

**HOUSE SUMMARY OF SENATE AMENDMENTS****HB 426****2024 Regular Session****Melerine**

ETHICS/CODE: Provides exceptions to the Code of Governmental Ethics

**Synopsis of Senate Amendments**

1. Adds an ethics exception to allow a member of an elected body who is an employee of a prohibited source to receive compensation from the prohibited source if specified conditions apply.
2. Adds an ethics exception to allow a teacher, coach, or other educational professional to provide academic tutoring services or athletic training services to students that attend the school at which the teacher, coach, or other educational professional is assigned and to allow the waiver of fees associated with the use of school facilities for these purposes.
3. Removes requirement that the academic tutoring arrangement, including use of school facilities, is approved by the employing school board in accordance with rules and procedures established by BESE.
4. Makes proposed law effective upon signature of the governor.

**Digest of Bill as Finally Passed by Senate**

Present law (ethics code–R.S. 42:1111) generally prohibits a public servant from receiving compensation from a source other than his governmental entity for the performance of duties and responsibilities of his office or position or from receiving any thing of economic value for any service, the subject matter of which is devoted substantially to the responsibilities, programs, or operations of the agency of the public servant and in which the public servant has participated. Present law (ethics code–R.S. 42:1113) generally prohibits a public servant and related persons from engaging in any transaction under the supervision and jurisdiction of the agency of the public servant. Provides exceptions.

Proposed law provides an exception to allow a teacher, coach, or other educational professional to provide academic tutoring or athletic training services for compensation to students who attend the school at which the teacher, coach, or other educational professional is assigned and for the waiver of any usage fees associated with the use of school facilities for these purposes.

Proposed law provides an exception to allow a member of an elected body who is an employee of a prohibited source to receive compensation from the prohibited source if the member is a salaried or wage earning employee of the prohibited source; the member's salary or wages are not materially impacted by the transaction between the public body and the prohibited source; the member is not an officer, director, or trustee of the prohibited source; the member does not have an ownership interest in excess of one percent in the prohibited source; and the member does not participate in any vote related to a transaction or perform any duties related to a transaction between the public entity and the prohibited source.

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

(Adds R.S. 42:1123(41) and (42))