

2021 Regular Session

HOUSE BILL NO. 548

BY REPRESENTATIVE BROWN

APPROPRIATIONS/JUDGMENT: Appropriates funds for payment of the consent judgment against the state in the suit entitled David L. Ocmand et al. v. Town of Brusly et al. c/w Louisiana Farm Bureau Casualty Insurance Company v. the State of Louisiana c/w State Farm Mutual Automobile Insurance Com. v. the State of Louisiana

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 "David L. Ocmand and Linda C. Ocmand versus
4 Town of Brusly and the State of Louisiana, through the Department of
5 Transportation consolidated with Louisiana Farm Bureau Casualty Insurance
6 Company versus the State of Louisiana, through the Department of Transportation
7 consolidated with State Farm Mutual Automobile Insurance Com. versus the State
8 of Louisiana, through the Department of Transportation" between the state of
9 Louisiana, through Department of Transportation and Development, and David and
10 Linda Ocmand; to provide certain requirements and limitations; to provide for an
11 effective date; and to provide for related matters.

12 Be it enacted by the Legislature of Louisiana:

13 Section 1. The sum of two hundred fifty thousand dollars and No/100 (\$250,000)
14 is hereby payable out of the State General Fund (Direct) for Fiscal Year 2020-2021 for the
15 payment of the consent judgment captioned, "David L. Ocmand and Linda C. Ocmand
16 versus Town of Brusly and the State of Louisiana, through the Department of Transportation
17 consolidated with Louisiana Farm Bureau Casualty Insurance Company versus the State of
18 Louisiana, through the Department of Transportation consolidated with State Farm Mutual
19 Automobile Insurance Com. versus the State of Louisiana, through the Department of

1 Transportation", signed on February 13, 2020, between the state of Louisiana, through
2 Department of Transportation and Development, and David and Linda Ocmant, bearing
3 Numbers 1042602, Div. "A", 1042912, Div. "A", and 1042919 Div. "D" on the docket of the
4 Eighteenth Judicial District Court, parish of West Baton Rouge, state of Louisiana.

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

13 Section 3. This Act shall become effective upon signature by the governor or, if not
14 signed by the governor, upon expiration of the time for bills to become law without signature
15 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
16 vetoed by the governor and subsequently approved by the legislature, this Act shall become
17 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 548 Original

2021 Regular Session

Brown

Appropriates \$250,000 out of the State General Fund (Direct) for FY 20-21 for payment of the consent judgment captioned "David L. Ocmant and Linda C. Ocmant versus Town of Brusly and the State of Louisiana, through the Department of Transportation consolidated with Louisiana Farm Bureau Casualty Insurance Company versus the State of Louisiana, through the Department of Transportation consolidated with State Farm Mutual Automobile Insurance Com. versus the State of Louisiana, through the Department of Transportation", between the state of Louisiana, through Department of Transportation and Development, and David and Linda Ocmant, bearing Number 1042602, Div. "A" c/w 1042912, Div. "A" c/w 1042919 Div. "D" on the docket of the Eighteenth Judicial District Court, parish of West Baton Rouge, state of Louisiana.

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 the governor.