

Regular Session, 2014

SENATE BILL NO. 134

BY SENATOR AMEDEE

ETHICS. Provides relative to the Board of Ethics and Ethics Adjudicatory Board enforcement authority. (8/1/14)

1 AN ACT

2 To amend and reenact R.S. 42:1124.4(A)(1) and 1141.5(C) and to enact R.S.
3 42:1157(A)(4)(f), relative to the Board of Ethics and Ethics Adjudicatory Board
4 enforcement authority; to provide for notice of delinquency delivery methods; to
5 clarify the duty of the Ethics Adjudicatory Board; to provide for penalties; and to
6 provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 42:1124.4(A)(1) and 1141.5(C) are hereby amended and reenacted
9 and R.S. 42:1157(A)(4)(f) is hereby enacted to read as follows:

10 §1124.4. Penalties

11 A.(1) If a person fails to timely file a financial statement as required by R.S.
12 18:1495.7 or by R.S. 42:1124, 1124.2, 1124.2.1, or 1124.3, or a person omits any
13 information required to be included in the statement, or the board has reason to
14 believe information included in the statement is inaccurate, the board shall notify the
15 person of such failure, omission, or inaccuracy by sending him by certified mail or
16 private process server a notice of delinquency immediately upon discovery of the
17 failure, omission, or inaccuracy.

1 * * *

2 §1141.5. Adjudicatory hearings

3 * * *

4 C. If the public hearing of the adjudicatory panel fails to disclose clear and
5 convincing evidence to support the charges, the adjudicatory panel shall make an
6 official determination of its findings and shall issue a final decision. The person
7 charged and the complainant shall be notified ~~in writing~~ **via certified mail** within ten
8 days of the adjudicatory panel's rendition of a final decision. The person charged
9 may require the adjudicatory panel to make an official determination of the validity
10 of the charges against him.

11 * * *

12 §1157. Late filing fees

13 A. * * *

14 (4) Any late filing fees assessed by the Board of Ethics or its staff, for any
15 failure to timely file any report or statement due, shall not exceed the following:

16 * * *

17 **(f) If the fee is five hundred dollars per day, the maximum shall be**
18 **twelve thousand five hundred dollars.**

19 * * *

The original instrument and the following digest, which constitutes no part
of the legislative instrument, were prepared by Ashley Menou.

DIGEST

Amedee (SB 134)

Present law provides that the Board of Ethics use certified mail to send notices of delinquency.

Proposed law allows the Board of Ethics to use a private process server to send notices of delinquency.

Present law provides that notices of hearings and orders issued by the Ethics Adjudicatory Board are to be sent in writing.

Proposed law provides that notices of hearings and orders issued by the Ethics Adjudicatory Board are to be sent via certified mail.

Present law provides no maximum fee for late filing of financial disclosure reports, (Tier 1).

Proposed law sets the maximum fee for late filing personal financial disclosure reports with a \$500 a day fee at \$12,500.

Effective August 1, 2014.

(Amends R.S. 42:1124.4(A)(1) and 1141.5(C); adds R.S. 42:1157(A)(4)(f))