

2023 Regular Session

HOUSE BILL NO. 613

BY REPRESENTATIVE GREGORY MILLER

APPROPRIATIONS/JUDGMENT: Appropriates funds for payment of the consent judgment against the state in the matter entitled Stephen C. Poche' v. Jeremy Holmes 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 "Stephen C. Poche' versus Jeremy Holmes,
4 Pigott Oil Company, American International Group Company, Nationwide
5 Agribusiness Insurance Company A/K/A Farmland Insurance Company and the State
6 of Louisiana, through the Department of Transportation and Development" between
7 the state of Louisiana, through the Department of Transportation and Development,
8 and Stephen C. Poche'; to provide for an effective date; and to provide for related
9 matters.

10 Be it enacted by the Legislature of Louisiana:

11 Section 1. The sum of Twenty-Five Thousand and No/100 (\$25,000) Dollars is
12 hereby payable out of the State General Fund (Direct) for Fiscal Year 2022-2023 for
13 payment of the consent judgment captioned "Stephen C. Poche' versus Jeremy Holmes,
14 Pigott Oil Company, American International Group Company, Nationwide Agribusiness
15 Insurance Company A/K/A Farmland Insurance Company and the State of Louisiana,
16 through the Department of Transportation and Development", signed on December 18, 2015,
17 between the state of Louisiana, through the Department of Transportation and Development,
18 and Stephen C. Poche', bearing Number 2005-000387, Division D, on the docket of the
19 Twenty-First Judicial District, parish of Tangipahoa, state of 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 613 Original

2023 Regular Session

Gregory Miller

Appropriates \$25,000 out of the State General Fund (Direct) for FY 2022-2023 for payment of the consent judgment against the state in the suit entitled Stephen C. Poche' v. Jeremy Holmes et al., bearing No. 2005-000387, Section D, on the docket of the 21st Judicial District, parish of Tangipahoa.

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.