

Regular Session, 2011

SENATE BILL NO. 195

BY SENATOR JACKSON

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

ETHICS. Provides that a person with an outstanding ethics fine cannot qualify for office unless the fine has been paid in full. (8/15/11)

1 AN ACT

2 To amend and reenact R.S. 18:463(A)(2)(c), relative to the Louisiana Election Code; to
3 provide relative to candidacy for public office; to provide that a person with an
4 outstanding ethics fine cannot qualify for public office unless the fine has been paid
5 in full; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 18:463(A)(2)(c) is hereby amended and reenacted to read as follows:

8 §463. Notice of candidacy; financial disclosure; political advertising; penalties

9 A.(1) * * *

10 (2)(a) * * *

11 (c) For the purposes of this Paragraph; ~~(i) "outstanding~~ **Outstanding** fine,
12 fee, or penalty pursuant to the Campaign Finance Disclosure Act" shall mean a fine,
13 fee, or penalty equal to an amount of two hundred fifty dollars or more assessed by
14 order of the Supervisory Committee on Campaign Finance Disclosure pursuant to
15 the Campaign Finance Disclosure Act ~~which~~ **that** has been converted into a court
16 order for which all appeals have been exhausted or a judgment of a district court
17 assessing civil penalties pursuant to the Campaign Finance Disclosure Act and ~~which~~

1 **that** has become executory pursuant to R.S. 18:1511.5.

2 (ii) "Outstanding fines, fees, or penalties pursuant to the Code of
3 Governmental Ethics" shall mean a fine, fee, or penalty equal to an amount of two
4 hundred fifty dollars or more imposed by the Board of Ethics for which all appeals
5 have been exhausted.

6 (iii) "Outstanding fine, fee, or penalty" shall not mean any fine, fee, or
7 penalty ~~which~~ **that** has been paid in full **as of the time of the filing of the notice of**
8 **candidacy.** ~~or for which the candidate is in compliance with a payment plan~~
9 ~~established in writing between the Supervisory Committee on Campaign Finance~~
10 ~~Disclosure and the candidate or the Board of Ethics and the candidate as applicable.~~

11 * * *

The original instrument and the following digest, which constitutes no part
of the legislative instrument, were prepared by Alden A. Clement, Jr.

DIGEST

Jackson (SB 195)

Present law provides that a notice of candidacy for public office must include a certificate, signed by the candidate, certifying that the candidate does not owe any outstanding fines, fees, or penalties pursuant to the Code of Governmental Ethics.

Present law further provides that for the purposes of present law, "outstanding fine, fee, or penalty" does not mean any fine, fee, or penalty that has been paid in full, or for which the candidate is in compliance with a payment plan established in writing between the Supervisory Committee on Campaign Finance Disclosure and the candidate, or the Board of Ethics and the candidate, as applicable.

Proposed law provides that for the purposes of present law, "outstanding fine, fee, or penalty" does not mean any fine, fee, or penalty that has been paid in full as of the time of the filing of the notice of candidacy, and deletes the provision of present law that excludes from the definition of "outstanding fine, fee, or penalty" a fine for which the candidate is in compliance with a payment plan but which has not been paid in full.

Proposed law otherwise retains present law.

Effective August 15, 2011.

(Amends R.S. 18:463(A)(2)(c))