SLS 13RS-246

Regular Session, 2013

SENATE BILL NO. 129

BY SENATOR JOHN SMITH

ETHICS. Provides for an exception to the definition of "public employee" relative to the Code of Governmental Ethics. (8/1/13)

1	AN ACT			
2	To amend and reenact R.S. 42:1102(18)(b), relative to the Code of Governmental Ethics; to			
3	provide an exception to the definition of a public employee; to provide relative to			
4	Hospital Service District Number Two of Beauregard Parish; to provide for			
5	retroactive application; and to provide for related matters.			
6	Notice of intention to introduce this Act has been published.			
7	enacted by the Legislature of Louisiana:			
8	Section 1. R.S. 42:1102(18)(b) is hereby amended and reenacted to read as follows:			
9	§1102. Definitions			
10	Unless the context clearly indicates otherwise, the following words and			
11	terms, when used in this Chapter, shall have the following meanings:			
12	* * *			
13	(18)(a) * * * *			
14	(b) However, "public employee" does shall not mean anyone a person whose			
15	public service is limited to periodic any of the following:			
16	(i) The donation of property to and the operation of a hospital within			
17	Hospital Service District Number Two of Beauregard Parish.			

Page 1 of 2 Coding: Words which are struck through are deletions from existing law; words in **boldface type and underscored** are additions. 2

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1	(ii) Periodic duty	y in the National	Guard pursuant to	32 U.S.C.A. 502.

Section 2. The provisions of this Act shall be given retroactive application.

The original instrument was prepared by Tim Prather. The following digest, which does not constitute a part of the legislative instrument, was prepared by J. Ashley Mitchell.

DIGEST

John Smith (SB 129)

Present law defines "public employee" as anyone, whether compensated or not, who is:

- (1) An administrative officer or official of a governmental entity who is not filling an elective office.
- (2) Appointed by any elected official when acting in an official capacity, and the appointment is to a post or position wherein the appointee is to serve the governmental entity or an agency thereof, either as a member of an agency, or as an employee thereof.
- (3) Engaged in the performance of a governmental function.
- (4) Under the supervision or authority of an elected official or another employee of the governmental entity.

<u>Present law</u> provides that public employee does not mean anyone whose public service is limited to periodic duty in the National Guard.

<u>Proposed law</u> retains <u>present law</u> exception and further adds anyone who donates property to and operates a hospital within Hospital Service District Number Two of Beauregard Parish.

Effective August 1, 2013.

(Amends R.S.42:1102(18)(b))

Summary of Amendments Adopted by Senate

<u>Committee Amendments Proposed by Senate Committee on Senate and</u> <u>Governmental Affairs to the original bill</u>

1. Technical Amendment