

2022 Regular Session

HOUSE BILL NO. 863

BY REPRESENTATIVE DUSTIN MILLER

APPROPRIATIONS/JUDGMENT: Appropriates funds for payment of the consent judgment entitled John Dixon Shupe et al. v. State of La., through the Dept. of Transportation and Development

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 "John Dixon Shupe and Kristin Aubin, on behalf  
4 of their minor child Hannah Shupe versus State of Louisiana, through the  
5 Department of Transportation and Development" between the state of Louisiana,  
6 through the Department of Transportation and Development, and John Dixon Shupe  
7 and Kristin Aubin on behalf of their minor child Hannah Shupe; to provide for an  
8 effective date; and to provide for related matters.

9 Be it enacted by the Legislature of Louisiana:

10 Section 1. The sum of One Hundred Fifty Thousand and No/100 (\$150,000) Dollars  
11 is hereby payable out of the State General Fund (Direct) for Fiscal Year 2021-2022 for  
12 payment of the consent judgment captioned "John Dixon Shupe and Kristin Aubin, on behalf  
13 of their minor child Hannah Shupe versus State of Louisiana, through the Department of  
14 Transportation and Development", signed on January 31, 2022, between the state of  
15 Louisiana, through the Department of Transportation and Development and John Dixon  
16 Shupe and Kristin Aubin on behalf of their minor child Hannah Shupe, bearing Number  
17 117,410, Section D, on the docket of the Twenty-Third Judicial District, parish of Ascension,  
18 state of Louisiana.

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

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

7 Section 3. This Act shall become effective upon signature by the governor or, if not  
8 signed by the governor, upon expiration of the time for bills to become law without signature  
9 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If  
10 vetoed by the governor and subsequently approved by the legislature, this Act shall become  
11 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 863 Original

2022 Regular Session

Dustin Miller

Appropriates \$150,000 out of the State General Fund (Direct) for FY 2021-2022 for payment of the consent judgment entitled John Dixon Shupe et al. v. State of La., through the Dept. of Transportation and Development, bearing No. 117,410, Section D, on the docket of the 23<sup>rd</sup> Judicial District, parish of Ascension.

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.