

RÉSUMÉ DIGEST

ACT 110 (HB 186)

2022 Regular Session

Stefanski

Existing law (ethics code) prohibits a candidate in an election from, with the intent to mislead the voters, distributing or causing to be distributed any oral, visual, or written material containing false statements about another candidate in the election.

New law specifically includes the distribution of digital materials containing false statements in the prohibition.

Existing law provides that for a violation to occur, the candidate responsible for the distribution of the statement must know that the statement about another candidate is false. New law adds that a violation occurs when the candidate responsible for the distribution should be reasonably expected to know the statement.

Existing law (R.S. 42:1153), for violations of the Code of Governmental Ethics and other laws within jurisdiction of the Board of Ethics, by an elected official or other person (except violations of the Campaign Finance Disclosure Act which are governed by that Act) authorizes the board by a majority vote of the membership to censure the elected official or person, impose a fine of not more than \$10,000, or both. For such violations by a public employee or other person, authorizes the board by the same vote to remove, suspend, or order a reduction in pay or demotion of the public employee or other person, or impose a fine of not more than \$10,000, or both. Existing law applies to violations of new law.

Effective August 1, 2022.

(Amends R.S. 42:1130.4)