

Regular Session, 2014

HOUSE BILL NO. 1168

BY REPRESENTATIVE NORTON

ETHICS: Provides an exception to allow certain elected officials who serve on the board of a nonprofit organization to participate in transactions involving the governmental entity and the nonprofit organization

1 AN ACT

2 To enact R.S. 42:1112(E), relative to the Code of Governmental Ethics; to provide an
3 exception to allow participation in certain transactions by certain elected officials;
4 and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 42:1112(E) is hereby enacted to read as follows:

7 §1112. Participation in certain transactions involving the governmental entity

8 * * *

9 E.(1) Notwithstanding the provisions of Paragraph B(3) of this Section, an
10 elected official who serves on the board of a nonprofit organization may participate
11 in transactions involving the governmental entity and the nonprofit organization.

12 (2) The provisions of Paragraph (1) of this Subsection shall not be applicable
13 to an elected official who is the sole decisionmaker in the discharge of the particular
14 duty or responsibility of his office or position.

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)]

Norton

HB No. 1168

Abstract: Provides an ethics exception to allow an elected official, who is not a sole decisionmaker, who serves on the board of a nonprofit organization to participate in transactions involving the governmental entity and the nonprofit organization.

Present law (R.S. 42:1112(B)(3), ethics code) prohibits a public servant from participating in a transaction involving his governmental entity when a person of which he is an officer, director, trustee, partner, or employee has a substantial economic interest. Present law (R.S. 42:1123(1)) provides that nothing in the ethics code shall preclude a public servant from participation in the affairs of charitable, religious, nonprofit educational, public service, or civic organizations, bona fide organized public volunteer fire departments when no compensation is received, or the activities of political parties not proscribed by law; provided, however, that the ethics code shall apply to the purchase of fire trucks by bona fide organized public fire departments.

Proposed law further provides an exception to present law (R.S. 42:1112) to allow an elected official who serves on the board of a nonprofit organization to participate in transactions involving the governmental entity and the nonprofit organization. Specifies that the exception shall not be applicable to an elected official who is the sole decisionmaker in the discharge of the particular duty or responsibility of his office or position.

(Adds R.S. 42:1112(E))