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## HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on House and Governmental Affairs to  
Original House Bill No. 1 by Representative Tucker

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1    AMENDMENT NO. 1

2    On page 1, line 2, delete "R.S. 18:463(B) and"

3    AMENDMENT NO. 2

4    On page 1, line 2, change "1124.1(A)(2)," to "1124.1,"

5    AMENDMENT NO. 3

6    On page 1, line 3, between "enact" and "R.S. 42:1124.2," insert "R.S. 18:1495.7 and"

7    AMENDMENT NO. 4

8    On page 1, line 3, after "to repeal" insert "R.S. 18:463(B) and"

9    AMENDMENT NO. 5

10   On page 1, line 12, change "R.S. 18:463(B) is hereby amended and reenacted" to "R.S.  
11   18:1495.7 is hereby enacted"

12   AMENDMENT NO. 6

13   On page 1, delete lines 13 through 20 and on page 2, delete lines 1 through 17 and insert the  
14   following:

15       "§1495.7. Financial disclosure statements

16               A. Any person who becomes a candidate shall file a financial  
17       disclosure statement as required by R.S. 42:1124 or 1124.2 for the office for  
18       which he is a candidate. If he is undecided as to the office he will seek, he  
19       shall file the statement required by R.S. 42:1124. The statement required by  
20       this Section shall be filed within thirty days of the day a person becomes a  
21       candidate. If the person is required by R.S. 42:1124 or 1124.2 to file a  
22       statement for the office for which he is a candidate, such filing shall satisfy  
23       the requirements of this Section.

24               B.(1)(a) If the staff of the board discovers that a person has failed to  
25       file a statement or failed to disclose or accurately disclose information  
26       required by R.S. 42:1124 or 1124.2, the staff of the board shall mail by  
27       certified mail a notice of delinquency informing the person that the statement  
28       must be filed or the information disclosed or accurately disclosed no later  
29       than fourteen days after receipt of the notice of delinquency. The notice of  
30       delinquency shall include the deadline for filing the statement or disclosing  
31       or accurately disclosing the information. If the person files the statement or  
32       discloses or accurately discloses the information within fourteen days after  
33       the mailing of the notice of delinquency, a civil penalty of five hundred  
34       dollars shall be assessed against the person.

35               (b) Whoever fails to file the statement or fails to disclose or  
36       accurately disclose the information required by R.S. 42:1124 or 1124.2 by  
37       the deadline included in the notice of delinquency shall be guilty of a

misdemeanor and upon conviction thereof shall be fined not less than one thousand dollars nor more than ten thousand dollars or imprisoned in parish prison for not more than six months, or both. The board shall forward a copy of its findings of such violation to the district attorney of the Parish of East Baton Rouge for appropriate action. Any prosecution under this Subsection shall be tried before a jury of six persons, all of whom must concur to render a verdict.

(2) Whoever fails to timely file a statement or fails to disclose or accurately disclose information required by R.S. 42:1124 or 1124.2, but files the statement or accurately discloses the information prior to the staff mailing a notice of delinquency, shall be assessed a civil penalty of five hundred dollars.

C. Whoever knowingly and willfully files a false report required by this Part shall be guilty of a misdemeanor and upon conviction thereof shall be fined not less than one thousand dollars nor more than ten thousand dollars or imprisoned in parish prison for not more than six months, or both. The board shall forward a copy of its findings of such violation to the district attorney of the Parish of East Baton Rouge for appropriate action. Any prosecution under this Subsection shall be tried before a jury of six persons, all of whom must concur to render a verdict.

D. "Knowingly and willfully", for purposes of this Section, means conduct which could have been avoided through the exercise of due diligence."

#### AMENDMENT NO. 7

On page 2, line 18, change "1124.1(A)(2)," to "1124.1,"

#### AMENDMENT NO. 8

On page 4, line 24, delete "medical health or legal services," and insert "mental health, medical health, or legal services,"

#### AMENDMENT NO. 9

On page 6, line 2, delete "real" and insert "immovable"

#### AMENDMENT NO. 10

On page 6, line 5, delete "real" and insert "immovable"

#### AMENDMENT NO. 11

On page 6, at the end of line 5, insert the following:

"However, no judge or law enforcement officer, including a district attorney, shall be required to disclose the address of his primary personal residence."

