

2021 Regular Session

HOUSE BILL NO. 110

BY REPRESENTATIVE BROWN

APPROPRIATIONS/JUDGMENT: Appropriates funds for payment of consent judgment against the State of Louisiana, through the Department of Transportation and Development in the suit entitled "Allen Joseph Johnson, Jr., individually and as tutor for Lydia G. Johnson vs. State of Louisiana, through the Louisiana Department of Transportation and Development, David M. Courville, D/B/A Vidrine Community Grocery, and John B. LaHaye, Jr. consolidated with Chelsie Brean Fontenot vs. State of Louisiana, through the Louisiana Department of Transportation and Development, David M. Courville D/B/A Vidrine Community Grocery and John B. LaHaye, Jr. consolidated with State Farm Mutual Automobile Insurance Company A/S/O Stephen B. Tate vs. Chelsie B. Fontenot"

1 AN ACT

2 To appropriate monies out of the state general fund for Fiscal Year 2020-2021 to be used to
3 pay the consent judgment signed by the Honorable Gary J. Ortego on June 20, 2017,
4 between the State of Louisiana, through the Department of Transportation and
5 Development, and State Farm Mutual Automobile Insurance Company as subrogee
6 of Stephen B. Tate in the combined suit entitled "Allen Joseph Johnson, Jr.,
7 individually and as tutor for Lydia G. Johnson vs. State of Louisiana, through the
8 Louisiana Department of Transportation and Development, David M. Courville,
9 D/B/A Vidrine Community Grocery, and John B. LaHaye, Jr. consolidated with
10 Chelsie Brean Fontenot vs. State of Louisiana, through the Louisiana Department of
11 Transportation and Development, David M. Courville D/B/A Vidrine Community
12 Grocery and John B. LaHaye, Jr. consolidated with State Farm Mutual Automobile
13 Insurance Company A/S/O Stephen B. Tate vs. Chelsie B. Fontenot"; to provide for
14 an effective date; and to provide for related matters.

15 Be it enacted by the Legislature of Louisiana:

16 Section 1. The sum of fifteen thousand and No/100 (\$15,000.00) Dollars is hereby
17 payable out of the State General Fund (Direct) for Fiscal Year 2020-2021 to be used to pay

1 the consent judgment signed by the Honorable Gary J. Ortego on June 20, 2017, between the
2 State of Louisiana, through the Department of Transportation and Development, and State
3 Farm Mutual Automobile Insurance Company as subrogee of Stephen B. Tate in the
4 combined suit entitled "Allen Joseph Johnson, Jr., individually and as tutor for Lydia G.
5 Johnson vs. State of Louisiana, through the Louisiana Department of Transportation and
6 Development, David M. Courville, D/B/A Vidrine Community Grocery, and John B.
7 LaHaye, Jr. consolidated with Chelsie Brean Fontenot vs. State of Louisiana, through the
8 Louisiana Department of Transportation and Development, David M. Courville D/B/A
9 Vidrine Community Grocery and John B. LaHaye, Jr. consolidated with State Farm Mutual
10 Automobile Insurance Company A/S/O Stephen B. Tate vs. Chelsie B. Fontenot", bearing
11 Numbers 71,981 "A"; 72,033 "B"; and 72,730 "B" on the docket of the 13th Judicial District
12 Court, parish of Evangeline, state of Louisiana.

13 Section 2. A judgment may only be paid from this appropriation if it is final and
14 shall be paid as to principal, interest, court costs, and expert witness fees as awarded in the
15 judgment. If the provisions of the judgment conflict with the provisions of this Act, the
16 provisions of the judgment shall be controlling. Any other provision of this Act not in
17 conflict with the provisions of a judgment shall control. Payment shall be made only after
18 presentation to the state treasurer of documentation required by the state treasurer. Further,
19 the judgment shall be deemed to have been paid on the effective date of this Act, and interest
20 shall cease to run as of that date.

21 Section 3. This Act shall become effective upon signature by the governor or, if not
22 signed by the governor, upon expiration of the time for bills to become law without signature
23 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
24 vetoed by the governor and subsequently approved by the legislature, this Act shall become
25 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 110 Original

2021 Regular Session

Brown

Appropriates from the state general fund for FY 2020-2021 the sum of \$ 15,000.00 to pay the June 20, 2017, consent judgment signed by the Honorable Gary J. Ortego between the State of Louisiana, through the Department of Transportation and Development, and State Farm Mutual Automobile Insurance Company as subrogee of Stephen B. Tate in the combined suit entitled "Allen Joseph Johnson, Jr., individually and as tutor for Lydia G. Johnson vs. State of Louisiana, through the Louisiana Department of Transportation and Development, David M. Courville, D/B/A Vidrine Community Grocery, and John B. LaHaye, Jr. consolidated with Chelsie Brean Fontenot vs. State of Louisiana, through the Louisiana Department of Transportation and Development, David M. Courville D/B/A Vidrine Community Grocery and John B. LaHaye, Jr. consolidated with State Farm Mutual Automobile Insurance Company A/S/O Stephen B. Tate vs. Chelsie B. Fontenot", bearing Numbers 71,981 "A"; 72,033 "B"; and 72,730 "B" on the docket of the 13th Judicial District Court, parish of Evangeline, state of Louisiana.

Proposed law provides requirements for payment from the state treasury. Provides contingencies in case of conflict between 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.