

Regular Session, 2011
HOUSE BILL NO. 103
BY REPRESENTATIVE ARMES

ACT No. 167

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

1 AN ACT

2 To amend and reenact R.S. 42:1119(B)(2)(introductory paragraph) and (a)(i), relative to the
3 Code of Governmental Ethics; to except employment by a local school board of
4 special education related services professionals from the nepotism prohibition of the
5 code; to provide limitations, procedures, and penalties for certain violations; and to
6 provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 42:1119(B)(2)(introductory paragraph) and (a)(i) are hereby
9 amended and reenacted to read as follows:

10 §1119. Nepotism

11 * * *

12 B.

13 * * *

14 (2) Notwithstanding the provisions of Paragraph ~~(B)~~(1) of this Subsection:

15 (a)(i) Any local school board may employ any member of the immediate
16 family of any board member or of the superintendent as a classroom teacher
17 provided that such family member is certified to teach. Any local school board in
18 a parish having a population of fewer than sixty thousand according to the latest
19 federal decennial census may employ any member of the immediate family of any
20 board member or of the superintendent as a special education related services
21 professional provided that such family member is licensed in an appropriate field for
22 special education related services and such family member is the only applicant who
23 meets the qualifications for the position set by the school board who has applied for
24 the position after it has been advertised for at least thirty days in the official journal

1 of the school board. A special education related services professional shall include
 2 the following when employed to provide special education services: a social worker,
 3 occupational therapist, physical therapist, speech therapist/pathologist, teacher of
 4 hearing impaired students, teacher of visually impaired students, or nurse. Any
 5 school board member or superintendent whose immediate family member is
 6 employed by the school board shall recuse himself from any decision involving the
 7 promotion or assignment of teaching or service location of such employee.

* * *

9 Section 2. This Act shall become effective upon signature by the governor or, if not
 10 signed by the governor, upon expiration of the time for bills to become law without signature
 11 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
 12 vetoed by the governor and subsequently approved by the legislature, this Act shall become
 13 effective on the day following such approval.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____