

2021 Regular Session

HOUSE BILL NO. 287

BY REPRESENTATIVE LARVADAIN

APPROPRIATIONS/JUDGMENT: Appropriates funds for payment of the consent judgment against the state in the suit entitled Lucretia L. Garrett v. State Farm Fire and Casualty Company et al.

1 AN ACT

2 To appropriate monies out of the state general fund for Fiscal Year 2020-2021 to be used to  
3 pay the consent judgment captioned "Lucretia L. Garrett versus State Farm Fire and  
4 Casualty Company, Direct General Insurance Company of Louisiana, Bridget A.  
5 Leco and the State of Louisiana, through the Louisiana Department of Transportation  
6 and Development" between the state of Louisiana, through the Department of  
7 Transportation and Development, and Lucretia L. Garrett; to provide for certain  
8 requirements and limitations; and to provide for related matters.

9 Be it enacted by the Legislature of Louisiana:

10 Section 1. The sum of Fifteen Thousand and No/100 (\$15,000) Dollars is hereby  
11 payable out of the State General Fund (Direct) for Fiscal Year 2020-2021 for payment of the  
12 consent judgment captioned "Lucretia L. Garrett versus State Farm Fire and Casualty  
13 Company, Direct General Insurance Company of Louisiana, Bridget A. Leco and the State  
14 of Louisiana, through the Louisiana Department of Transportation and Development", signed  
15 on September 11, 2017, between the state of Louisiana, through the Department of  
16 Transportation and Development, and Lucretia L. Garrett bearing Number 123,468 Division  
17 "A" on the docket of the Twenty-First Judicial District Court, parish of Livingston, state of  
18 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 287 Original

2021 Regular Session

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Appropriates \$15,000 out of the State General Fund (Direct) for FY 2020-2021 for payment of the consent judgment captioned "Lucretia L. Garrett versus State Farm Fire and Casualty Company, Direct General Insurance Company of Louisiana, Bridget A. Leco and the State of Louisiana, through the Louisiana Department of Transportation and Development" bearing Number 123,468 Div. "A" on the docket of the 21st JDC, parish of Livingston.

Proposed law provides requirements for payment from the state treasury. Provides contingencies in case of conflict between 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.