out of the State General Fund (Direct) for Fiscal Year 2020-2021  
11 for payment of the consent judgment captioned "Thomas Cole versus State of Louisiana,  
12 through the Louisiana Department of Transportation and Development" between the state  
13 of Louisiana, through the Department of Transportation and Development, and Thomas  
14 Cole, bearing Number 145,958 on the docket of the Twenty-First Judicial District Court,  
15 parish of Livingston, state of Louisiana.

16 Section 2. The judgment may only be paid from this appropriation if it is final and  
17 shall be paid as to principal, interest, court costs, and expert witness fees as awarded in the  
18 judgment. If the provisions of the judgment conflict with the provisions of this Act, the  
19 provisions of the judgment shall be controlling. Any other provision of this Act not in  
20 conflict with the provisions of the judgment shall control. Payment shall be made only after  
21 presentation to the state treasurer of documentation required by the state treasurer. Further,

1 the judgment shall be deemed to have been paid on the effective date of this Act, and interest  
2 shall cease to run as of that date.

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

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#### 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)]

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HB 665 Original

2021 Regular Session

Hilferty

Appropriates \$350,000 out of the State General Fund (Direct) for FY 2020-2021 for payment of the consent judgment captioned "Thomas Cole versus State of Louisiana, through the Louisiana Department of Transportation and Development" bearing No. 145,958 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.