

2022 Regular Session

HOUSE BILL NO. 281

BY REPRESENTATIVE MARCELLE

CAMPAIGN FINANCE: Provides relative to the assessment of penalties for failure to timely file required reports

1 AN ACT

2 To amend and reenact R.S. 18:1505.4(A)(2)(a)(ii) and (iii), relative to campaign finance; to
3 provide relative to the assessment of penalties; and to provide for related matters.

4 Be it enacted by the Legislature of Louisiana:

5 Section 1. R.S. 18:1505.4(A)(2)(a)(ii) and (iii) are hereby amended and reenacted
6 to read as follows:

7 §1505.4. Civil penalties; failure to file; timely and accurate filing; forfeiture

8 A.

9 * * *

10 (2)(a) The amount of such penalty may be:

11 * * *

12 (ii) Sixty dollars per day, not to exceed ~~two~~ one thousand dollars, for any
13 candidate for district office and any treasurer or chairman of any political committee
14 designated as a principal campaign committee or subsidiary committee of such a
15 candidate.

16 (iii) Forty dollars per day, not to exceed ~~one thousand~~ five hundred dollars,
17 for any candidate for all other offices and any treasurer or chairman of any political
18 committee designated as a principal campaign committee or subsidiary committee
19 of such a candidate.

20 * * *

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)]

HB 281 Engrossed

2022 Regular Session

Marcelle

Abstract: Changes the cap for per day penalties for failing to file or failing to timely file campaign reports for district office candidates from \$2,000 to \$1,000 and for other office candidates from \$1,000 to \$500.

Present law provides that any candidate, the treasurer or chairman of a political committee, or any other person required to file campaign finance reports, who knowingly fails to file or who knowingly fails to timely file any such required may be assessed a civil penalty for each day until such report is filed. Present law (R.S. 42:1157(B)) requires the staff of the ethics board to mail by certified mail a notice of delinquency within four days after the due date of any report or statement due that the staff knows or has reason to know has not been timely filed.

Present law provides that the amount of the per day penalty may be:

- (a) \$100 per day not to exceed \$2,500 for major office.
- (b) \$60 per day not to exceed \$2,000 for district office.
- (c) \$40 per day not to exceed \$1,000 for other office.

Proposed law changes the cap on the per day penalties for district office candidates from \$2,000 to \$1,000 and for other office candidates from \$1,000 to \$500.

(Amends R.S. 18:1505.4(A)(2)(a)(ii) and (iii))

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on House and Governmental Affairs to the original bill:

1. Remove provision that per day civil penalties for failing to file or failing to timely file campaign reports do not begin until after a certified notice of delinquency is received.
2. Change the proposed new cap on the per day penalty amount for district office candidates from \$500 to \$1,000.