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

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SB 136 Original                                      DIGEST                                      2016 Regular Session                                      Ward

Present law provides that no payment of attorney fees shall be made out of state funds in the absence of express statutory authority, except such payment of attorney fees as may be approved by the Joint Legislative Committee on the Budget during the interim between legislative sessions.

Proposed law eliminates that requirement and provides that the litigation subcommittee of the Joint Legislative Committee on the Budget can approve such fees at any time.

Present law provides that the attorney general, or any state agency, board, or commission, not including any public postsecondary education institution, cannot incur fees for legal services in excess of the greater of (1) \$500 per hour per person or (2) the maximum rate approved by the Attorney Fee Review Board.

Proposed law changes the limitation to \$1,000 per hour per person.

Present law exempts the proceeds of court-awarded judgments and settlements involving the Department of Natural Resources as specified in R.S. 30:136.3(B)(1) and any judgments, settlements, or recoveries which are designated for credit to the Hazardous Waste Site Cleanup Fund, the Environmental Trust Fund, or any other funds administered by the Department of Environmental Quality under the Environmental Quality Act from being deposited into the Department of Justice Legal Support Fund.

Proposed law repeals present law.

Effective upon signature of the governor or lapse of time for gubernatorial action.

(Amends R.S. 42:262(B) and (D) and R.S. 49:259(A) and (C)(2); repeals R.S. 49:259(D))