

2023 Regular Session

HOUSE BILL NO. 198

BY REPRESENTATIVE LANDRY

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

1 AN ACT

2 To appropriate monies out of the state general fund for Fiscal Year 2022-2023 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 Jason Schwab and Brantley Grundmann; to
8 provide for an effective date; and to provide for related matters.

9 Be it enacted by the Legislature of Louisiana:

10 Section 1. As further provided in this Act, the sum of Twenty-Four Thousand Two
11 Hundred Nineteen and No/100 (\$24,219) Dollars is hereby payable out of the State General
12 Fund (Direct) for Fiscal Year 2022-2023 for payment of the consent judgment captioned
13 "Jason Schwab and Brantley Grundmann versus Louisiana Department of Transportation and
14 Development, Board of Commissioners of the Port of New Orleans, and Board of Levee
15 Commissioners of the Orleans Levee District", signed on November 27, 2018, between the
16 state of Louisiana, through the Department of Transportation and Development and Jason
17 Schwab and Brantley Grundmann, bearing Number 2011-6709, Division J, Section 5, on the
18 docket of the Civil District Court for the Parish of Orleans, state of Louisiana.

1 Section 2.(A) Of the amount appropriated in Section 1 of this Act an amount equal
2 to Eight Thousand Six Hundred Fifty and No/100 (\$8,650) Dollars is hereby payable to
3 Jason Schwab.

4 (B) Of the amount appropriated in Section 1 of this Act an amount equal to Fifteen
5 Thousand Five Hundred Sixty-Nine and No/100 (\$15,569) Dollars is hereby payable to
6 Brantley Grundmann.

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

15 Section 4. This Act shall become effective upon signature by the governor or, if not
16 signed by the governor, upon expiration of the time for bills to become law without signature
17 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
18 vetoed by the governor and subsequently approved by the legislature, this Act shall become
19 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 198 Original

2023 Regular Session

Landry

Appropriates \$24,219 out of the State General Fund (Direct) for Fiscal Year 2022-2023 for payment of the consent judgment captioned "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", signed on Nov. 27, 2018, between the state of La., through the Dept. of Transportation and Development and Jason Schwab and Brantley Grundmann, bearing Number 2011-6709, Division J, Section 5, on the docket of the Civil District Court for the Parish of Orleans, state of La. Provides that of the amount appropriated, \$8,650 is payable to Jason Schwab and \$15,569 is payable to Brantley Grundmann.

Proposed law provides relative to payment. Provides relative to conflicts 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.