

2024 Regular Session

HOUSE BILL NO. 740

BY REPRESENTATIVE MARCELLE

CAMPAIGN FINANCE: Provides relative to the assessment of penalties for failure to timely file required reports

1 AN ACT

2 To amend and reenact R.S. 18:1505.4(A)(2)(a)(ii) and (iii) and to enact R.S. 18:1505.4(E),
3 relative to campaign finance; to provide relative to the assessment of penalties; to
4 provide for the computation of days; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 18:1505.4(A)(2)(a)(ii) and (iii) are hereby amended and reenacted
7 and R.S. 18:1505.4(E) is hereby enacted to read as follows:

8 §1505.4. Civil penalties; failure to file; timely and accurate filing; forfeiture

9 A.

10 * * *

11 (2)(a) The amount of such penalty may be:

12 * * *

13 (ii) Sixty dollars per day, not to exceed ~~two~~ one thousand dollars, for any
14 candidate for district office and any treasurer or chairman of any political committee
15 designated as a principal campaign committee or subsidiary committee of such a
16 candidate.

17 (iii) Forty dollars per day, not to exceed ~~one thousand~~ five hundred dollars,
18 for any candidate for all other offices and any treasurer or chairman of any political

1 committee designated as a principal campaign committee or subsidiary committee
2 of such a candidate.

3 * * *

4 E. The computation of days provided for in Subsections A and B of this
5 Section shall not include 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 740 Engrossed

2024 Regular Session

Marcelle

Abstract: Changes the maximum for per-day penalties for failing to file or failing to timely file campaign reports for district office candidates from \$2,000 to \$1,000 and for other office candidates from \$1,000 to \$500 and excludes legal holidays from the computation of days for which penalties may be assessed on all candidates.

Present law provides that any candidate, the treasurer or chairman of a political committee, or any other person required to file campaign finance reports, who knowingly fails to file or who knowingly fails to timely file any such report may be assessed a civil penalty for each day until such report is filed. Present law (R.S. 42:1157(B)) requires the staff of the ethics board to mail a notice of delinquency within four days after the due date of any report or statement due that the staff knows or has reason to know has not been timely filed. Present law (R.S. 42:1160) further requires the board to send communications electronically in a timely manner to filing parties who file through the Computerized Data Management System.

Present law provides that the amount of the per day penalty may be:

- (a) \$100 per day not to exceed \$2,500 for major office.
- (b) \$60 per day not to exceed \$2,000 for district office.
- (c) \$40 per day not to exceed \$1,000 for other office.

Proposed law changes the maximum on the per day penalties for district office candidates from \$2,000 to \$1,000 and for other office candidates from \$1,000 to \$500.

In addition to the daily penalties for failure to timely file, present law provides for an additional civil penalty not to exceed \$10,000 imposed on any person required to file a report between the time a candidate qualifies and election day who has not filed such report by the sixth day after the report is due, or the 11th day after the report is due for all other reports. Further provides that a person who knowingly or willfully fails to accurately disclose any required information in a required report may be assessed an additional civil penalty for each day until such information is disclosed by amendment to the appropriate report.

Proposed law provides that the computation of days provided for in present law shall not include Saturdays, Sundays, or other legal holidays.

(Amends R.S. 18:1505.4(A)(2)(a)(ii) and (iii); Adds R.S. 18:1505.4(E))