

2021 Regular Session

HOUSE BILL NO. 668

BY REPRESENTATIVE GARY CARTER

APPROPRIATIONS/JUDGMENT: Appropriates funds for payment of the consent judgment against the state in the suit entitled Don Fontenelle v. Dash Building Material Center, Inc. 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 "Don Fontenelle versus Dash Building Material
4 Center, Inc., et al." between the state of Louisiana, through the Board of Supervisors
5 for the University of Louisiana System through the University of New Orleans, and
6 Carla Fontenelle, Alan Fontenelle, and Jason Fontenelle; to provide for certain
7 requirements and limitations; and to provide for related matters.

8 Be it enacted by the Legislature of Louisiana:

9 Section 1. The sum of Two Hundred Forty-Eight Thousand and no/100 (\$248,000)
10 Dollars is hereby payable out of the State General Fund (Direct) for Fiscal Year 2020-2021
11 for payment of the consent judgment captioned "Don Fontenelle versus Dash Building
12 Material Center, Inc., et al.", signed on January 19, 2021, between the state of Louisiana,
13 through the Board of Supervisors for the University of Louisiana System through the
14 University of New Orleans, and Carla Fontenelle, Alan Fontenelle, and Jason Fontenelle
15 bearing Number 2018-04573, Division B-5, on the docket of the Civil District Court for the
16 Parish of Orleans, state of Louisiana.

17 Section 2. The judgment may only be paid from this appropriation if it is final and
18 shall be paid as to principal, interest, court costs, and expert witness fees as awarded in the
19 judgment. If the provisions of the judgment conflict with the provisions of this Act, the
20 provisions of the judgment shall be controlling. Any other provision of this Act not in

1 conflict with the provisions of the judgment shall control. Payment shall be made only after
2 presentation to the state treasurer of documentation required by the state treasurer. Further,
3 the judgment shall be deemed to have been paid on the effective date of this Act, and interest
4 shall cease to run as of that date.

5 Section 3. This Act shall become effective upon signature by the governor or, if not
6 signed by the governor, upon expiration of the time for bills to become law without signature
7 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
8 vetoed by the governor and subsequently approved by the legislature, this Act shall become
9 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 668 Original

2021 Regular Session

Gary Carter

Appropriates \$248,000 out of the State General Fund (Direct) for FY 2020-2021 for payment of the consent judgment captioned "Don Fontenelle versus Dash Building Material Center, Inc., et al.", bearing Number 2018-04573, Division B-5, on the docket of the Civil District Court for the Parish of Orleans.

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.