
DIGEST

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HB 192 Engrossed

2023 Regular Session

Jefferson

Abstract: Allows a family member of a village governing authority member to be appointed or employed by the village under certain circumstances.

Present law (ethics code – nepotism) prohibits an agency head from employing a member of his immediate family in his agency and prohibits a governmental entity from employing an immediate family member of a member of the governing authority or of the chief executive of the governmental entity. Present law (R.S. 42:1113-ethics code-prohibited transactions) generally prohibits immediate family members of a public servant from entering into transactions under the supervision or jurisdiction of the public servant's agency and the Bd. of Ethics has opined that appointment constitutes a transaction. Present law provides certain exceptions.

Proposed law provides an exception to allow, in municipalities of 1000 or less (villages), an immediate family member of a municipal governing authority member to be appointed or employed by the municipality provided that the immediate family member is the only qualified applicant for the position after it has been advertised for at least 30 days in the official journal of the municipality. Requires a municipal governing authority member whose immediate family member is appointed or employed by the municipality to recuse himself from any decision involving the promotion or assignment of his family member.

Effective upon signature of governor or lapse of time for gubernatorial action.

(Adds R.S. 42:1119(B)(2)(c))

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on House and Governmental Affairs to the original bill:

1. Change the advertising requirement from the official journal of the parish to the official journal of the municipality.