

2024 Regular Session

HOUSE BILL NO. 110

BY REPRESENTATIVE OWEN

ETHICS: Allows certain persons to know who filed an ethics complaint at the conclusion of board action on complaint

1 AN ACT

2 To enact R.S. 42:1141.4(L)(3), relative to ethics complaints; to provide for the confidential
3 nature of ethics complaints; to require the Board of Ethics to furnish the name of a
4 complainant to certain persons under certain circumstances; and to provide for
5 related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 42:1141.4(L)(3) is hereby enacted to read as follows:

8 §1141.4. Notice and procedure

9 * * *

10 L.

11 * * *

12 (3) After the conclusion of an investigation or other board action on a
13 complaint and upon written request by the person who is subject to the investigation
14 or complaint other than a public servant or agency, the Board of Ethics shall furnish
15 the requestor with the name of the complainant, including the name of a complainant
16 who filed a nonsworn complaint.

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)]

HB 110 Original

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Owen

Abstract: Requires the Board of Ethics to furnish the name of a complainant to the subject of the complaint other than a public servant or agency, upon request after board action on the complain is concluded.

Present law requires the Board of Ethics (ethics board) to redact the name of the complainant prior to sending information to the accused. Present law further provides that it is a misdemeanor punishable by a fine of not more than \$2000 or imprisonment for not more than one year, or both, for any member of the ethics board, or its staff to make public the testimony taken at a private investigation or private hearing of the ethics board or to make any public statement or give out any information concerning a private investigation or private hearing of the ethics board without the written request of the public servant or other person investigated. Present law further provides that any person who, with knowledge of its falsity, makes a false complaint shall be subject to the penalties set forth in present law (R.S. 42:1153) for violations of the ethics code which includes a fine of up to \$10,000 and may also include censure, and for public employees may also include removal, suspension, or reduction in pay, or demotion.

Proposed law provides that after the conclusion of an investigation or other ethics board action on a complaint and upon written request by the person who is subject to an investigation or complaint other than a public servant or agency, the ethics board shall furnish the requestor with the name of the complainant, including the name of a complainant who filed a nonsworn complaint.

(Adds R.S. 42:1141.4(L)(3))