

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Finance to Reengrossed House Bill No. 799 by Representative Stuart Bishop

1 AMENDMENT NO. 1

2 On page 1, line 2, change "42:262," to "42:262 and R.S. 49:259(A) and (C),"

3 AMENDMENT NO. 2

4 On page 1, line 5, after "to the state;" and before "to provide" insert "to provide for the
5 deposit and use of attorney fees recovered by the state into the Department of Justice Legal
6 Support Fund;"

7 AMENDMENT NO. 3

8 On page 2, line 8, change "treasury." to "treasury into the Department of Justice Legal
9 Support Fund in accordance with R.S. 49:259."

10 AMENDMENT NO. 4

11 On page 4, delete line 6, and insert the following:

12 "Section 2. R.S. 49:259(A) and (C) are hereby amended and reenacted to
13 read as follows:

14 §259. Department of Justice Legal Support Fund

15 A. There is hereby established in the state treasury a special fund to be known
16 as the Department of Justice Legal Support Fund, hereinafter referred to as the
17 "fund". The fund shall be comprised of ~~a portion of~~ proceeds recovered by the
18 attorney general on behalf of the state from court judgments, settlements, fines, fees,
19 forfeitures and penalties, from the recovery or award of any attorney fees as provided
20 in R.S. 42:262, or from proceeds recovered by the attorney general from any other
21 source from which revenues are designated by the attorney general for deposit into
22 the fund, except those judgments and recoveries made on or pertaining to any office
23 of risk management litigation or litigation involving the Department of Natural
24 Resources and the Department of Environmental Quality as provided in Subsection
25 E of this Section.

26 * * *

27 C. (1) The monies in the fund shall be annually appropriated to the
28 Department of Justice solely for the purposes of defraying the costs of expert
29 witnesses, consultants, contract legal counsel, technology, specialized employee
30 training and education, and public education initiatives. Monies appropriated from
31 the fund shall be used to supplement the Department of Justice budget and shall in
32 no way be used to displace, replace, or supplant appropriations from the state general
33 fund for operations of the Department of Justice below the level of state general fund
34 appropriations for that department in the current fiscal year.

35 (2) No employee salary or wages or other expenses, to be paid from the
36 recovery or award of any attorney fees as provided in R.S. 42:262 shall be paid by
37 the Department of Justice, until funding is approved by the Joint Legislative
38 Committee on the Budget.

39 (3) Each fiscal year, monies shall be deposited into the fund in an amount
40 sufficient to bring the unencumbered balance in the fund to ten million dollars.

41 * * *

42 Section 3. The provisions of this Act shall have prospective application only
43 and shall not apply to contracts existing prior to the effective date of all sections of
44 this Act nor shall this Act apply to subsequent renewals of those contracts.

45 Section 4. The treasurer shall immediately notify the president of the Senate,
46 the speaker of the House of Representatives, the attorney general, and the Joint

1 Legislative Committee on the Budget when the balance in the Department of Justice
2 Legal Support Fund reaches an amount which exceeds the Fiscal Year 2013-2014
3 balance by Two Million One Hundred Thousand Dollars. Upon such notification,
4 the provisions of R.S. 42:262(B) and (C) as provided in Section 1 of this Act shall
5 become effective.

6 Section 5. The provisions of R.S. 42:262(A), (D), and (E) as provided in
7 Section 1 of this Act, and Sections 2, 3, 4, and 5 of this Act shall become effective
8 upon signature by the governor or, if not signed by the governor, upon expiration of
9 the time for bills to become law without signature by the governor, as provided by
10 Article III, Section 18 of the Constitution of Louisiana. If vetoed by the governor and
11 subsequently approved by the legislature, R.S. 42:262(A), (D), and (E) as provided
12 in Section 1 of this Act, and Sections 2, 3, 4, and 5 of this Act shall become effective
13 on the day following such approval."