

2023 Regular Session

HOUSE BILL NO. 143

BY REPRESENTATIVE PIERRE

APPROPRIATIONS/JUDGMENT: Appropriates funds for payment of the consent judgment against the state in the suit entitled Mervin Henry et al. v. State of Louisiana et al.

1 AN ACT

2 To appropriate monies out of the state general fund for Fiscal Year 2022-2023 to be used to
3 pay the consent judgment captioned "Mervin Henry and Gloria Henry versus State
4 of Louisiana, the Louisiana Department of Transportation and Development and
5 Martin Benjamin" between the state of Louisiana, through the Department of
6 Transportation and Development, and Mervin Henry and Gloria Henry; to provide
7 for an effective date; and to provide for related matters.

8 Be it enacted by the Legislature of Louisiana:

9 Section 1. The sum of One Hundred Sixty Thousand and No/100 (\$160,000) Dollars
10 is hereby payable out of the State General Fund (Direct) for Fiscal Year 2022-2023 for
11 payment of the consent judgment captioned "Mervin Henry and Gloria Henry versus State
12 of Louisiana, the Louisiana Department of Transportation and Development and Martin
13 Benjamin", signed on November 3, 2022, between the state of Louisiana, through the
14 Department of Transportation and Development, and Mervin Henry and Gloria Henry,
15 bearing Number 20-C-1582 "A", on the docket of the Twenty-Seventh Judicial District,
16 parish of St. Landry, state of Louisiana.

17 Section 2. Of the amount appropriated in Section 1 of this Act, per the consent
18 judgment, an amount equal to the sum of One Hundred Fifty-Three Thousand Nine Hundred
19 Sixty-Two and 10/100 (\$153,962.10) Dollars is hereby payable to Mervin Henry and Gloria
20 Henry.

1 Section 3. Of the amount appropriated in Section 1 of this Act, per the consent
2 judgment, an amount equal to the sum of Six Thousand Thirty-Seven and 90/100 (\$6,
3 037.90) Dollars is hereby payable to EXL Humana.

4 Section 4. The judgment may only be paid from this appropriation if it is final and
5 shall be paid as to principal, interest, court costs, and expert witness fees as awarded in the
6 judgment. If the provisions of the judgment conflict with the provisions of this Act, the
7 provisions of the judgment shall be controlling. Any other provision of this Act not in
8 conflict with the provisions of the judgment shall control. Payment shall be made only after
9 presentation to the state treasurer of documentation required by the state treasurer. Further,
10 the judgment shall be deemed to have been paid on the effective date of this Act, and interest
11 shall cease to run as of that date.

12 Section 5. This Act shall become effective upon signature by the governor or, if not
13 signed by the governor, upon expiration of the time for bills to become law without signature
14 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
15 vetoed by the governor and subsequently approved by the legislature, this Act shall become
16 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 143 Original

2023 Regular Session

Pierre

Appropriates \$160,000 out of the State General Fund (Direct) for FY 2022-2023 for payment of the consent judgment entitled Mervin Henry et al. v. State of La. et al. bearing No. 20-C-1582 "A", on the docket of the 27th Judicial District, parish of St. Landry. Of this amount, \$153,962.10 is payable to Mervin and Gloria Henry and \$6,037.90 is payable to EXL Humana.

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.