

2022 Regular Session

HOUSE BILL NO. 114

BY REPRESENTATIVE THOMPSON

APPROPRIATIONS/JUDGMENT: Appropriates funds for payment of the consent judgment against the state in the case entitled Tommy Herring v. Vance McAlister, et al.

1 AN ACT

2 To appropriate monies out of the state general fund for Fiscal Year 2021-2022 to be used to
3 pay the consent judgment captioned "Tommy Herring versus Vance McAlister, Kelly
4 McAlister and the State of Louisiana through the Department of Transportation and
5 Development" between the state of Louisiana, through the Department of
6 Transportation and Development, and Tommy Herring; to provide for an effective
7 date; and to provide for related matters.

8 Be it enacted by the Legislature of Louisiana:

9 Section 1. The sum of Two Thousand Five Hundred and No/100 (\$2,500) Dollars
10 is hereby payable out of the State General Fund (Direct) for Fiscal Year 2021-2022 for
11 payment of the consent judgment captioned "Tommy Herring versus Vance McAlister, Kelly
12 McAlister and the State of Louisiana through the Department of Transportation and
13 Development", signed on September 14, 2021, between the state of Louisiana, through the
14 Department of Transportation and Development, and Tommy Herring, bearing Number 19-
15 0988, on the docket of the Fourth Judicial District, parish of Ouachita, state of Louisiana.

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

1 presentation to the state treasurer of documentation required by the state treasurer. Further,
2 the judgment shall be deemed to have been paid on the effective date of this Act, and interest
3 shall cease to run as of that date.

4 Section 3. This Act shall become effective upon signature by the governor or, if not
5 signed by the governor, upon expiration of the time for bills to become law without signature
6 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
7 vetoed by the governor and subsequently approved by the legislature, this Act shall become
8 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 114 Original

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Thompson

Appropriates \$2,500 out of the State General Fund (Direct) for FY 2021-2022 for payment of the consent judgment entitled Tommy Herring versus Vance McAlister, Kelly McAlister and the State of Louisiana through the Department of Transportation and Development, bearing No. 19-0988, on the docket of the 4th Judicial District, parish of Ouachita.

Proposed law provides relative to payment. Provides relative to conflicts between the 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.