

2022 Regular Session

HOUSE BILL NO. 77

BY REPRESENTATIVE MIKE JOHNSON

APPROPRIATIONS/JUDGMENT: Appropriates funds for payment of the consent judgment against the state in the suit entitled Jason Schwab and Brantley Grundmann v Louisiana Department of Transportation and Development, et al.

1 AN ACT

2 To appropriate monies out of the state general fund for Fiscal Year 2021-2022 to be used to
3 pay the consent judgment captioned "Jason Schwab and Brantley Grundmann versus
4 Louisiana Department of Transportation and Development, Board of Commissioners
5 of the Port of New Orleans, and Board of Levee Commissioners of the Orleans
6 Levee District" between the state of Louisiana, through the Department of
7 Transportation and Development, and State Farm Mutual Automobile Insurance
8 Company; to provide for an effective date; and to provide for related matters.

9 Be it enacted by the Legislature of Louisiana:

10 Section 1. The sum of One Thousand Four Hundred Eighteen and No/100 (\$1,418)
11 Dollars is hereby payable out of the State General Fund (Direct) for Fiscal Year 2021-2022
12 for payment of the consent judgment captioned "Jason Schwab and Brantley Grundmann
13 versus Louisiana Department of Transportation and Development, Board of Commissioners
14 of the Port of New Orleans, and Board of Levee Commissioners of the Orleans Levee
15 District", signed on April 8, 2019, between the state of Louisiana, through the Department
16 of Transportation and Development, and State Farm Mutual Automobile Insurance Company
17 as subrogee of Blue Water Shipping Company, Inc., bearing Number 2011-6709, Division
18 J, Section 5, on the docket of the Civil District Court for the Parish of Orleans, state of
19 Louisiana.

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

9 Section 3. This Act shall become effective upon signature by the governor or, if not
10 signed by the governor, upon expiration of the time for bills to become law without signature
11 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
12 vetoed by the governor and subsequently approved by the legislature, this Act shall become
13 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 77 Original

2022 Regular Session

Mike Johnson

Appropriates \$1,418 out of the State General Fund (Direct) for FY 2021-2022 for payment of the consent judgment entitled Jason Schwab and Brantley Grundmann versus Louisiana Department of Transportation and Development, Board of Commissioners of the Port of New Orleans, and Board of Levee Commissioners of the Orleans Levee District, bearing No. 2011-6709, Division J, Section 5, on the docket of the Civil District Court for the Parish of Orleans.

Proposed law provides relative to payment. Provides for conflict between the 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.