

2021 Regular Session

HOUSE BILL NO. 677

BY REPRESENTATIVE BROWN

APPROPRIATIONS/JUDGMENT: Appropriates funds for payment of the judgment against the state in the suit entitled Elaine Lewnau et al. v. The Board of Supervisors of Southern State University and Agricultural and Mechanical College

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 judgment captioned "Elaine Lewnau, Christy Moland, Terrilynn Gillis,  
4 Marilyn Seibert, and Tom Aswell versus the Board of Supervisors of Southern State  
5 University and Agricultural and Mechanical College" against the Board of  
6 Supervisors of Southern University and Agricultural and Mechanical College in  
7 favor of Elaine Lewnau, Christy Moland, Terrilynn Gillis, Marilyn Seibert, and Tom  
8 Aswell; to provide for certain requirements and limitations; to provide for an  
9 effective date; and to provide for related matters.

10 Be it enacted by the Legislature of Louisiana:

11 Section 1. The sum of Five Thousand and No/100 (\$5,000) Dollars plus attorney's  
12 fees in the amount of Nine Thousand Eight Hundred and No/100 (\$9,800) Dollars plus court  
13 costs in the amount of Two Thousand Four Hundred Forty-Two (\$2,442) Dollars is hereby  
14 payable out of the State General Fund (Direct) for Fiscal Year 2020-2021 for payment of the  
15 judgment captioned "Elaine Lewnau, Christy Moland, Terrilynn Gillis, Marilyn Seibert, and  
16 Tom Aswell versus the Board of Supervisors of Southern State University and Agricultural  
17 and Mechanical College" against the Board of Supervisors of Southern University and  
18 Agricultural and Mechanical College in favor of Elaine Lewnau, Christy Moland, Terrilynn  
19 Gillis, Marilyn Seibert, and Tom Aswell, bearing Number 2019 CA 0943 on the docket of  
20 the Court of Appeal, First Circuit, 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 677 Original

2021 Regular Session

Brown

Appropriates \$5,000 plus \$9,800 for attorney's fees plus \$2,442 for court costs out of the State General Fund (Direct) for FY 2020-2021 for payment of the judgment in the suit entitled Elaine Lewnau, Christy Moland, Terrilynn Gillis, Marilyn Seibert, and Tom Aswell versus the Board of Supervisors of Southern State University and Agricultural and Mechanical College bearing No. 2019 CA 0943 on the docket of the 1st Circuit Court of Appeal, 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.