

SENATE SUMMARY OF HOUSE AMENDMENTS

SB 61 By Senator Morrish

KEYWORD AND SUMMARY AS RETURNED TO THE SENATE

ETHICS. Provides exceptions for certain public servants to have a contractual relationship with certain governmental entities. (8/1/13)

SUMMARY OF HOUSE AMENDMENTS TO THE SENATE BILL

1. Removes exemption for the executive director of BESE, his spouse or any legal entity of the person, from the prohibition against entering into any contract with state government.
2. Removes provisions allowing a member of a governing authority of a municipality with a population of 5,000 or less or legal entity in which he has a controlling interest to render compensated services to a person or entity which has entered into a transaction with the municipality.
3. Adds provision to authorize a member of a governing authority of a municipality with a population of 5,000 or less or legal entities in which the member has an interest in excess of 25% to perform bona fide compensated services for persons who have or are seeking a contractual or other relationship with the municipality, subject to certain requirements.

DIGEST OF THE SENATE BILL AS RETURNED TO THE SENATE

Present law (ethics code) provides that no public servant and no legal entity in which the public servant exercises control or owns an interest in excess of 25% will receive any thing of economic value for or in consideration of services rendered, or to be rendered, to or for any person who has or is seeking to obtain a contractual or other business or financial relationships with the public servant's agency. Present law defines "public servant" as a public employee or an elected official.

Proposed law provides an exception to allow a member of a governing authority of a municipality with a population of 5,000 or less according to the latest decennial census, or a legal entity in which the member exercises control or owns an interest in excess of 25% to perform bona fide compensated services for any person who has or is seeking to obtain a contractual or other business or financial relationship with the municipality subject to the following requirements:

- (1) The governing authority member recuses himself on all matters involving the municipality and the person.
- (2) The terms and conditions of the services performed by the governing authority member are customary and reasonable and the compensation received by the governing authority member is commensurate with the level of the service provided.

(Adds R.S. 42:1123(43))

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