

**LEGISLATIVE FISCAL OFFICE**  
**Fiscal Note**



Fiscal Note On: **HB 820** HLS 16RS 1261

Bill Text Version: **ORIGINAL**

Opp. Chamb. Action:

Proposed Amd.:

Sub. Bill For.:

<b>Date:</b> April 5, 2016	1:28 PM	<b>Author:</b> PUGH
<b>Dept./Agy.:</b> Ethics		<b>Analyst:</b> Monique Appeaning
<b>Subject:</b> Lobbying		

LOBBYING

OR SEE FISC NOTE SG RV

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Provides certain prohibited conduct related to lobbying

Present law (R.S. 24:50 et seq.) provides for the registration and regulation of persons engaged in lobbying the legislature. Requires lobbyists to report expenditures made for the purpose of lobbying monthly. Provides for certain prohibited conduct. Proposed law additionally prohibits an officer, director, employee, or agent of a nonprofit organization or officer, director, employee, or agent of a member of a nonprofit organization or any other person acting on behalf of such a nonprofit organization or nonprofit member from using the authority or influence of his bargaining position, directly or indirectly, in a manner intended to compel or coerce any person or agent thereof to contribute any thing of economic value to a nonprofit organization engaged in lobbying activity as a condition or implied condition of engaging in a business or financial relationship with the nonprofit organization or nonprofit member or agent acting on behalf of the nonprofit organization or member. Proposed law specifies that any person who violates the provisions of proposed law shall be subject to the penalties

**Continued On Page Two**

<b>EXPENDITURES</b>	<b>2016-17</b>	<b>2017-18</b>	<b>2018-19</b>	<b>2019-20</b>	<b>2020-21</b>	<b>5 -YEAR TOTAL</b>
State Gen. Fd.	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
Agy. Self-Gen.	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	
Ded./Other	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
Federal Funds	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
Local Funds	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<b><u>\$0</u></b>
<b>Annual Total</b>						

<b>REVENUES</b>	<b>2016-17</b>	<b>2017-18</b>	<b>2018-19</b>	<b>2019-20</b>	<b>2020-21</b>	<b>5 -YEAR TOTAL</b>
State Gen. Fd.	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
Agy. Self-Gen.	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	
Ded./Other	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
Federal Funds	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
Local Funds	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<b><u>\$0</u></b>
<b>Annual Total</b>						

**EXPENDITURE EXPLANATION**

There is no anticipated direct material effect on governmental expenditures as a result of this measure. Proposed law adds certain prohibited activities of officers, directors, employees, or agents of nonprofit organizations or officers, directors, employees, or agents of members of nonprofits organizations or any others acting on behalf of such nonprofits. Extra complaints would create additional work for the Board. The Board would handle those complaints during its monthly Board meetings. If after an investigation, the Board filed charges, the hearings would be before the Ethics Adjudicatory Board which are charged against the Board. The Board reports that it has sufficient staff and fiscal resources to absorb the projected workload increase.

**REVENUE EXPLANATION**

Proposed law may result in an indeterminable increase in self-generated revenues as a result of imposition of penalties (potential fines) for failing to comply with proposed law. Fines from violations and late fees are considered income not available and accrue to the SGF. The maximum fine is \$10,000.

Senate      Dual Referral Rules      House

- |   |  |
|---|--|
| <input type="checkbox"/> 13.5.1 >= \$100,000 Annual Fiscal Cost {S&H}       | <input type="checkbox"/> 6.8(F)(1) >= \$100,000 SGF Fiscal Cost {H & S}                    |
| <input type="checkbox"/> 13.5.2 >= \$500,000 Annual Tax or Fee Change {S&H} | <input type="checkbox"/> 6.8(G) >= \$500,000 Tax or Fee Increase or a Net Fee Decrease {S} |

*Evan Brasseaux*

**Evan Brasseaux**  
**Staff Director**

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**CONTINUED EXPLANATION from page one:**

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**Continued Summary From Page One**

contained in present law (R.S. 42:1153) for violations of the ethics code and other laws under the jurisdiction of the ethics board (censure by the board or the imposition of a fine of not more than \$10,000, or both). Further provides that the ethics board may recommend to the legislature that the legislature censure any person found guilty of a violation proposed law and prohibit such person from lobbying or from engaging a lobbyist for not less than 30 days and not more than one year. Specifies that the board shall afford any person accused of such a violation a hearing in accordance with the administration and enforcement provisions of the ethics code. Further specifies that such penalties shall be in addition to any other applicable penalties or any other remedy or relief provided by law. (Adds R.S. 24:56(H) and 58.2)

Senate      Dual Referral Rules      House

13.5.1 >= \$100,000 Annual Fiscal Cost {S&H}

6.8(F)(1) >= \$100,000 SGF Fiscal Cost {H & S}

13.5.2 >= \$500,000 Annual Tax or Fee Change {S&H}

6.8(G) >= \$500,000 Tax or Fee Increase or a Net Fee Decrease {S}

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