

Regular Session, 2014

HOUSE BILL NO. 805

BY REPRESENTATIVE BARROW

CONTRACTS: Provides for required information from entities with state contracts

1 AN ACT

2 To enact R.S. 38:2183, relative to public contracts; to require certain information  
3 submissions from entities with state contracts; and to provide for related matters.

4 Be it enacted by the Legislature of Louisiana:

5 Section 1. R.S. 38:2183 is hereby enacted to read as follows:

6 §2183. Contractor information requirements

7 A. Any entity, including an individual, company, corporation, partnership,  
8 or firm, contracting with the state shall submit to the office of facility planning and  
9 control within forty five days of executing the contract the following information:

10 (1) The entity's full legal name, mailing address, and physical address.

11 (2) The type of entity and, if the entity is a corporation, the names of the  
12 incorporators of the recipient. If the entity is required to register with the Secretary  
13 of State, the entity shall show evidence of good standing with that office.

14 (3) The last four numbers of the taxpayer identification number of the entity.

15 (4) The full names and addresses of the governing board and all officers of  
16 the recipient entity. Additionally, the entity shall provide the full names and  
17 addresses of its executive director, chief executive officer, or other person  
18 responsible for the operation of the entity, and the key personnel responsible for the  
19 program or functions to be funded through the proposed funding.

20 (5) The dollar amount of the contract with the state.

1           (6) The entity's proposed comprehensive budget showing all anticipated uses  
2           of the proposed monies, including additional sources of revenue for the program or  
3           project proposed, and amounts budgeted by categories of expenditures, including but  
4           not limited to salaries, operating services, professional services, contracts,  
5           acquisitions, major repairs, and other charges.

6           (7) A certification that the entity has no outstanding audit issues or findings  
7           or that the entity is working with appropriate governmental agencies to resolve those  
8           issues or findings.

9           (8) The proposed length of time the entity estimates is needed to accomplish  
10          the contract.

11          (9) If any elected or appointed state official or an immediate family member  
12          of such an official is an officer, director, trustee, or employee of the entity who  
13          receives compensation or holds any ownership interest therein:

14           (a) If an elected or appointed state official, the name and address of the  
15           official and the office held by such person.

16           (b) If an immediate family member of an elected or appointed state official,  
17           the name and address of such person; the name, address, and office of the official to  
18           whom the person is related; and the nature of the relationship.

19           (c) The percentage of the official's or immediate family member's ownership  
20           interest in the entity, if any.

21           (d) The position, if any, held by the official or immediate family member in  
22           the entity.

23          (10) If the entity has a contract with any elected or appointed state official  
24          or an immediate family member of such an official or with the state or any political  
25          subdivision of the state:

26           (a) If the contract is with an elected or appointed state official, the name and  
27           address of the official and the office held by such person.

- 1           (b) If the contract is with an immediate family member of an elected or
- 2           appointed state official, the name and address of such person; the name, address, and
- 3           office of the official to whom the person is related; and the nature of the relationship.
- 4           (c) If the contract is with the state or a political subdivision of the state, the
- 5           name and address of the state entity or political subdivision.
- 6           (d) The nature of the contract, including a description of the goods or
- 7           services provided or to be provided pursuant to the contract.
- 8           B. If a contractor fails to submit all of the information required by this
- 9           Section the contractor shall be prohibited from receiving compensation for any
- 10          performance on the contract and the contract may be terminated.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

Barrow

HB No. 805

**Abstract:** Requires certain information submissions from entities with state contracts.

Proposed law requires any entity including an individual, company, corporation, partnership, or firm contracting with the state shall submit to the office of facility planning and control within 45 days of executing the contract the following information:

- (1) The entity's full legal name, mailing address, and physical address.
- (2) The type of entity and, if the entity is a corporation, the names of the incorporators of the recipient. If the entity is required to register with the Secretary of State, the entity shall show evidence of good standing with that office.
- (3) The last four numbers of the taxpayer identification number of the entity.
- (4) The full names and addresses of the governing board and all officers of the recipient entity. Additionally, the entity shall provide the full names and addresses of its executive director, chief executive officer, or other person responsible for the operation of the entity, and the key personnel responsible for the program or functions to be funded through the proposed funding.
- (5) The dollar amount of the contract with the state.
- (6) The entity's proposed comprehensive budget showing all anticipated uses of the proposed monies, including additional sources of revenue for the program or project proposed, and amounts budgeted by categories of expenditures, including but not limited to salaries, operating services, professional services, contracts, acquisitions, major repairs, and other charges.

- (7) A certification that the entity has no outstanding audit issues or findings or that the entity is working with appropriate governmental agencies to resolve those issues or findings.
- (8) The proposed length of time the entity estimates is needed to accomplish the contract.
- (9) If any elected or appointed state official or an immediate family member of such an official is an officer, director, trustee, or employee of the entity who receives compensation or holds any ownership interest.
- (10) If the entity has a contract with any elected or appointed state official or an immediate family member of such an official or with the state or any political subdivision of the state.

Proposed law prohibits a contractor from receiving compensation for performance on a contract if the contractor fails to submit all of the information required by proposed law. Also allows the office of facility planning and control to terminate the contract.

(Adds R.S. 38:2183)