

2021 Regular Session

HOUSE BILL NO. 427

BY REPRESENTATIVE DESHOTEL

APPROPRIATIONS/JUDGMENT: Appropriates funds for payment of the consent judgment against the state in the suit entitled Andre' and Tina Villemarette, individually and on behalf of their minor children, Devin and Olivia Villemarette v. Joseph Riggins et al.

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 captioned "Andre' and Tina Villemarette, individually and  
4 on behalf of their minor children, Devin and Olivia Villemarette versus Joseph  
5 Riggins, Owner Operator Services, Inc. and State Farm Mutual Automobile  
6 Insurance Company" between the state of Louisiana, through the Department of  
7 Transportation and Development, and Andre' Villemarette, Tina Villemarette, Devin  
8 Villemarette, and Olivia Villemarette; to provide for certain requirements and  
9 limitations; to provide for an effective date; and to provide for related matters.

10 Be it enacted by the Legislature of Louisiana:

11 Section 1. The sum of Ten Thousand and No/100 (\$10,000) Dollars is hereby  
12 payable out of the State General Fund (Direct) for Fiscal Year 2020-2021 for payment of the  
13 consent judgment captioned "Andre' and Tina Villemarette, individually and on behalf of  
14 their minor children, Devin and Olivia Villemarette versus Joseph Riggins, Owner Operator  
15 Services, Inc. and State Farm Mutual Automobile Insurance Company" signed on December  
16 5, 2019, between the state of Louisiana, through the Department of Transportation and  
17 Development, and Andre' Villemarette, Tina Villemarette, Devin Villemarette, and Olivia  
18 Villemarette bearing Number 2012-7744A on the docket of the Twelfth Judicial District  
19 Court, parish of Avoyelles, state of Louisiana.

1           Section 2. The judgment may only be paid from this appropriation if it is final and  
2 shall be paid as to principal, interest, court costs, and expert witness fees as awarded in the  
3 judgment. If the provisions of the judgment conflict with the provisions of this Act, the  
4 provisions of the judgment shall be controlling. Any other provision of this Act not in  
5 conflict with the provisions of the judgment shall control. Payment shall be made only after  
6 presentation to the state treasurer of documentation required by the state treasurer. Further,  
7 the judgment shall be deemed to have been paid on the effective date of this Act, and interest  
8 shall cease to run as of that date.

9           Section 3. This Act shall become effective upon signature by the governor or, if not  
10 signed by the governor, upon expiration of the time for bills to become law without signature  
11 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If  
12 vetoed by the governor and subsequently approved by the legislature, this Act shall become  
13 effective on the day following such approval.

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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)]

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HB 427 Original

2021 Regular Session

Deshotel

Appropriates \$10,000 out of the State General Fund (Direct) for FY 2020-2021 for payment of the consent judgment captioned "Andre' and Tina Villemarette, individually and on behalf of their minor children, Devin and Olivia Villemarette versus Joseph Riggins, Owner Operator Services, Inc. and State Farm Mutual Automobile Insurance Company", bearing No. 2012-7744A on the docket of the 12th JDC, parish of Avoyelles.

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.