

1 BE IT FURTHER RESOLVED that the Louisiana State Law Institute shall study and
2 consider Louisiana Attorney General Opinion No. 07-0085 (Apr. 24, 2007) and Louisiana
3 Attorney General Opinion No. 14-0113 (Sept. 12, 2014), in addition to court cases including,
4 but not limited to, the following:

5 (1) Terrebonne Par. Police Jury v. Matherne, 405 So. 2d 314, 317 (La. 1981).

6 (2) Whipp v. Bayou Plaquemine Brule Drainage Bd., 476 So. 2d 1042, 1044-45 (La.
7 App. 3 Cir. 1985).

8 (3) Berard v. St. Martin Par. Gov't, 2013-114 (La. App. 3 Cir. 6/15/13), 115 So. 3d
9 761. (La. Ct. App. 2013).

10 (4) Lavergne v. Lawtell Gravity Drainage Dist. No. 11, 562 So. 2d 1013, 1015-16
11 (La. App. 3 Cir. 1990).

12 (5) Ortego v. First Am. Title Ins. Co., 569 So. 2d 101 (La. App. 4 Cir. 1990).

13 (6) Simmons v. Bd. of Comm'rs of Bossier Levee Dist., 624 So. 2d 935 (La. App.
14 2 Cir. 1993).

15 (7) Savoy v. Bayou Plaquemine & Wickoff Gravity Drainage Dist., 2009-0686 (La.
16 App. 3 Cir. 12/9/09), 25 So. 3d 986, 988-89.

17 (8) Daray v. St. Tammany Par., 2008-2135 (La. App. 1 Cir. 10-9-09), *writ denied*,
18 2009-2312 (La. 12/18/09), 23 So. 3d 945, 2009 WL 3255174.

19 (9) Carbo v. City of Slidell, 2001-0170 (La. App. 1 Cir. 1/8/03), 844 So. 2d 1, 12,
20 *writ denied*, 2003-0392 (La. 4/25/03), 844 So. 2d 1.

21 (10) Williams v. City of Baton Rouge, 98-1981 (La. 4/13/99), 731 So. 2d 240, 248.

22 (11) Justice v. Bourgeois, 288 So. 2d 106, 109 (La. App. 4 Cir. 1974).

23 (12) Grayson v. Commissioners of Bossier Levee Dist., 229 So. 2d 139, 144 (La.
24 App. 2 Cir. 1969).

25 (13) West v. Hornsby, 2020-0871 (La. App. 1 Cir. 2/25/21).

26 BE IT FURTHER RESOLVED that the Louisiana State Law Institute shall submit
27 a written report of its findings and recommendations, along with specific proposed
28 legislation, to the president of the Senate and the Speaker of the House of Representatives
29 on or before January 1, 2023.

1 BE IT FURTHER RESOLVED that a copy of this resolution be transmitted to the
2 director of the Louisiana State Law Institute.

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)]

HCR 114 Original

2022 Regular Session

LaCombe

Urges and requests the La. State Law Institute to study provisions of law, court rulings, and the feasibility of codifying certain prevailing appellate and supreme court cases that have interpreted R.S. 38:113 and to report its findings and recommendations, along with specific proposed legislation, to the legislature on or before Jan. 1, 2023.