
DIGEST

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CONFERENCE COMMITTEE REPORT DIGEST

HB 231

2017 Regular Session

Thibaut

Keyword and oneliner of the instrument as it left the House

ETHICS/CODE: Allows the immediate family member of a mayor or governing authority member of a municipality with a population of five thousand or less or a legal entity in which the family member has an interest to enter into a transaction with the municipality subject to certain conditions

Report rejects Senate amendments which would have:

1. Provided an additional ethics exception to allow classroom teachers in public schools to provide tutoring services in academic subjects on a private fee basis outside school hours to their own students or other students enrolled in a school under the jurisdiction of the public school governing authority.

Digest of the bill as proposed by the Conference Committee

Same as finally passed the House.

Present law provides for any mayor or member of a governing authority of a municipality with a population of 5,000 or less, or legal entity in which he has a controlling interest, from entering into any transaction that is under the supervision or jurisdiction of the municipality. Provides that any person who enters into such a transaction does so under the supervision or jurisdiction of the municipality and requires the municipality to submit a plan to the Board of Ethics for approval. The plan shall include recusal of the elected official in matters affecting the transaction; quarterly affidavits concerning the recusal filed with the clerk of the municipality and the board; the manner of supervising the transactions. Present law provides certain rules based on the amount of the transaction. Exempts individual transactions of \$250 or less, until they exceed \$2,500 in the aggregate in a calendar year; thereafter such a transaction requires at least three telephone quotations with written confirmation in the manner provided for transactions in excess of \$250, but less than \$2,500. Requires telephone quotations with written confirmation or facsimile quotations to be solicited from at least three vendors within the municipality, the parish, or within a 50-mile radius of the municipality for transactions in excess of \$250, but less than \$2,500, except in case of emergency. Provides that the plan adopted by the municipality and subject to board approval may specify situations in which a quotation submitted by the elected official or his legal entity may be

accepted even if it was not the lowest bid received by the municipality. Provides for an elected official or legal entity in which the elected official has a controlling interest to enter into transactions with the municipality in excess of \$2,500 only after written invitations are sent to at least three bona fide qualified bidders, other than the elected official or his legal entity, and upon specific advance approval by the board.

Proposed law retains present law, but additionally allows an immediate family member of such a mayor or governing authority member, or legal entity in which such an immediate family member has a controlling interest to enter into transactions with the municipality subject to the same conditions, and requires the elected official involved to file the same affidavits required by present law for transactions entered into by his immediate family members and legal entities in which his immediate family members own a controlling interest. Additionally makes some technical changes.

Effective upon signature of governor or lapse of time for gubernatorial action.

(Amends R.S. 42:1123(22))