

## RÉSUMÉ DIGEST

ACT 137 (HB 675)

2024 Regular Session

Wyble

Existing law provides that when the results of the investigation by the supervisory committee indicate that a violation of the Campaign Finance Disclosure Act that is subject to civil penalties has occurred, except for knowingly failing to file or timely file reports, the Bd. of Ethics, acting as the Supervisory Committee on Campaign Finance, is authorized to file proceedings to collect the civil penalties.

Prior law required the Bd. of Ethics to file such proceedings as civil proceedings in district court.

New law instead requires the Bd. of Ethics to file adjudicatory proceedings with the Ethics Adjudicatory Board, which shall conduct an adjudicatory hearing in accordance with the Code of Governmental Ethics. Provides that the respondent may remove the proceedings to the district court of the parish in which the respondent is domiciled.

Existing law requires the district court to take into consideration several specific factors in determining the amount of the penalty to assess. New law requires the same of the Ethics Adjudicatory Bd. during the administrative proceeding.

Existing law provides that prior to the use of certain confidential accounts or records in any civil proceeding, the supervisory committee shall file a motion in a court of proper jurisdiction requesting a determination of the relevancy or materiality of such accounts or records to an action for violation of existing law. After a confidential, in-camera proceeding, if the court determines that the accounts or records are relevant and material to an action, then such accounts or records shall cease to be confidential in nature and may be introduced as evidence in a proceeding without further restriction. New law requires the Bd. of Ethics to file the same motion in a proceeding before the Ethics Adjudicatory Bd.

Existing law requires that any action brought pursuant to the Campaign Finance Disclosure Act shall be advanced on the docket of the district court in which filed, and shall take precedence over and be considered in advance of all other actions not brought pursuant to the Campaign Finance Disclosure Act. New law requires the same of actions removed to district court, pursuant to new law.

Effective August 1, 2024.

(Amends R.S. 18:1511.5, 1511.7, 1511.8(C), and 1511.11(A))