

2018 Regular Session

HOUSE BILL NO. 7

BY REPRESENTATIVE GREGORY MILLER

1 AN ACT

2 To amend and reenact R.S. 42:1111(E)(2), relative to certain required statements filed by
3 elected officials regarding certain transactions with their governmental entity or its
4 officials or agencies; to remove the requirement for a sworn statement; to provide for
5 a certification by the elected official; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 42:1111(E)(2) is hereby amended and reenacted to read as follows:

8 §1111. Payment from nonpublic sources

9 * * *

10 E. Payments for rendering assistance to certain persons.

11 * * *

12 (2)(a) No elected official of a governmental entity shall receive or agree to
13 receive any thing of economic value for assisting a person in a transaction or in an
14 appearance in connection with a transaction with the governmental entity or its
15 officials or agencies, unless he files a ~~sworn~~ written statement with the board prior
16 to or within ten days after initial assistance is rendered.

17 (b) For purposes of this Paragraph, "transaction" shall not include a
18 ministerial transaction. "Ministerial transaction" means a transaction that involves
19 routine, administrative communications intended to obtain service, information, or
20 assistance from a public employee whose duties are established in plain and
21 unmistakable terms by law, rule, or regulation.

1 (c) The contents of the ~~sworn~~ written statement required by this Paragraph
 2 shall be prescribed by the board and ~~such~~ shall include a certification by the elected
 3 official filing it that the information contained in the statement is true and correct
 4 to the best of his knowledge, information, and belief. The statement shall be a public
 5 record.

6 (d) The board shall review all ~~sworn~~ statements filed in accordance with this
 7 Paragraph. If the board determines that ~~any such sworn~~ a statement is deficient or
 8 may suggest a possible violation of this Part, it shall, within ten days of the receipt
 9 of such statement, notify the elected official filing the statement of its findings. Such
 10 notification shall be deemed confidential and privileged and shall be made public
 11 only in connection with a public hearing by the board for an alleged violation of this
 12 Part where such would be relevant to the alleged violation for which the elected
 13 official is being investigated.

14 Section 2. This Act shall become effective on January 1, 2019.

 SPEAKER OF THE HOUSE OF REPRESENTATIVES

 PRESIDENT OF THE SENATE

 GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____