

2021 Regular Session

HOUSE BILL NO. 407

BY REPRESENTATIVE DAVIS

APPROPRIATIONS/JUDGMENT: Appropriates funds for the payment of consent judgment against the Department of Transportation and Development in the suit entitled Daisy Horton Holmes, et al. v. Lloyd Harris, 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 dated February 21, 2020, between the State of Louisiana,  
4 through the Department of Transportation and Development and Nellie Horton  
5 Bakare, Mose Horton, Jr., Dwight Horton, Kerri Horton, and Orelee Horton in the  
6 suit entitled "Daisy Horton Holmes, et al versus Lloyd Harris, State Farm Mutual  
7 Automobile Insurance Company, AAA Insurance Company and State of Louisiana -  
8 Dept. of Transportation"; to provide for an effective date; and to provide for related  
9 matters.

10 Be it enacted by the Legislature of Louisiana:

11 Section 1. The sum of Seventy-Five Thousand and No/100 (\$75,000) dollars is  
12 hereby payable out of the State General Fund (Direct) for Fiscal Year 2020-2021 for  
13 payment of the consent judgment dated February 21, 2020, between the State of Louisiana,  
14 through the Department of Transportation and Development and Nellie Horton Bakare,  
15 Mose Horton, Jr., Dwight Horton, Kerri Horton, and Orelee Horton in the suit entitled  
16 "Daisy Horton Holmes, et al versus Lloyd Harris, State Farm Mutual Automobile Insurance  
17 Company, AAA Insurance Company and State of Louisiana - Dept. of Transportation",  
18 bearing Number 41,149; Section "B" on the docket of the Twentieth Judicial District Court,  
19 parish of East Feliciana, state of Louisiana.

1           Section 2. A judgment may only be paid from this appropriation if it is final and  
 2 shall be paid as to principal, interest, court costs, and expert witness fees as awarded in the  
 3 judgment. If the provisions of the judgment conflict with the provisions of this Act, the  
 4 provisions of the judgment shall be controlling. Any other provision of this Act not in  
 5 conflict with the provisions of a judgment shall control. Payment shall be made only after  
 6 presentation to the state treasurer of documentation required by the state treasurer. Further,  
 7 the judgment shall be deemed to have been paid on the effective date of this Act, and interest  
 8 shall cease to run as of that date.

9           Section 3. This Act shall become effective upon signature by the governor or, if not  
 10 signed by the governor, upon expiration of the time for bills to become law without signature  
 11 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If  
 12 vetoed by the governor and subsequently approved by the legislature, this Act shall become  
 13 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 407 Original

2021 Regular Session

Davis

Appropriates \$75,000 out of the State General Fund (Direct) for FY 2020-2021 for payment of the Feb. 21, 2020 consent judgment between the State of La., through the Dept. of Transportation and Development and Nellie Horton Bakare, Mose Horton, Jr., Dwight Horton, Kerri Horton, and Orelee Horton in the suit entitled "Daisy Horton Holmes, et al versus Lloyd Harris, State Farm Mutual Automobile Insurance Company, AAA Insurance Company and State of Louisiana - Dept. of Transportation", bearing Number 41,149; Section "B" on the docket of the Twentieth Judicial District Court, parish of East Feliciana.

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.