

Regular Session, 2014

HOUSE BILL NO. 105

BY REPRESENTATIVE JAMES

ETHICS: Increases the amount of supplemental compensation or benefits allowed to be provided to an attorney who is a public employee who is participating in a bona fide Loan Repayment Assistance Program

1 AN ACT

2 To amend and reenact R.S. 42:1111(A)(4), relative to the Code of Governmental Ethics; to  
3 increase the amount of supplemental compensation or benefits allowed to be  
4 provided to an attorney who is a public employee who is participating in a certain  
5 bona fide Loan Repayment Assistance Program; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 42:1111(A)(4) is hereby amended and reenacted to read as follows:

8 §1111. Payment from nonpublic sources

9 A.

10 \* \* \*

11 (4) Up to ~~three~~ five thousand dollars per year to be credited against qualified  
12 student loan debt that is provided to a former law student who is an attorney and a  
13 public employee through a bona fide Loan Repayment Assistance Program  
14 established as a qualified program under the federal Internal Revenue Code and  
15 administered by any law school using funds or property accruing to the benefit of the  
16 law school or from a foundation which is organized specifically to aid and support  
17 the programs of the law school and the charter of which specifically provides that the  
18 purpose of the foundation is to aid the law school in a philanthropic manner shall be  
19 deemed for purposes of this Subsection as a supplement to his compensation to

1           which he is duly entitled. However, such a supplement shall not be considered  
 2           regular compensation from the governmental entity which employs him, nor shall  
 3           it be the basis for governmentally supported benefits.

4   \*       \*       \*

5           Section 2. This Act shall become effective upon signature by the governor or, if not  
 6           signed by the governor, upon expiration of the time for bills to become law without signature  
 7           by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If  
 8           vetoed by the governor and subsequently approved by the legislature, this Act shall become  
 9           effective on the day following such approval.

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)]

James

HB No. 105

**Abstract:** Increases the maximum amount of supplemental compensation or benefits allowed to be provided to an attorney who is a public employee who is participating in a bona fide Loan Repayment Assistance Program from \$3,000 to \$5,000.

Present law (R.S. 42:1111(A) – ethics code) generally prohibits public servants (public employees and elected officials) from receiving anything of economic value other than compensation and benefits from the governmental entity to which he is duly entitled for the performance of the duties of his office or position.

Present law provides certain exceptions, including a provision which allows up to \$3,000 per year to be credited against qualified student loan debt that is provided to a former law student who is an attorney and public employee through a bona fide Loan Repayment Assistance Program established as a qualified program under the federal Internal Revenue Code and administered by any law school using funds or property accruing to the benefit of the law school or from a foundation organized to aid the law school in a philanthropic manner. Provides that any such funds received by such public employee shall be deemed as supplementary to compensation to which he is duly entitled. Prohibits such a supplement from being considered regular compensation from his employer and from being the basis for governmentally supported benefits.

Proposed law changes the amount allowed to be credited from a maximum of \$3,000 per year to a maximum of \$5,000 per year and otherwise retains present law.

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

(Amends R.S. 42:1111(A)(4))