

2026 Regular Session

HOUSE BILL NO. 556

BY REPRESENTATIVE CHASSION

ETHICS/BOARD: Provides for the assessment of fees by the Board of Ethics and Supervisory Committee on Campaign Finance Disclosure

1 AN ACT

2 To amend and reenact R.S. 18:1505.4(A)(1), (B), and (E) and 1511.4.1(B) and R.S.
3 42:1157(A)(1)(b) and to enact R.S. 18:1505.4(A)(4)(c) and (F) and 1511.4.1(E),
4 relative to fees assessed by the Board of Ethics and Supervisory Committee on
5 Campaign Finance Disclosure; to prohibit the conditional waiver of fees by the board
6 and supervisory committee; to provide for notification of failure timely or accurately
7 file campaign finance disclosure reports; to provide for a delay for the accrual of
8 penalties for failure to file or timely or accurately file campaign finance disclosure
9 reports; and to provide for related matters.

10 Be it enacted by the Legislature of Louisiana:

11 Section 1. R.S. 18:1505.4(A)(1), (B), and (E) and 1511.4.1(B) are hereby amended
12 and reenacted and R.S. 18:1505.4(A)(4)(c) and (F) and 1511.4.1(E) are hereby enacted to
13 read as follows:

14 §1505.4. Civil penalties; failure to file; timely and accurate filing; forfeiture

15 A.(1) Any candidate, the treasurer or chairman of a committee, or any other
16 person required to file any reports under this Chapter, who knowingly fails to file or
17 who knowingly fails to timely file any such reports as are required by this Chapter
18 may be assessed a civil penalty as provided in R.S. 18:1511.4.1 for each day until
19 such report is filed, subject to the delays provided in Subsection E of this Section.

20 * * *

CODING: Words in ~~struck through~~ type are deletions from existing law; words underscored are additions.

1 (4)

2 * * *

3 (c) For purposes of this Paragraph, a report shall be considered due on the
4 deadline contained in the notice of delinquency provided for in Subsection E of this
5 Section.

6 * * *

7 B. Any candidate, the treasurer or chairman of any committee, or any other
8 person required to file reports under this Chapter who knowingly and willfully fails
9 to disclose, or knowingly and willfully fails to accurately disclose, any information
10 required by this Chapter to be disclosed in the reports required by this Chapter, may
11 be assessed a civil penalty for each day until such information is disclosed by
12 amendment to the appropriate report of such candidate, committee, or other person
13 filed, subject to the delays provided in Subsection E of this Section. "Knowingly and
14 willfully", for purposes of this Subsection, means conduct which could have been
15 avoided through the exercise of due diligence. Such penalties shall be as provided
16 in Subsection A of this Section.

17 * * *

18 E.(1)(a) If a candidate, the treasurer or chairman of any committee, or any
19 other person required to file reports under this Chapter fails to timely file a report
20 required by this Chapter, or omits any information required to be included in the
21 report, or the supervisory committee has reason to believe information included in
22 the report is inaccurate, the supervisory committee shall notify the candidate, the
23 treasurer or chairman, or other person of such failure, omission, or inaccuracy by
24 sending him by certified mail or service of process a notice of delinquency
25 immediately upon discovery of the failure, omission, or inaccuracy.

26 (b) The notice of delinquency shall inform the candidate, the treasurer or
27 chairman, or other person that the report must be filed, or that the information must
28 be disclosed or accurately disclosed, or that a written answer contesting the
29 allegation of such a failure, omission, or inaccuracy must be filed no later than seven

1 business days after receipt of the notice of delinquency. The notice shall include the
2 deadline for filing the statement, filing the answer, or disclosing or accurately
3 disclosing the information.

4 (c) The supervisory committee shall inform the candidate, the treasurer or
5 chairman, or other person in the notice of delinquency that failure to file the report,
6 to disclose or accurately disclose the information, or to file an answer contesting the
7 allegation by the deadline may result in the imposition of penalties as provided in
8 Subsections A and B of this Section.

9 (2)(a) If the candidate, the treasurer or chairman, or other person files the
10 statement, provides the omitted information, or corrects the inaccurate information
11 prior to the deadline contained in the notice of delinquency, no penalties shall be
12 assessed against the candidate, the treasurer or chairman, or other person. If the
13 candidate, the treasurer or chairman, or other person files a written answer contesting
14 the allegations prior to the deadline contained in the notice of delinquency, no
15 penalties shall be assessed until a determination is made by the supervisory
16 committee that a violation occurred.

17 (b) If the candidate, the treasurer or chairman, or other person fails to file the
18 statement, fails to provide the omitted information, fails to correct the inaccurate
19 information, or fails to file a written answer prior to the deadline contained in the
20 notice of delinquency, he may be subject to assessment of the penalties provided in
21 Subsections A and B of this Section for each day until the statement, omitted
22 information, corrected information, or written answer is filed.

