
DIGEST

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HB 740 Original

2024 Regular Session

Marcelle

Abstract: Changes the maximum 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 and excludes legal holidays from the computation of days for which penalties may be assessed on all candidates.

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 report 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 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 (R.S. 42:1160) further requires the board to send communications electronically in a timely manner to filing parties who file through the Computerized Data Management System.

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 maximum 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.

In addition to the daily penalties for failure to timely file, present law provides for an additional civil penalty not to exceed \$10,000 imposed on any person required to file a report between the time a candidate qualifies and election day who has not filed such report by the sixth day after the report is due, or the 11th day after the report is due for all other reports. Further provides that a person who knowingly or willfully fails to accurately disclose any required information in a required report may be assessed an additional civil penalty for each day until such information is disclosed by amendment to the appropriate report.

Proposed law provides that the computation of days provided for in present law shall not include Saturdays, Sundays, or other legal holidays.

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