

2016 Regular Session

HOUSE BILL NO. 144

BY REPRESENTATIVE GREGORY MILLER

ETHICS/FINANCIAL DISCLOS: Removes requirement of an affidavit and instead requires a certification to accompany Tier 1 and Tier 2 personal financial disclosure statements

1 AN ACT

2 To amend and reenact R.S. 42:1124(E) and 1124.2(E), relative to personal financial
3 disclosure; to remove provisions requiring an affidavit; to provide for a certification;
4 and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 42:1124(E) and 1124.2(E) are hereby amended and reenacted to read
7 as follows:

8 §1124. Financial disclosure; statewide elected officials; certain public servants

9 * * *

10 E. The financial statement shall be filed with the Board of Ethics and shall
11 be accompanied by the ~~affidavit~~ certification of the individual filing it certifying that
12 the information contained in the financial statement is true and correct to the best of
13 his knowledge, information, and belief. The financial statement shall be a public
14 record, subject to the provisions of Chapter 1 of Title 44 of the Louisiana Revised
15 Statutes of 1950.

16 * * *

17 §1124.2. Financial disclosure; certain elected officials; members of certain boards
18 and commissions; ethics administrator

19 * * *

1 E. The financial statement shall be filed with the Board of Ethics and shall
 2 be accompanied by the ~~affidavit~~ certification of the individual filing it certifying that
 3 the information contained in the financial statement is true and correct to the best of
 4 his knowledge, information, and belief. The financial statement shall be a public
 5 record, subject to the provisions of Chapter 1 of Title 44 of the Louisiana Revised
 6 Statutes of 1950.

7 * * *

8 Section 2. This Act shall become effective on January 1, 2017.

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 144 Original

2016 Regular Session

Gregory Miller

Abstract: Changes the requirement of an affidavit for Tier 1 and Tier 2 personal financial disclosure statements to a certification in order to facilitate the electronic filing of personal financial disclosure statements.

Present law (ethics code--R.S. 42:1124, 1124.2, 1124.2.1, and 1124.3-Tiers 1, 2, 2.1, and 3) requires all elected officials and certain other specified officials and board and commission members to file a financial disclosure statement by May 15th of each year during which the person holds public office or position and by May 15th of the year following the termination of the holding of such office. Present law provides some exceptions. Present law (Election Code/Campaign Finance Disclosure Act--R.S. 18:1495.7) further requires any person who becomes a candidate for an office for which the holder of the office is required to file financial disclosure statements pursuant to present law (Code of Governmental Ethics--R.S. 42:1124, 1124.2, or 1124.3) to file a financial disclosure statement as required by present law for the office for which he is a candidate. Present law requires each such statement to include certain specified information for the entire preceding calendar year, with a limited exception.

Present law, relative to Tier 1 and Tier 2 personal financial disclosure statements, requires the statement to be filed with the Board of Ethics and to be accompanied by the affidavit of the individual filing it certifying that the information contained in the financial statement is true and correct to the best of his knowledge, information, and belief.

Proposed law changes the requirement of an affidavit to a certification and otherwise retains present law.

Effective January 1, 2017.

(Amends R.S. 42:1124(E) and 1124.2(E))