23 (c) Upon a finding by the supervisory committee in connection with a
24 written answer that no violation has occurred, no penalties shall be assessed against
25 the candidate, the treasurer or chairman, or other person. If the supervisory
26 committee finds in connection with a written answer that the candidate, the treasurer
27 or chairman, or other person has failed to file the statement or failed to disclose or
28 accurately disclose the required information, he shall be subject to assessment of the
29 penalties provided in Subsections A and B of this Section for each day until the

1 statement is filed, until the omitted information is filed, or until the inaccurate
2 information is corrected.

3 E. F. The computation of days provided for in Subsections A, ~~and B,~~ and E
4 of this Section shall not include Saturdays, Sundays, or other legal holidays.

5 * * *

6 §1511.4.1. Enforcement; failure to file; failure to timely file

7 * * *

8 B. The supervisory committee may waive all or part of any civil penalties
9 assessed pursuant to Subsection A of this Section. Any waiver granted by the
10 supervisory committee shall be permanent in effect, and the board shall not grant
11 conditional waivers, such as a waiver pending future compliance with any law under
12 its jurisdiction. A request for waiver of such penalties shall be made in writing to the
13 supervisory committee, which shall promulgate rules governing the procedure to
14 request a waiver. The supervisory committee may take into consideration the
15 provisions of R.S. 18:1511.5(B) in its consideration of the request for waiver of civil
16 penalties. The final disposition of a waiver request shall not be appealable to the
17 Ethics Adjudicatory Board or a panel thereof.

18 * * *

19 E. The staff of the supervisory committee shall mail by certified mail a
20 notice of delinquency within four days after the due date of which the staff knows
21 or has reason to know, for any report or statement due under the laws within its
22 jurisdiction which has not been timely filed.

23 Section 2. R.S. 42:1157(A)(1)(b) is hereby amended and reenacted to read as
24 follows:

25 §1157. Late filing fees

26 A.(1)

27 * * *

28 (b) The Board of Ethics may waive all or any part of late filing fees assessed
29 pursuant to Subparagraph (a) of this Paragraph. Any waiver granted by the board

- omission, or inaccuracy by sending him by certified mail or service of process a notice of delinquency immediately upon discovery thereof. Requires the staff of the supervisory committee to mail by certified mail a notice of delinquency within four days after the due date of which the staff knows or has reason to know, for any report or statement due which has not been timely filed.
- (2) The notice of delinquency shall inform the person that the report must be filed, or that the information must be disclosed or accurately disclosed, or that a written answer contesting the allegation must be filed no later than seven business days after receipt of the notice. The notice shall include the deadline for filing the statement, filing the answer, or disclosing or accurately disclosing the information.
 - (3) The board shall inform the person in the notice that failure to file the report, to disclose or accurately disclose the information, or to file an answer contesting the allegation by the deadline may result in the imposition of penalties.
 - (4) If the person files the statement, provides the omitted information, or corrects the inaccurate information prior to the deadline contained in the notice, no penalties shall be assessed. If the person files a written answer contesting the allegations prior to the deadline contained in the notice of delinquency, no penalties shall be assessed until a determination is made that a violation occurred.
 - (5) If the person fails to file the statement, fails to provide the omitted information, fails to correct the inaccurate information, or fails to file a written answer prior to the deadline contained in the notice of delinquency, he may be subject to assessment of the penalties for each day until the statement, omitted information, corrected information, or written answer is filed.
 - (6) Upon a finding by the board in connection with a written answer that no violation has occurred, no penalties shall be assessed against the candidate, the treasurer or chairman, or other person. If the board finds in connection with a written answer that the candidate, the treasurer or chairman, or other person has failed to file the statement or failed to disclose or accurately disclose the required information, he shall be subject to assessment of the penalties for each day until the statement is filed, until the omitted information is filed, or until the inaccurate information is corrected.

Present law provides that in addition to daily penalties, for reports which are required to be filed between the time a candidate qualifies and election day, the supervisory committee may impose an additional civil penalty not to exceed \$10,000 on a person who has not filed such report by the sixth day after the report is due, and an additional \$10,000 civil penalty for failure to file such report by the 11th day after the report is due, after an adjudicatory hearing by the Ethics Adjudicatory Board.

Proposed law retains present law except to provide that a report shall be considered due on the deadline contained in the notice of delinquency provided for in proposed law.

Present law authorizes the board, when acting as the supervisory committee, to waive all or part of any civil penalties assessed for failure to file or failure to timely file a report as required by the CFDA. Present law further authorizes the board to waive all or part of the late filing fees assessed pursuant to the Ethics Code.

Proposed law retains present law but provides that any waiver granted by the board shall be permanent in effect and the board shall not grant conditional waivers, such as a waiver pending future compliance with any law under its jurisdiction.

(Amends R.S. 18:1505.4(A)(1), (B), and (E) and 1511.4.1(B) and R.S. 42:1157(A)(1)(b); Adds R.S. 18:1505.4(A)(4)(c) and (F) and 1511.4.1(E))