

2024 Regular Session

HOUSE BILL NO. 243

BY REPRESENTATIVE DEWITT

APPROPRIATIONS/JUDGMENT: Appropriates funds for payment of certain consent judgments against the state through the Department of Transportation and Development

1 AN ACT

2 To appropriate monies out of the state general fund for Fiscal Year 2023-2024 to be used to  
3 pay certain consent judgments captioned "Donnie and Wendy Hardman versus  
4 Louisiana through the Department of Transportation and Development, et al  
5 consolidated with Shane Swiger versus Louisiana through the Department of  
6 Transportation and Development, et al" between the state of Louisiana, through the  
7 Department of Transportation and Development, and Shane Swiger and Donnie  
8 Hardman and Wendy Hardman; to provide for an effective date; and to provide for  
9 related matters.

10 Be it enacted by the Legislature of Louisiana:

11 Section 1. The sum of Three Hundred Seventy-Five Thousand Dollars and No/100  
12 (\$375,000) Dollars is hereby payable out of the State General Fund (Direct) Fiscal Year  
13 2023-2024 to be used for payment of the consent judgments rendered against the state,  
14 through the Department of Transportation and Development, in the following claims against  
15 the state:

16 (A) Out of the total amount of the appropriation, One Hundred Thousand Dollars  
17 and No/100 (\$100,000) is hereby payable for payment of the consent judgment captioned  
18 "Donnie and Wendy Hardman versus Louisiana through the Department of Transportation  
19 and Development, et al consolidated with Shane Swiger versus Louisiana through the  
20 Department of Transportation and Development, et al", signed on February 11, 2022,

1 between the state of Louisiana, through the Department of Transportation and Development,  
2 and Shane Swiger, bearing Number 134102 B, on the docket of the Sixteenth Judicial  
3 District, parish of Iberia, state of Louisiana.

4 (B) Out of the total amount of the appropriation, Two Hundred Seventy-Five  
5 Thousand Dollars and No/100 (\$275,000) is hereby payable for payment of the consent  
6 judgment captioned "Donnie and Wendy Hardman versus Louisiana through the Department  
7 of Transportation and Development, et al consolidated with Shane Swiger versus Louisiana  
8 through the Department of Transportation and Development, et al", signed on February 11,  
9 2022, between the state of Louisiana, through the Department of Transportation and  
10 Development, and Donnie Hardman and Wendy Hardman, bearing Number 133917 A, on  
11 the docket of the Sixteenth Judicial District, parish of Iberia, state of Louisiana.

12 Section 2. Each judgment may only be paid from this appropriation if it is final and  
13 shall be paid as to principal, interest, court costs, and expert witness fees as awarded in the  
14 judgment. If the provisions of the judgment conflict with the provisions of this Act, the  
15 provisions of the judgment shall be controlling. Any other provision of this Act not in  
16 conflict with the provisions of the judgment shall control. Payment shall be made only after  
17 presentation to the state treasurer of documentation required by the state treasurer. Further,  
18 each judgment shall be deemed to have been paid on the effective date of this Act, and  
19 interest shall cease to run as of that date.

20 Section 3. This Act shall become effective upon signature by the governor or, if not  
21 signed by the governor, upon expiration of the time for bills to become law without signature  
22 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If  
23 vetoed by the governor and subsequently approved by the legislature, this Act shall become  
24 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 243 Original

2024 Regular Session

Dewitt

Appropriates \$375,000 out of the State General Fund (Direct) for FY 2023-2024 for payment of the following consent judgments against the state:

- (1) \$100,000 for payment of the consent judgment captioned "Donnie and Wendy Hardman versus Louisiana through the Department of Transportation and Development, et al consolidated with Shane Swiger versus Louisiana through the Department of Transportation and Development, et al", signed on February 11, 2022, between the state of Louisiana, through the Department of Transportation and Development, and Shane Swiger, bearing Number 134102 B, on the docket of the Sixteenth Judicial District, parish of Iberia, state of Louisiana.
- (2) \$275,000 for payment of the consent judgment captioned "Donnie and Wendy Hardman versus Louisiana through the Department of Transportation and Development, et al consolidated with Shane Swiger versus Louisiana through the Department of Transportation and Development, et al", signed on February 11, 2022, between the state of Louisiana, through the Department of Transportation and Development, and Donnie Hardman and Wendy Hardman, bearing Number 133917 A, on the docket of the Sixteenth Judicial District, parish of Iberia, state of Louisiana.

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.