The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Curry Lann.

DIGEST

SB 129 Original 2023 Regular Session Cloud

Present law requires the Joint Legislative Committee on the Budget to form a litigation subcommittee to monitor and study the amounts of state funds required to pay judgments and compromises arising out of lawsuits against the state. No attorney representing the state or any of its departments or agencies or any of its employees entitled to indemnification shall sign any compromise or settlement which obligates the state to pay more than $1,000,000 without prior consultation with the attorney general and the members of the litigation subcommittee.

Proposed law retains present law.

Proposed law requires any department, agency, board, commission, educational institution, or other state entity entitled to indemnification through the state risk program administered by the office of risk management to report on any corrective actions taken to mitigate state risk exposure at the request of the litigation subcommittee. Requires the reporting state entity to present all relevant information to the litigation subcommittee in executive session.

Present law (R.S. 44:1 et seq.-Public Records Law) provides for access and retention of public records. Establishes a framework for the ready availability of public records to requesting persons.

Proposed law retains present law.

Present law provides an exemption from the Public Records Law for certain pending claims or pending claim files in the custody or control of the office of risk management, division of administration, or similar records in the custody of any municipality or parish.

Proposed law retains present law and additionally provides an exemption from the Public Records Law for any documentation or other information related to a closed litigated claim that is provided by a state entity to the litigation subcommittee of the Joint Legislative Committee on the Budget.

Effective August 1, 2023.

(Amends R.S. 44:4(15); adds R.S. 24:653(H)(3))