

2023 Regular Session

HOUSE BILL NO. 448

BY REPRESENTATIVE RISER

APPROPRIATIONS/JUDGMENT: Appropriates funds for payment of the judgment against the state in the suit entitled Crooks v. State, Department of Natural Resources

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 judgment against the state of Louisiana, through the Department of Natural  
4 Resources, and in favor of the class of plaintiffs identified as the riparian landowner  
5 plaintiffs, captioned "Steve Crooks and Era Lea Crooks versus State of Louisiana,  
6 through the Louisiana Department of Natural Resources", as modified by appellate  
7 and Supreme Court judgments; to provide for certain requirements and limitations;  
8 to provide for an effective date; to provide for interest; to provide for expenses and  
9 expert witness fees; to provide for court costs; and to provide for related matters.

10 Be it enacted by the Legislature of Louisiana:

11 Section 1. The sum of Nine Million Three Hundred Eighty-Eight Thousand Four  
12 Hundred Thirty-Six and 06/100 (\$9,388,436.06) Dollars plus applicable interest is hereby  
13 payable out of the State General Fund (Direct) for Fiscal Year 2022-2023 for payment of the  
14 judgment captioned "Steve Crooks and Era Lea Crooks versus State of Louisiana, through  
15 the Louisiana Department of Natural Resources", signed on May 15, 2017, against the state  
16 of Louisiana, through the Department of Natural Resources, and in favor of the class of  
17 plaintiffs identified as the riparian landowner plaintiffs, bearing Number 224,262, on the  
18 docket of the Ninth Judicial District Court, parish of Rapides, state of Louisiana, as modified  
19 by the judgment of the third circuit court of appeals bearing Number 17-750, as further  
20 modified by the state supreme court judgment bearing Number 2019-C-0160.

1           Section 2. Of the amount appropriated in Section 1 of this Act, an amount equal to  
2 the sum of Four Million Six Hundred Ninety Four Thousand Three Hundred and Nine and  
3 68/100 (\$4,694,309.68) Dollars is payable for oil and gas royalties attributable to the mineral  
4 production from the river banks between May 2003 and the date of trial; the sum of Three  
5 Hundred Fifty-Three Thousand Two Hundred Ninety Seven and 34/100 (\$353,297.34)  
6 Dollars is payable for expert witness fees; the sum of Eighty-Nine Thousand Sixty-Seven and  
7 45/100 (\$89,067.45) Dollars is payable for miscellaneous costs; and interest on all such sums  
8 is payable from the date of judicial demand until paid as provided by law and the judgment.

9           Section 3. The state treasurer is hereby authorized and directed to deposit the amount  
10 appropriated pursuant Section 1 of this Act into the registry of the court for the Ninth  
11 Judicial District Court, Parish of Rapides, State of Louisiana, for the case captioned "Steve  
12 Crooks and Era Lea Crooks versus State of Louisiana, through the Louisiana Department of  
13 Natural Resources" bearing Case Number 224,262.

14           Section 4. A judgment may only be paid from this appropriation if it is final and shall  
15 be paid as to principal, court costs, and expert witness fees as awarded in the judgment.  
16 Interest shall be paid as provided by law and awarded in the judgment. If the provisions of  
17 the judgment conflict with the provisions of this Act, the provisions of the judgment shall  
18 be controlling. Any other provision of this Act not in conflict with the provisions of the  
19 judgment shall control. Payment shall be made only after presentation to the state treasurer  
20 of documentation required by the state treasurer. Further, the judgment shall be deemed to  
21 have been paid on the effective date of this Act, and interest shall cease to run as of that date.

22           Section 5. This Act shall become effective upon signature by the governor or, if not  
23 signed by the governor, upon expiration of the time for bills to become law without signature  
24 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If  
25 vetoed by the governor and subsequently approved by the legislature, this Act shall become  
26 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 448 Original

2023 Regular Session

Riser

Appropriates \$9,388,436.06, plus applicable interest, out of the State General Fund (Direct) for FY 22-23 for payment of the payment of the judgment captioned "Steve Crooks and Era Lea Crooks versus State of Louisiana, through the Louisiana Department of Natural Resources", signed on May 15, 2017, bearing Number 224,262, on the docket of the Ninth Judicial District Court, parish of Rapides, state of Louisiana, as modified by the judgment of the third circuit court of appeals bearing Number 17-750, as further modified by the state supreme court judgment bearing Number 2019-C-0160.

Further provides that of the amount appropriated pursuant to proposed law, an amount equal to the sum of \$4,694,309.68 is payable for oil and gas royalties attributable to the mineral production from the river banks between May 2003 and the date of trial; the sum of \$353,297.34 is payable for expert witness fees; the sum of \$89,067.45 is payable for miscellaneous costs; and interest on all such sums is payable from the date of judicial demand until paid as provided by law and the judgment.

Further directs the state treasurer to deposit the amount appropriated pursuant proposed law into the registry of the court for the Ninth Judicial District Court, Parish of Rapides.

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.