

2022 Regular Session

HOUSE BILL NO. 853

BY REPRESENTATIVE TRAVIS JOHNSON

APPROPRIATIONS/JUDGMENT: Appropriates funds for payment of the consent judgment against the state in the suit entitled James Geduldick v. Amanda Fagane et al. c/w Ronald L. Courtney and Rebecca L. Morris v. Liberty Mutual Insurance Company et al.

1 AN ACT

2 To appropriate monies out of the state general fund for Fiscal Year 2021-2022 to be used to
3 pay the consent judgment captioned "James Geduldick vs. Amanda Fagane, State of
4 Louisiana, Highway Department, Michael Fagane, National Automotive Ins. Co.,
5 and Liberty Mutual Mid Atlantic Insurance Co. *CW* Ronald L. Courtney and
6 Rebecca L. Morris versus Liberty Mutual Insurance Company, National Automotive
7 Insurance Company, and Amanda V. Fagane" between the state of Louisiana,
8 through the Department of Transportation and Development, and Joelle Peardon,
9 James M. Geduldick, Jamie Lynn Geduldick, and Angela Sanniola; to provide for
10 an effective date; and to provide for related matters.

11 Be it enacted by the Legislature of Louisiana:

12 Section 1. The sum of Two Hundred Fifty Thousand and No/100 (\$250,000) Dollars
13 is hereby payable out of the State General Fund (Direct) for Fiscal Year 2021-2022 for
14 payment of the consent judgment captioned "James Geduldick vs. Amanda Fagane, State of
15 Louisiana, Highway Department, Michael Fagane, National Automotive Ins. Co., and
16 Liberty Mutual Mid Atlantic Insurance Co. *CW* Ronald L. Courtney and Rebecca L. Morris
17 versus Liberty Mutual Insurance Company, National Automotive Insurance Company, and
18 Amanda V. Fagane", signed on December 13, 2021, between the state of Louisiana, through
19 the Department of Transportation and Development, and Joelle Peardon, James M.
20 Geduldick, Jamie Lynn Geduldick, and Angela Sanniola, bearing Number 127,673, Division

1 A, on the docket of the Twenty-First Judicial District, parish of Livingston, state of
2 Louisiana.

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

11 Section 3. This Act shall become effective upon signature by the governor or, if not
12 signed by the governor, upon expiration of the time for bills to become law without signature
13 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
14 vetoed by the governor and subsequently approved by the legislature, this Act shall become
15 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 853 Original

2022 Regular Session

Travis Johnson

Appropriates \$250,000 out of the State General Fund (Direct) for FY 2021-2022 for payment of the consent judgment entitled James Geduldick v. Amanda Fagane et al. c/w Ronald L. Courtney and Rebecca L. Morris v. Liberty Mutual et al., bearing No. 127,673, Division A, on the docket of the 21st Judicial District, parish of Livingston.

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.