



Jeff Landry  
Governor

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May 24, 2024

The Honorable Cameron Henry  
President of the Senate  
900 N. 3<sup>rd</sup> St.  
Baton Rouge, LA 70804

The Honorable Yolanda Dixon  
Secretary of the Senate  
State Capitol  
900 N. 3<sup>rd</sup> St., Basement  
Baton Rouge, LA 70802

RECEIVED  
MAY 24 2024  
SENATE  
SECRETARY'S  
OFFICE

RE: Senate Bill Number 333 of the 2024 Regular Session by Senator Jay Morris

Dear President Henry and Secretary Dixon:

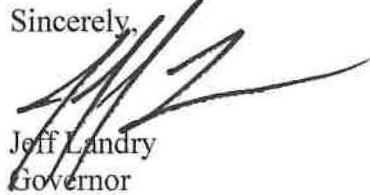
Please be advised that I have vetoed Senate Bill 333 of the 2024 Regular Session. Senate Bill 333 permits the retroactive inclusion of obligations allegedly owed by a debtor after a court has rendered a final judgment. Allowing creditors to unilaterally determine and add unlimited post-judgment fees and costs after a final judgment undermines transparency in the legal process.

This bill gives mortgage companies and their attorneys an unfair advantage. It would allow final judgments to include broad language such as "all expenses incurred in enforcing the note and mortgage" and "all fees and all law charges, costs, fees and expenses incurred in connection or relating to this proceeding," instead of final, definite amounts reviewed by a court. Notably, this type of broad language was recently rejected by the Louisiana First Circuit *Reverse Mortg. Sols., Inc. v. Conerly*, 22-1054 (La. App. 1 Cir. 5/19/23), 2023 WL 3595359. I agree with the Louisiana First Circuit Court of Appeal that definite amounts should be fixed in the final judgment, and a third person should be able to determine from the judgment the precise amount owed. *Reverse Mortg. Sols., Inc. v. Conerly*, 22-1054 (La. App. 1 Cir. 5/19/23); *Wachovia Mortg. Corp. v. Hoover*, 2019-1520 (La. App. 1 Cir. 9/21/20), 314 So.3d 42. *U.S. Bank Nat'l Ass'n as Tr. for RFMSI 2005S7 v. Dumas*, 21-0585 (La. App. 1 Cir. 12/22/21), 340 So. 3d 246. There is no compelling reason to create an exception to La. C.C.P. art. 1918, the law on final judgments, for mortgage companies and their attorneys.

In addition to creating an exception for mortgage companies, this bill creates a presumption that post-judgment fees and expenses are owed by the debtor without a requirement that the court review the actual amounts. The bill shifts the burden to the debtor to prove why the post-judgment fees claimed by the mortgage holder are not owed. This presumption, coupled with the absence of timely notice requirements and only the potential for judicial review, is particularly concerning. Debtors may find themselves facing unforeseen and potentially inflated post-judgment expenses without proper scrutiny or a reasonable opportunity to dispute these expenses, leading to a lack of transparency and fairness to the debtor.

For these reasons, Senate Bill 333 will not become law.

Sincerely,



Jeff Landry  
Governor

Enclosure: Returned Senate Bill 333