
DIGEST

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HB 514 Reengrossed

2015 Regular Session

Schexnayder

Abstract: Provides for notice to a state department or agency issuing a permit and to the attorney general when violation of the permit is alleged in a pleading.

Proposed law provides for notice of the filing or amendment of any pleading alleging a violation of a state-issued permit by certified letter to a state agency and the Coastal Protection and Restoration Authority if the permit was issued in the coastal area.

Proposed law provides for delivery of the notice of judgment or signing of a settlement of a claim alleging a violation of a state-issued permit, pursuant to Article 1313(C) within thirty days of the signing of the judgment to the issuing state department or agency, the attorney general, and the Coastal Protection and Restoration Authority, if applicable.

Excludes application of proposed law to a judicial demand that has been resolved through compromise agreement and settlement of claims, or by judgment on the merits that has become final and definitive prior to the effective date of proposed law.

(Adds C.C.P. Art. 1204)

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Civil Law and Procedure to the original bill:

1. Change the requirement that the party alleging violation of a state permit mail a notice of judgment or settlement to the issuing state department or agency to require that the party provide notice of judgment or settlement within 30 days of the signing of the judgment or settlement pursuant to present law C.C.P. Article 1313(C).
2. Make technical changes.

The House Floor Amendments to the engrossed bill:

1. Change the "immediate notice" requirement to "notice within 90 days".
2. Provide for notice of the filing of, or amendment to, a pleading by certified letter.

3. Add provisions requiring notice to the Coastal Protection and Restoration Authority in certain circumstances.