

2025 Regular Session

HOUSE BILL NO. 42

BY REPRESENTATIVE DESHOTEL

APPROPRIATIONS/JUDGMENT: Appropriates funds for payment of the consent judgment against the state in the suit entitled Landon Howard Powell, et al v. State of Louisiana, et al

1 AN ACT
2 Relative to the appropriation of monies out of the state general fund to be used to pay the
3 consent judgment captioned "Landon Howard Powell and William Brayden Powell,
4 individually and o/b/o William Howard Powell, and Cori Ann Powell o/b/o Kynlee
5 Ann Powell versus State of Louisiana, through the Department of Transportation and
6 Development and Ace Property and Casualty Insurance Company" against the state
7 of Louisiana, through the Department of Transportation and Development, and in
8 favor of Landon Howard Powell, William Brayden Powell, and Kynlee Ann Powell;
9 to provide for certain requirements and limitations; to provide for an effective date;
10 and to provide for related matters.

11 Be it enacted by the Legislature of Louisiana:

12 Section 1. The sum of Two Hundred Thousand and No/100 (\$200,000.00) Dollars
13 is hereby payable out of the State General Fund (Direct) for Fiscal Year 2024-2025 for
14 payment of the consent judgment captioned "Landon Howard Powell and William Brayden
15 Powell, individually and o/b/o William Howard Powell, and Cori Ann Powell o/b/o Kynlee
16 Ann Powell versus State of Louisiana, through the Department of Transportation and
17 Development and Ace Property and Casualty Insurance Company", signed on August 26,
18 2024, between the state of Louisiana, through the Department of Transportation and
19 Development, and Landon Howard Powell, William Brayden Powell, and Kynlee Ann

1 Powell, bearing Number 254,503, Division "F", on the docket of the Ninth Judicial District
2 Court, parish of Rapides, state of Louisiana.

3 Section 2. Of the amount appropriated in Section 1 of this Act, an amount equal to
4 Twenty-Five Thousand and No/100 (\$25,000.00) Dollars is hereby payable for the portion
5 of the consent judgment in favor of Landon Howard Powell.

6 Section 3. Of the amount appropriated in Section 1 of this Act, an amount equal to
7 the sum of Fifty Thousand and No/100 (\$50,000.00) Dollars is hereby payable for the
8 portion of the consent judgment in favor of William Brayden Powell.

9 Section 4. Of the amount appropriated in Section 1 of this Act, an amount equal to
10 the sum of One Hundred Twenty-Five Thousand and No/100 (\$125,000.00) Dollars is
11 hereby payable for the portion of the consent judgment in favor of Kynlee Ann Powell.

12 Section 5. The judgment may only be paid from this appropriation if it is final and
13 shall be paid as to principal, interest, court costs, and expert witness fees as awarded in the
14 judgment. If the provisions of the judgment conflict with the provisions of this Act, the
15 provisions of the judgment shall be controlling. Any other provision of this Act not in
16 conflict with the provisions of the judgment shall control. Payment shall be made only after
17 presentation to the state treasurer of documentation required by the state treasurer. Further,
18 the judgment shall be deemed to have been paid on the effective date of this Act, and interest
19 shall cease to run as of that date.

20 Section 6. This Act shall become effective upon signature by the governor or, if not
21 signed by the governor, upon expiration of the time for bills to become law without signature
22 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
23 vetoed by the governor and subsequently approved by the legislature, this Act shall become
24 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)]

signed on Aug. 26, 2024, bearing Number 254,503, Division "F", on the docket of the Ninth Judicial District Court, parish of Rapides, and allocates it as follows:

- (1) \$25,000.00 for the portion of the consent judgment in favor of Landon Howard Powell.
- (2) \$50,000.00 for the portion of the consent judgment in favor of William Brayden Powell.
- (3) \$125,000.00 for the portion of the consent judgment in favor of Kynlee Ann Powell.

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.