

LEGISLATIVE FISCAL OFFICE
Fiscal Note



Fiscal Note On: **HB 454** HLS 18RS 906

Bill Text Version: **ENROLLED**

Opp. Chamb. Action:

Proposed Amd.:

Sub. Bill For.:

Date: May 18, 2018	3:10 PM	Author: FOIL
Dept./Agy.: Division of Administration		Analyst: Alan M. Boxberger
Subject: Require public list of unpaid final tort judgments		

ADMINISTRATION DIVISION EN SEE FISC NOTE GF EX See Note Page 1 of 1
Requires the division of administration to establish, maintain, and make public, a list of unpaid outstanding final tort judgments against the state

Present law provides with respect to claims against the state and its agencies and provides with respect to state liability. Present constitution provides that no judgment against the state shall be exigible, payable or paid except from funds appropriated by the legislature.

Proposed law requires the Division of Administration in cooperation of the attorney general as provided in R.S. 49:257(B) to develop and maintain a list of all final tort judgments against the state which remain unpaid; requires that the list be updated quarterly, provided to the Attorney General pursuant to R.S. 49:257(B); the Attorney General shall prepare and submit an annual report to the legislature and quarterly reports to the Division of Administration, Senate Committee on Finance, House Committee on Appropriations, and the LFO, and requires inclusion within the comprehensive annual financial report. Proposed law requires the attorney of record, or prevailing party, to submit a certified copy of the final judgment to the Senate Committee on Finance and the House Committee on Appropriations for consideration of an appropriation to pay the judgment.

EXPENDITURES	2018-19	2019-20	2020-21	2021-22	2022-23	5 -YEAR TOTAL
State Gen. Fd.	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	
Agy. Self-Gen.	\$0	\$0	\$0	\$0	\$0	\$0
Ded./Other	\$0	\$0	\$0	\$0	\$0	\$0
Federal Funds	\$0	\$0	\$0	\$0	\$0	\$0
Local Funds	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
Annual Total						

REVENUES	2018-19	2019-20	2020-21	2021-22	2022-23	5 -YEAR TOTAL
State Gen. Fd.	\$0	\$0	\$0	\$0	\$0	\$0
Agy. Self-Gen.	\$0	\$0	\$0	\$0	\$0	\$0
Ded./Other	\$0	\$0	\$0	\$0	\$0	\$0
Federal Funds	\$0	\$0	\$0	\$0	\$0	\$0
Local Funds	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
Annual Total	\$0	\$0	\$0	\$0	\$0	\$0

EXPENDITURE EXPLANATION

Proposed law would result in a nominal SGF expenditure associated with consolidating and reporting certain final judgment information to the Attorney General, and inclusion of final judgments in the state's comprehensive annual financial report. The LFO does not anticipate such expenditures would be material or significant.

Proposed law would require the Division of Administration to develop and maintain a listing of all final judgments against the state that are the result of a claim and that remain unpaid; requires that the list be updated quarterly reported to the Attorney General, the commissioner of administration, the Senate Committee on Finance and the House Committee on Appropriations; and requires inclusion within the comprehensive annual financial report. The Office of Risk Management (ORM) currently maintains a listing of final tort judgments for its claims and the listing is updated as judgments become final.

The Attorney General will realize a workload impact (assumed to be SGF) associated with receiving final judgment information and submitting quarterly and annual reports to the Division of Administration and the legislature. The LFO does not anticipate such expenditures would be material or significant.

REVENUE EXPLANATION

There is no anticipated direct material effect on governmental revenues as a result of this measure.

Senate Dual Referral Rules
 13.5.1 >= \$100,000 Annual Fiscal Cost {S&H}
 13.5.2 >= \$500,000 Annual Tax or Fee Change {S&H}

House
 6.8(F)(1) >= \$100,000 SGF Fiscal Cost {H & S}
 6.8(G) >= \$500,000 Tax or Fee Increase or a Net Fee Decrease {S}

Evan Brasseaux

Evan Brasseaux
Staff Director