

2017 Regular Session

HOUSE BILL NO. 86

BY REPRESENTATIVE THIBAUT

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

ETHICS: Provides an exception to allow certain persons related to members of the Louisiana State Racing Commission to obtain licenses from and engage in activities regulated by the commission

1 AN ACT

2 To enact R.S. 42:1123(44), relative to ethics; to allow certain persons related to members  
3 of the Louisiana State Racing Commission to obtain certain licenses from the  
4 commission and engage in certain activities regulated by the commission pursuant  
5 to such licenses; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 42:1123(44) is hereby enacted to read as follows:

8 §1123. Exceptions

9 This Part shall not preclude:

10 \* \* \*

11 (44) Any member of the immediate family, excluding the spouse, of a  
12 member of the Louisiana State Racing Commission from obtaining a license from  
13 the commission pursuant to R.S. 4:150 and engaging in activities authorized by the  
14 license in accordance with applicable laws, rules, and regulations. However, the  
15 commission member shall not participate in any matter involving his immediate  
16 family member as provided in R.S. 42:1112 and shall recuse himself from  
17 participating in any commission action regarding any matter related to his immediate  
18 family member in the manner provided by R.S. 42:1120.4.

19 \* \* \*

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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)]

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HB 86 Original

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Thibaut

**Abstract:** Allows an immediate family member, excluding the spouse, of a member of the La. State Racing Commission to obtain certain licenses from the commission and engage in the activities authorized by such licenses.

Present law (R.S. 42:1113(B) - ethics code) prohibits a member of the immediate family of an appointed member of a board or commission from entering into or being in anyway interested in a transaction under the supervision or jurisdiction of the board or commission.

Proposed law provides an exception to allow a member of the immediate family, excluding the spouse, of a member of the La. State Racing Commission to obtain a license from the commission pursuant to present law (R.S. 4:150) and to engage in the activities authorized by such licenses in accordance with applicable laws, rules, and regulations. Proposed law further prohibits the commission member from participating in any matter involving his immediate family member as provided in present law (R.S. 42:1112) and requires that he recuse himself from participating in any commission action regarding any matter related to his immediate family member in the manner provided by present law (R.S. 42:1120.4).

Present law (R.S. 42:1112 - ethics code) prohibits a public servant from participating in a transaction involving his governmental entity when the public servant has or specified related persons have a substantial economic interest. Present law (R.S. 42:1120.4 - ethics code) further requires an appointed member of a board or commission to recuse himself from voting if he would be required to vote on a matter that would be a violation of present law (R.S. 42:1112) and prohibits such a member from participating in the discussion and debate concerning the matter. Proposed law retains present law and applies the recusal provisions to matters arising pursuant to the exception in proposed law.

(Adds R.S. 42:1123(44))