#### AMENDMENT NO. 12

On page 6, line 8, delete "real" and insert "immovable"

#### AMENDMENT NO. 13

On page 6, delete lines 12 through 15 and insert the following:

1           ~~"(7) (9)~~ The name, address, and amount, name of guarantor, if any, and  
 2           nature of each liability owed to any creditor by the individual or spouse which  
 3           exceeds ten thousand dollars, excluding any loan secured by a ~~personal motor~~  
 4           ~~vehicle, household furniture, or appliances~~ movable property, if such loan does not  
 5           exceed the purchase price of the ~~item~~ movable property which secures it."

6           AMENDMENT NO. 14

7           On page 7, delete lines 27 through 29, and on page 8, delete line 1, and insert the following:

8           "H. Relative to members of the legislature, the Board of Ethics shall"

9           AMENDMENT NO. 15

10          On page 8, delete lines 8 through 18 and insert the following:

11           "§1124.1. Penalties; required reports; failure to file; timely and accurate  
 12           filing

13           A.(1) Whoever fails to file a financial statement required by ~~this Part~~  
 14           R.S. 42:1114, or knowingly and willfully fails to timely file any such  
 15           statement, or knowingly and willfully fails to disclose or to accurately  
 16           disclose any information required by ~~this Part~~ R.S. 42:1114 shall be assessed  
 17           a civil penalty pursuant to R.S. 42:1157 for each day until such statement or  
 18           the required accurate information is filed.

19           (2) The amount of such penalty shall be: one hundred dollars per day.

20           ~~(a) Five hundred dollars per day for statements required by R.S.~~  
 21           ~~42:1124.~~

22           ~~(b) One hundred dollars per day for statements required by R.S.~~  
 23           ~~42:1114 or 1114.1.~~

24           B.(1)(a) If the staff of the board discovers that a person has failed to  
 25           file a statement or failed to disclose or accurately disclose information  
 26           required by R.S. 42:1124 or 1124.2, the staff of the board shall mail by  
 27           certified mail a notice of delinquency informing the person that the statement  
 28           must be filed or the information disclosed or accurately disclosed no later  
 29           than fourteen days after receipt of the notice of delinquency. The notice of  
 30           delinquency shall include the deadline for filing the statement or disclosing  
 31           or accurately disclosing the information. If the person files the statement or  
 32           discloses or accurately discloses the information within fourteen days after  
 33           the mailing of the notice of delinquency, a civil penalty of five hundred  
 34           dollars shall be assessed against the person.

35           (b) Whoever fails to file the statement or fails to disclose or  
 36           accurately disclose the information required by R.S. 42:1124 or 1124.2 by  
 37           the deadline included in the notice of delinquency shall be guilty of a  
 38           misdemeanor and upon conviction thereof shall be fined not less than one  
 39           thousand dollars nor more than ten thousand dollars or imprisoned in parish  
 40           prison for not more than six months, or both. The board shall forward a copy  
 41           of its findings of such violation to the district attorney of the Parish of East  
 42           Baton Rouge for appropriate action. Any prosecution under this Subsection  
 43           shall be tried before a jury of six persons, all of whom must concur to render  
 44           a verdict.

(2) Whoever fails to timely file a statement or fails to disclose or accurately disclose information required by R.S. 42:1124 or 1124.2, but files the statement or accurately discloses the information prior to the staff mailing a notice of delinquency shall be assessed a civil penalty of five hundred dollars.

C. Whoever knowingly and willfully files a false report required by this Part shall be guilty of a misdemeanor and upon conviction thereof shall be fined not less than one thousand dollars nor more than ten thousand dollars or imprisoned in parish prison for not more than six months, or both. The board shall forward a copy of its findings of such violation to the district attorney of the Parish of East Baton Rouge for appropriate action. Any prosecution under this Subsection shall be tried before a jury of six persons, all of whom must concur to render a verdict.

~~E.~~ D. "Knowingly and willfully", for purposes of this Section, means conduct which could have been avoided through the exercise of due diligence."

AMENDMENT NO. 16

On page 10, delete lines 4 and 5 and insert the following:

"(4)(a)(i) The late filing fees for any violation of R.S. 42:1114;  
~~1114.1, and 1124~~ shall be as provided in R.S. 42:1124.1(A).  
(ii) The late penalties for any violation of R.S. 42:1124 or 1124.2 shall be as provided in R.S. 42:1124.1(B)."

AMENDMENT NO. 17

On page 10, line 14, delete "R.S. 42:1114.1 is" and insert "R.S. 18:463(B) and R.S. 42:1114.1 are"

AMENDMENT NO. 18

On page 10, at the end of line 14, change "its" to "their"