

Regular Session, 2011

HOUSE BILL NO. 453

BY REPRESENTATIVE HINES

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

ETHICS: Restricts certain persons from giving food, drink, or other refreshments to legislators during any legislative session

1 AN ACT

2 To enact R.S. 42:1115.2, relative to the Code of Governmental Ethics; to prohibit any
3 legislator or a statewide elected official from receiving any food, drink, or
4 refreshment from a lobbyist or person employing a lobbyist during any session of the
5 legislature; to provide definitions; to provide a short title for the Act; and to provide
6 for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. This Act shall be known as the "Louisiana No Cup of Coffee Lobbyist
9 Reform Act".

10 Section 2. R.S. 42:1115.2 is hereby enacted to read as follows:

11 §1115.2. Restrictions during legislative sessions

12 Notwithstanding any provision of this Chapter to the contrary, no legislator
13 or statewide elected official may receive any food, drink, or refreshment from a
14 lobbyist or a person employing a lobbyist during any session of the legislature. The
15 term "lobbyist" as used in this Section shall have the same meaning as in R.S. 24:51.

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)]

Hines

HB No. 453

Abstract: Prohibits a legislator or statewide elected official from accepting food, drink, or refreshment from a lobbyist or person employing a lobbyist during any session of the legislature.

Present law (R.S. 42:1102(22)(a)) provides that food, drink, or refreshments consumed by a public servant while the personal guest of some person is not a "thing of economic value" under the Code of Governmental Ethics.

Present law (R.S. 42:1115.1) provides a monetary limitation on how much a person can spend on a public servant for food, drink, and refreshment while the public servant is his personal guest.

Proposed law retains present law. Proposed law further prohibits any legislator or statewide elected official from receiving any food, drink, or refreshment from a lobbyist or a person employing a lobbyist during any session of the legislature.

Proposed law defines "lobbyist" as it is defined in present law (R.S. 24:51(5)):

- (1) Any person who is employed or engaged for compensation to act in a representative capacity for the purpose of lobbying if lobbying constitutes one of the principal duties of such employment or engagement.
- (2) Any person who acts in a representative capacity and makes an expenditure.

Present law and proposed law provide that the term "lobbyist" shall not mean any person who does not make any direct act or have any direct communication with a legislator for the purpose of influencing the passage or defeat of any legislation.

(Adds R.S. 42:1115.2)