

2024 Regular Session

HOUSE BILL NO. 106

BY REPRESENTATIVE JACKSON

LOBBYING: Provides relative to the assessment of penalties on lobbyists for failure to timely file required reports

1 AN ACT

2 To amend and reenact R.S. 24:58(D)(2), R.S. 33:9668(D)(2), R.S. 42:1157(A)(4)(c), and

3 R.S. 49:78(D)(2) and to enact R.S. 24:58(D)(6), R.S. 33:9668(D)(6), and R.S.

4 49:78(D)(6), relative to penalties imposed by the Board of Ethics; to provide for the

5 enforcement of registration and reporting requirements of legislative, executive

6 branch, and local lobbyists; to provide for the assessment of late fees and civil

7 penalties for failure to timely file; to provide for the computation of days; and to

8 provide for related matters.

9 Be it enacted by the Legislature of Louisiana:

10 Section 1. R.S. 24:58(D)(2) is hereby amended and reenacted and R.S. 24:58(D)(6)

11 is hereby enacted to read as follows:

12 §58. Enforcement

13 * * *

14 D. In addition to any other applicable penalties:

15 * * *

16 (2) Any person whose registration or report is filed eleven or more days after

17 the day on which it was due may be assessed, in addition to any late fees pursuant

18 to this Section, after a hearing by the board, a civil penalty not to exceed ~~ten~~ one

19 thousand dollars.

20 * * *

1 Section 4. R.S. 49:78(D)(2) is hereby amended and reenacted and R.S. 49:78(D)(6)
2 is hereby enacted to read as follows:

3 §78. Enforcement

4 * * *

5 D. In addition to any other applicable penalties:

6 * * *

7 (2) Any person whose registration or report is filed eleven or more days after
8 the day on which it was due may be assessed, in addition to any late fees pursuant
9 to this Section, after a hearing by the board, a civil penalty not to exceed ~~ten~~ one
10 thousand dollars.

11 * * *

12 (6) The computation of days provided for in this Subsection shall not include
13 Saturdays, Sundays, or other legal holidays.

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)]

HB 106 Reengrossed 2024 Regular Session Jackson

Abstract: Reduces the maximum amount of late fees and the maximum civil penalty imposed by the Bd. of Ethics on lobbyists for failure to timely file required reports and excludes weekends and holidays from the calculation of days for purposes of assessing fees and imposing penalties on lobbyists.

Present law requires legislative, executive branch, and local lobbyists to register with the Bd. of Ethics (the "board") as soon as possible after employment as a lobbyist or after the first action requiring his registration as a lobbyist, whichever occurs first, and in any event no later than five days after employment or first action as a lobbyist.

Present law provides that any person required to register and who fails to timely register and any person who fails to timely file any required report, including a combined report for legislative and executive branch lobbying, shall be assessed a late fee of \$50 per day.

Present law requires legislative and executive branch lobbyists to file with the board monthly expenditure reports containing specific information.

Present law provides that any person who fails to file a required expenditure report containing all required information shall be assessed a late fee of \$50 per day.

Present law establishes maximums for late filing fees assessed by the board; such maximums are based on the amount of the per day fee. If the per day late filing fee is \$50, present law provides that the maximum fee is \$1,500.

Proposed law reduces the maximum fee as applicable to legislative, executive branch, and local lobbyists to \$500. Otherwise retains present law.

Present law provides that any lobbyist whose registration or report is filed 11 or more days after the day on which it was due may be assessed, in addition to late fees, after a hearing by the board, a civil penalty not to exceed \$10,000. Proposed law lowers the maximum civil penalty to \$1,000.

Proposed law provides the computation of days for purposes of calculating fees assessed and penalties imposed on lobbyists shall not include Saturdays, Sundays, or holidays.

(Amends R.S. 24:58(D)(2), R.S. 33:9668(D)(2), R.S. 42:(A)(4)(c), and R.S.49:78(D)(2); Adds R.S. 2458(D)(6), R.S. 33:9668(D)(6), and R.S. 49:78(D)(6))

Summary of Amendments Adopted by House

The House Floor Amendments to the engrossed bill:

1. Provide that the computation of days for purposes of calculating fees assessed and penalties imposed on lobbyists shall not include Saturdays, Sundays, or holidays.