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The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Matt DeVille.

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DIGEST

SB 10 Original

2020 Second Extraordinary Session

Hewitt

Present law generally prohibits public servants from participating in transactions in which they have a personal substantial economic interest, of which they may be reasonably expected to know, involving their governmental entity as well as from participating in transactions in which, to their actual knowledge any; immediate family member; person of which they are an officer, director, trustee, partner, or employee; person with whom they are negotiating or have an arrangement concerning prospective employment; or person who is a party to an existing contract with such public servant or with any legal entity in which the public servant exercises control or owns an interest in excess of 25%, or who owes any thing of economic value to such public servant, or to any legal entity in which the public servant exercises control or owns an interest in excess of 25%, and who by reason thereof is in a position to directly affect the economic interests of such public servant has a substantial economic interest.

Proposed law provides exceptions to present law by allowing an officer of a state or local law enforcement or firefighter association serving as an elected or appointed member of any fire or police civil service board to participate in transactions in which the association of which he is an officer has a substantial economic interest involving members of the association as well as transactions involving a classified employee of the agency whom the association represents in collective bargaining.

Present law requires any elected official to recuse himself from voting on a matter which would be a violation of R.S. 42:1112, but does not require him to abstain from participating in debate and discussion on the matter, provided he makes the disclosure of his conflict or potential conflict part of the record of his agency prior to the vote.

Present law requires any appointed member of a board or commission to recuse himself from voting on a matter which would be a violation of R.S. 42:1112 and prohibits him from participating in debate and discussion on the matter.

Proposed law provides exceptions to present law by allowing an officer of a state or local law enforcement or firefighter association serving as an elected or appointed member of a fire or police civil service board to vote on matters involving the association of which they are an officer that would otherwise be a violation of R.S. 42:1112.

Present law prohibits a legal entity of which a public servant is an officer from receiving any thing of economic value for assisting a person in a transaction, or in appearance in connection with a transaction, with the agency of such public servant.

Proposed law provides an exception to present law by allowing a state or local law enforcement or

firefighter association to represent a member or classified employee of the agency whom it represents in collective bargaining before any fire or police civil service board when an officer of the association serves as a member of the civil service board.

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

(Adds R.S. 42:1123(47) and (48))