

Existing law (R.S. 42:1111–ethics code) prohibits a public servant (which includes a public employee or an elected official) from receiving any thing of economic value, other than compensation and benefits from the governmental entity to which he is entitled, for the performance of his duties. Existing law (R.S. 42:1115(A)) prohibits a public servant from soliciting or accepting any thing of economic value as a gift or gratuity from any person if the public servant knows or should know that such person has or is seeking to obtain a business relationship with the public servant's agency or is seeking to influence the passage or defeat of legislation by the public servant's agency. Existing law (R.S. 42:1115(B)) prohibits a public employee from soliciting or accepting any thing of economic value as a gift or gratuity from any person if the public employee knows or should know that such person conducts operations or activities which are regulated by the public employee's agency or has substantial economic interests which may be substantially affected by the performance or nonperformance of the public employee's official duty. Existing law (R.S. 42:1102(22)) defines a "thing of economic value" as money or any other thing having economic value except promotional items having no substantial resale value. Contains certain other exceptions, including the acceptance of food, drink, or refreshments consumed by a public servant while the personal guest of a person, including reasonable transportation and entertainment incidental thereto.

Existing law (R.S. 42:1123(26)) provides an exception to the ethics code to allow a public servant to accept a gift or gratuity from any person when the value of such gift or gratuity does not exceed \$100 per event, for flowers or a donation in connection with the death of a member of the immediate family of a public servant.

New law additionally allows a public servant employed by a prekindergarten, kindergarten, elementary, or secondary school to accept a gift from or on behalf of a student or former student when the value of the gift does not exceed \$25 and the aggregate value of all gifts from or on behalf of any one person pursuant to new law does not exceed \$75 in a calendar year.

Effective Aug. 1, 2014.

(Amends R.S. 42:1123(26))