

**LEGISLATIVE FISCAL OFFICE**  
**Fiscal Note**



Fiscal Note On: **HB 53** HLS 18RS 15

Bill Text Version: **ENGROSSED**

Opp. Chamb. Action:

Proposed Amd.:

Sub. Bill For.:

<b>Date:</b> March 19, 2018 11:03 AM	<b>Author:</b> TALBOT
<b>Dept./Agy.:</b> State Civil Service and State Ethics Board	<b>Analyst:</b> Monique Appeaning
<b>Subject:</b> Public Servants in State Government	

ETHICS/CODE

EG SEE FISC NOTE GF EX

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Prohibits public servants in state government from engaging in certain activities with public funds and assets

Proposed law prohibits the use by public servants of public funds and assets in a state agency to urge the passage or defeat of any matter pending before the legislature or any local governing authority; prohibits public servants in a state agency from obligating the funds or assets of his/her governmental entity for promoting, achieving, establishing, or restoring a favorable public image of, or for advocacy of, any public servant; provides for penalties of agency heads and public servants; and defines the term "state agency" as any board, commission, department, division, agency, office, or other entity within the executive, judicial, or legislative branch of state government.

<b>EXPENDITURES</b>	<b>2018-19</b>	<b>2019-20</b>	<b>2020-21</b>	<b>2021-22</b>	<b>2022-23</b>	<b>5 -YEAR TOTAL</b>
State Gen. Fd.	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	
Agy. Self-Gen.	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
Ded./Other	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
Federal Funds	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
Local Funds	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<b><u>\$0</u></b>
<b>Annual Total</b>						

  

<b>REVENUES</b>	<b>2018-19</b>	<b>2019-20</b>	<b>2020-21</b>	<b>2021-22</b>	<b>2022-23</b>	<b>5 -YEAR TOTAL</b>
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<b>Annual Total</b>						

**EXPENDITURE EXPLANATION**

Proposed law may result in an indeterminable increase of SGF expenditures at the Ethics Administration to ensure compliance throughout state government. Current staff will be utilized to process the increased workload resulting from proposed law. The number of complaints that would be received is unknown and at this time there is no way to anticipate or project the impact on workload.

To the extent public servants have committed public funds and assets in a state agency contrary to proposed law, there will be an indeterminable increase of state expenditures to recoup state funds from the public servant throughout state government with or without civil litigation efforts.

**REVENUE EXPLANATION**

Proposed law may result in an indeterminable increase in revenue to the Ethics Administration if an agency head of any branch, department, agency, entity, or a public servant violates any provision of proposed law without the authorization of his or her administrative superior and is subsequently assessed and personally liable for an amount equal to the funds or for the fair market value of the assets of the governmental entity used or obligated in violation of proposed law. It is unknown the number of persons who will violate the provisions of the proposed law, as is the amount of the fine to be imposed. For informational purposes, the maximum penalty may include a fine up to \$10,000. Penalties and fines imposed for the violation of these provisions are considered income not available and accrue to the State General Fund.

Senate      Dual Referral Rules  
 13.5.1 >= \$100,000 Annual Fiscal Cost {S&H}  
 13.5.2 >= \$500,000 Annual Tax or Fee Change {S&H}

House  
 6.8(F)(1) >= \$100,000 SGF Fiscal Cost {H & S}  
 6.8(G) >= \$500,000 Tax or Fee Increase or a Net Fee Decrease {S}

*Evan Brasseaux*  


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**Evan Brasseaux**  
**Staff Director**