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## DIGEST

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Bruneau

HB No. 51

**Abstract:** Provides for certain disclosures and prohibitions relative to the receipt of any thing of economic value by an elected official or his immediate family member which is derived, either directly or through a legal entity in which such a person owns 5% or more, through a contract or subcontract which is related to a gubernatorially declared disaster or emergency and which such person knows or reasonably should know is funded or reimbursed with federal funds.

Proposed law requires an elected official and his immediate family members to disclose certain specific information regarding the receipt (either directly or through a legal entity in which such a person owns 5% or more) of any thing of economic value through a contract or subcontract which is related to a gubernatorially declared disaster or emergency and which such person knows or reasonably should know is or may be funded or reimbursed in whole or in part with federal funds. Proposed law requires the following information to be disclosed to the Board of Ethics (ethics board):

- (1) If an elected official, the official's name, address, and office held or if an immediate family member, the person's name and address; the name, address, and office of the elected official to whom the person is related; and the nature of the relationship.
- (2) If through a legal entity, the name and business address of the entity, the official's or immediate family member's ownership interest in the entity, and the position, if any, held by the official or immediate family member in the legal entity.
- (3) The nature of the contract or subcontract, including the amount of the contract or subcontract and a description of the goods or services provided or to be provided.
- (4) The amount of income or value of any thing of economic value derived through the contract or subcontract by the official or immediate family member for the previous six months (except as provided for initial statements).

Proposed law requires an initial disclosure statement containing all of the information specified above to be filed with the ethics board no later than 30 days after the effective date of proposed law. Specifies instead of disclosing the actual amount of income or value of any thing of economic value derived from the contract or subcontract for the previous six months, the official or immediate family member shall include the amount of income or value of any thing of economic value to be derived or reasonably expected to be derived from the contract or subcontract for the first calendar year of the contract or subcontract. Proposed law then requires

disclosure statements to be filed no later than February 15 of each year that include information for July 1 through December 31 for the previous calendar year and no later than July 15 to include information for January 1 through June 30 of the current calendar year. Proposed law requires such disclosure statements to be filed until a disclosure statement is filed after the completion of the contract or subcontract.

Proposed law specifies that annual disclosure statements shall not be required for the receipt of things of value pursuant to contracts or subcontracts entered into prior to an official taking office. However, it prohibits the renewal of such a contract or subcontract after the elected official takes office. Proposed law specifies that all disclosure statements filed pursuant to proposed law are public records.

Proposed law provides that failure to file a statement, failure to timely file a statement, failure to disclose required information, or filing a false statement shall subject a person to penalties as provided in the Code of Governmental Ethics (present law). Additionally imposes penalties of \$100 per day for failure to file, knowingly and willfully failing to timely file, or knowingly and willfully failing to disclose or accurately disclose any information required for each day until the statement or required accurate information is filed.

Proposed law specifies that the provisions of proposed law above are applicable to the disclosure of things of economic value received prior to the effective date of proposed law. Proposed law specifies that after the effective date of proposed law no elected official, immediate family member of an elected official, or legal entity in which an elected official or his immediate family member owns 5% or more shall enter into any contract or subcontract which is related to a gubernatorially declared disaster or emergency and which the official or immediate family member knows or reasonably should know is or may be funded or reimbursed in whole or in part with federal funds.

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

(Adds R.S. 42:1114.3)