

CONFERENCE COMMITTEE REPORT

HB 411

2024 Regular Session

Gadberry

May 22, 2024

To the Honorable Speaker and Members of the House of Representatives and the Honorable President and Members of the Senate.

Ladies and Gentlemen:

We, the conferees appointed to confer over the disagreement between the two houses concerning House Bill No. 411 by Representative Gadberry, recommend the following concerning the Engrossed bill:

1. That Senate Floor Amendments Nos. 1, 2, 3, 5, and 6 by Senator Miller (#3299) be rejected.
2. That Senate Floor Amendment No. 4 by Senator Miller (#3299) be adopted.
3. That the following amendments to the Engrossed bill be adopted:

AMENDMENT NO. 1

On page 1, line 2, after "reenact" delete the remainder of the line and insert "R.S. 9:154(A)(18) and R.S. 18:1491.7(B)(21) and 1495.5(B)(20) and to enact R.S. 9:154(A)(19) and R.S."

AMENDMENT NO. 2

On page 1, line 5, after "contributions to" delete the remainder of the line and insert "be transferred as unclaimed property; to provide for the presumption of abandonment; to provide for"

AMENDMENT NO. 3

On page 1, between lines 7 and 8, insert the following:

"Section 1. R.S. 9:154(A)(18) is hereby amended and reenacted and R.S. 9:154(A)(19) is hereby enacted to read as follows:

§154. Presumptions of abandonment

A. Property is presumed abandoned if it is unclaimed by the apparent owner during the time set forth below for the particular property for the following:

* * *

(18) Checks drawn on a campaign account pursuant to R.S. 18:1505.2 for the return of campaign contributions made in excess of contribution limits, six months from the date of the check if not negotiated.

~~(18)~~ (19) All other property, five years after the obligation to pay or distribute the property arises.

* * *"

AMENDMENT NO. 4

On page 1, delete line 17 and insert "paid in accordance with the Uniform Unclaimed Property Act of 1997."

AMENDMENT NO. 5

On page 2, delete line 6 and insert "paid in accordance with the Uniform Unclaimed Property Act of 1997."

AMENDMENT NO. 6

On page 2, line 16, after "amount shall" delete the remainder of the line and delete lines 17 and 18, and insert "be presumed abandoned and shall be paid, transferred, or caused to be paid or transferred in accordance with the Uniform Unclaimed Property Act of 1997 by the candidate, political committee, or other person required to file reports under this Chapter."

Respectfully submitted,

Representative Foy Bryan Gadberry

Senator Cleo Fields

Representative Gerald "Beau" Beaulieu, IV

Senator Gregory A. Miller

Representative Rodney Wayne Schamerhorn

Senator Mike Reese

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)]

CONFERENCE COMMITTEE REPORT DIGEST

HB 411

2024 Regular Session

Gadberry

Keyword and oneliner of the instrument as it left the House

CAMPAIGN FINANCE: Provides for the procedure for returning excess campaign contributions

Report adopts Senate amendments to:

1. Provide that returned excess campaign contributions that are not negotiated within six months are presumed abandoned and transferred as unclaimed property, rather than escheat to the state.

Report amends the bill to:

1. Make technical and clarifying changes to adopted Senate amendments.

Digest of the bill as proposed by the Conference Committee

Present law imposes limits on the amount of campaign contributions that a person can make to a candidate or his campaign committee or to a political committee.

Proposed law provides that contributions made in excess of the limits provided in present law shall be returned by the candidate, political committee, or other person required to file campaign finance reports to the contributor by check drawn on the campaign account. If the check is not negotiated within six months of the date of the check, the excess amount shall be presumed abandoned and shall be paid, transferred, or caused to be paid or transferred by such candidate, political committee, or other such person in accordance with the Uniform Unclaimed Property Act of 1997.

Present law requires candidates and political committees to file reports with the Supervisory Committee on Campaign Finance Disclosure and prescribes the contents of such reports, including disclosure of all disbursements made during the reporting period, and the nature, recipient, and an explanation thereof.

Proposed law specifically requires reporting of payments made as unclaimed property.

Present law, as it relates to the Unclaimed Property Act of 1997, provides that property is presumed abandoned if it is unclaimed by the apparent owner under certain circumstances.

Proposed law retains present law and further provides that checks for the return of excess campaign contributions are presumed abandoned six months from the date of the check if not negotiated.

(Amends R.S. 9:154(A)(18) and 18:1491.7(B)(21) and 1495.5(B)(20); Adds R.S. 9:154(A)(19) and R.S. 18:1505.2(I)(7))