
DIGEST

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HB 294 Original

2015 Regular Session

Stuart Bishop

Abstract: Requires the filing of financial disclosure statements for all judges and justices of the peace and provides relative to the related procedures, requirements, and penalties.

Proposed law requires all elected judges and justices of the peace to file a financial statement by May 15th of each year during their terms of office and the year following the expiration of the term with the judicial administrator for the La. Supreme Court.

Proposed law further provides that the statement may be filed within 30 days after filing individual tax returns unless there is an extension filed by the judge and notification given to the judicial administrator of his intent to file for an extension.

Proposed law requires all judges and justices of the peace to disclose certain information of certain values by category for the judge and his spouse as it relates to sources of income, immovable property, investment securities, movable property, and liabilities, both secured and unsecured, and provides that all financial statements shall be a matter of public record.

Proposed law requires certification that the judge or justice of the peace has filed his federal and state income tax returns or filed for an extension of time to file.

Proposed law requires the judicial administrator to maintain a website which allows public access for review of filed disclosure reports and the list of those persons who fail to file a statement, fail to timely file a statement, omits information from a statement, or provides inaccurate information in a statement.

Proposed law prohibits the sale or transfer of property for purposes of avoiding disclosure requirements provided for in proposed law.

Proposed law provides for definitions.

Proposed law excludes from reporting requirements provided for in proposed law, reporting income derived from child support and alimony payments by court order or disability payments from any source.

Proposed law requires the judicial administrator to notify any judge or justice of the peace by a notice of delinquency for failure to timely file, omission of certain information, or inaccurate information as it relates to the financial statement and further provides for related procedures.

Proposed law requires the judicial administrator to refer all noncompliant matters and written complaints regarding the financial statement to the Judiciary Commission for determination of a violation and penalties and to make a recommendation to the supreme court regarding the imposition of civil penalties and costs and whether the violation was willful and knowing.

Proposed law provides for the procedures for the supreme court to determine if a violation has occurred and requires the assessment of civil penalties.

Proposed law requires the supreme court to forward any findings where a person knowingly and willfully fails to file a statement, fails to timely file a statement, omits information from a statement, or provides inaccurate information in a statement to the district attorney for the parish where the person is domiciled for prosecution of a misdemeanor.

Proposed law requires that certain proceedings of the supreme court be a matter of public record.

Authorizes judges to be governed by proposed law rather than the code of judicial conduct as it relates to financial disclosure statements.

Effective upon signature of governor or lapse of time for gubernatorial action.

(Adds R.S. 13:65-67)