

Regular Session, 2012

SENATE BILL NO. 757 (Substitute of Senate Bill No. 388 by Senator Martiny)

BY SENATOR MARTINY

SECURITIES. Provides relative to the registration of securities subject to certain laws or practices. (8/1/12)

AN ACT

To enact R.S. 51:705(C)(1)(p), relative to securities; to provide relative to the registration of securities subject to certain laws or practices; to provide certain terms, conditions, procedures, and requirements; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 51:705(C)(1)(p) is hereby enacted to read as follows:

§705. Registration of securities; when and how required; delivery of prospectus

* * *

C. Registration statement. (1) Every registration statement filed under R.S. 51:705(B) shall contain the following information:

* * *

(p)(i) Whether the security is subject to, bound by, or otherwise controlled by a religious law, ethic, custom, or practice and, if so, a declaration that identifies all of the following information:

(aa) Such law, ethic, custom, or practice.

(bb) Any precept or edict of such law, ethic, custom, or practice that would affect the type or nature of activities of the issuer, whether any earnings

1 may not be distributed to the purchaser, whether any earnings may be
2 distributed to third parties, and whether any religious qualification may apply
3 to the selection of directors, officers or managers of the issuer.

4 (ii) The issuer shall be solely responsible for disclosing and ensuring the
5 accuracy of the information required by this Subparagraph.

6 * * *

The original instrument and the following digest, which constitutes no part
of the legislative instrument, were prepared by Jerry G. Jones.

DIGEST

Martiny (SB 757)

Present law sets forth conditions generally for the registration and selling of securities in this state, including the filing of registration statements containing certain information.

Proposed law retains present law and adds that every registration statement shall contain the following information:

Whether the security is subject to, bound by, or otherwise controlled by a religious law, ethic, custom, or practice and, if so, a declaration that identifies:

1. Such law, ethic, custom, or practice; and
2. Any precept or edict of such law, ethic, custom, or practice that would affect the type or nature of activities of the issuer, whether any earnings may not be distributed to the purchaser, whether any earnings may be distributed to third parties, and whether any religious qualification may apply to the selection of directors, officers or managers of the issuer.

Proposed law further provides that the issuer shall be solely responsible for disclosing and ensuring the accuracy of the information required by the proposed law.

Effective August 1, 2012.

(Adds R.S. 51:705(C)(1)(p))