
DIGEST

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HB 141 Original

2020 Regular Session

Beullieu

Abstract: Prohibits public officials and employees from requiring that payments to an official or public entity be made payable to a person by name.

Proposed law prohibits a public official or employee of a public entity from requiring that payments to the official or entity be made payable to a person by name.

Proposed law is applicable to an official, whether elected or appointed and whether compensated or not, and employees of any department, division, office, board, agency, commission, or other organizational unit of any of the three branches of state government or of any parish, municipality, school board, or district, court of limited jurisdiction, or other political subdivision or district, or the office of any sheriff, district attorney, coroner, or clerk of court.

Proposed law provides that a person who violates proposed law has committed the crime of malfeasance in office and is subject to penalties provided by present law for that crime. Present law provides that a person who commits malfeasance in office:

- (1) Shall be imprisoned for not more than five years with or without hard labor or shall be fined not more than \$5000, or both.
- (2) May be ordered to pay restitution to the state if the state suffered a loss as a result of the offense; provides that restitution includes payment of legal interest.
- (3) If the person is a P.O.S.T. certified peace officer, the P.O.S.T. certification shall be immediately revoked.

(Adds R.S. 42:1462)