

2022 Regular Session

HOUSE BILL NO. 341

BY REPRESENTATIVE DESHOTEL

APPROPRIATIONS/JUDGMENT: Appropriates funds for payment of the consent judgment against the state in the suit entitled Erika Wagner v. Melissa M. Bordelon 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 "Erika Wagner versus Melissa M. Bordelon,  
4 Allstate Property and Casualty Insurance Company, State Farm Mutual Automobile  
5 Insurance Company, and State of Louisiana through the Department of  
6 Transportation and Development" between the state of Louisiana, through the  
7 Department of Transportation and Development, and Erika Wagner; to provide for  
8 an effective date; and to provide for related matters.

9 Be it enacted by the Legislature of Louisiana:

10 Section 1. The sum of Five Thousand and No/100 (\$5,000) Dollars is hereby payable  
11 out of the State General Fund (Direct) for Fiscal Year 2021-2022 for payment of the consent  
12 judgment captioned "Erika Wagner versus Melissa M. Bordelon, Allstate Property and  
13 Casualty Insurance Company, State Farm Mutual Automobile Insurance Company, and  
14 State of Louisiana through the Department of Transportation and Development", signed on  
15 October 26, 2018, between the state of Louisiana, through the Department of Transportation  
16 and Development and Erika Wagner, bearing Number 2014-1096 A, on the docket of the  
17 Twelfth Judicial District, parish of Avoyelles, state of Louisiana.

18 Section 2. The judgment may only be paid from this appropriation if it is final and  
19 shall be paid as to principal, interest, court costs, and expert witness fees as awarded in the  
20 judgment. If the provisions of the judgment conflict with the provisions of this Act, the

1 provisions of the judgment shall be controlling. Any other provision of this Act not in  
2 conflict with the provisions of the judgment shall control. Payment shall be made only after  
3 presentation to the state treasurer of documentation required by the state treasurer. Further,  
4 the judgment shall be deemed to have been paid on the effective date of this Act, and interest  
5 shall cease to run as of that date.

6 Section 3. This Act shall become effective upon signature by the governor or, if not  
7 signed by the governor, upon expiration of the time for bills to become law without signature  
8 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If  
9 vetoed by the governor and subsequently approved by the legislature, this Act shall become  
10 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 341 Original

2022 Regular Session

Deshotel

Appropriates \$5,000 out of the State General Fund (Direct) for FY 2021-2022 for payment of the consent judgment entitled Erika Wagner v. Melissa M. Bordelon et al., bearing No. 2014-1096 on the docket of the 12<sup>th</sup> Judicial District, parish of Avoyelles.

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.