

Prior law provided that staff of the Board of Ethics may assess and issue a final order for the payment of late filing fees, in accordance with rules adopted by the Board of Ethics, for any failure to timely file any report or statement due under any law under its jurisdiction as provided in prior law (relative to the ethics code, campaign finance disclosure, certain gaming provisions, legislative lobbying, executive branch lobbying, and local government lobbying). Prior law provided that a final order shall be appealable to the Ethics Adjudicatory Board for an adjudicatory hearing conducted in accordance with prior law (R.S. 42:1141.5). Prior law further provided that the board may waive all or any part of late filing fees so assessed. Required the board to promulgate rules governing the procedure to request a waiver as well as to provide for waiver for "good cause" shown. "Good cause" shall be defined as any action or circumstance which, in the considered judgment of the board, was not within the control of the late filer and which was the direct cause of the late filing. Provided that the final disposition of the Board of Ethics on a request for a waiver shall not be appealable to the Ethics Adjudicatory Board. Prior law further provided that all funds collected by the staff of the Board of Ethics as provided in prior law shall be deposited upon receipt in the state treasury.

New law retains prior law and further provides that when all delays for a request for waiver or appeal of late fees have expired, a final order of the Board of Ethics or its staff shall become executory and may be enforced as any other money judgment. Authorizes the Board of Ethics to file civil proceedings to collect the late fees in a court of competent jurisdiction. Provides that these proceedings be conducted pursuant to the relevant provisions of the Code of Civil Procedure.

Effective August 1, 2014.

(Adds R.S. 42:1157(A)(1)(d))