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DIGEST

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Murray

SB No. 272

Present law (R.S. 18:1491.7 and 1495.5—Campaign Finance Disclosure Act) authorizes the Supervisory Committee on Campaign Finance Disclosure to provide by rule for the reporting of totals of information required by present law to be reported.

Proposed law repeals requirement for a rule, otherwise retains present law.

Present law (R.S. 18:1511.2(A)(5)) authorizes the supervisory committee to adopt and promulgate rules in accordance with present law (Administrative Procedure Act) to provide for preparation and distribution of forms for all reports required by present law and to provide instructions and explanation for the completion of such forms.

Proposed law repeals present law.

Present law (R.S. 18:1511.3) provides that all reports required by present law shall be filed with the supervisory committee as otherwise provided in present law on forms provided by the supervisory committee. Requires the supervisory committee to prepare forms for all reports required by present law in conformity with the requirements of present law and to cause such forms to be printed and sufficient copies thereof furnished to the clerks of court and in Orleans Parish to the clerk of the criminal district court, who shall make them available to all persons required to file reports under the provisions of present law. Provides that all forms shall contain instructions directing the person filing with whom to file reports. Requires the supervisory committee to provide forms in a simple format in conformity with the requirements of present law.

Proposed law retains present law. Additionally provides that all forms required by present law and all instructions and explanation for the completion of such forms prepared by the supervisory committee shall be submitted to the Senate Committee on Senate and Governmental Affairs and the House Committee on House and Governmental Affairs for review and approval. Provides that the approval of each legislative committee shall be required prior to the utilization of a form or related instructions or explanation.

Present law (R.S. 42:1134—Code of Governmental Ethics) authorizes the Board of Ethics to adopt, amend, repeal, and enforce rules and regulations in the manner provided by present law (Administrative Procedure Act) to carry out the provisions and purposes of laws within its jurisdiction.

Proposed law retains present law, but provides that forms required by present law (R.S. 42:1124, 1124.2, 1124.2.1, 1124.3, and 1124.5) shall be prepared and prescribed by the Board of Ethics as provided in proposed law. Requires the board to submit all such proposed forms to the Senate Committee on Senate and Governmental Affairs and the House Committee on House and Governmental Affairs for review and approval. Provides that the approval of each legislative committee shall be required prior to the utilization of such a form.

Proposed law provides that upon receipt of a proposed form, instructions, or explanation, from the supervisory committee or the ethics board the legislative committees shall meet, either separately or jointly, within 60 days to consider and act on the proposed form, instructions, or explanation. Provides that approval by either legislative committee, meeting separately, shall require a favorable vote of a majority of the members present and voting, a quorum of the legislative committee being present. Provides that approval by the two legislative committees, meeting jointly, shall require a favorable vote of a majority of the members of each legislative committee present and voting, each house voting separately, a quorum of the joint legislative committee being present.

Proposed law provides that if the proposed form, instructions, or explanation fails to receive the approval of both legislative committees within 60 days after submission, the proposed form, instructions, or explanation shall be withdrawn from consideration.

Proposed law provides that all forms, instructions, and explanations promulgated or prescribed by the supervisory committee or ethics board prior to the effective of proposed law shall remain in effect until the supervisory committee or ethics board prepares or prescribes new forms, instructions, or explanations and such forms, instructions, and explanations receive approval in accordance with the provisions of proposed law.

(Amends R.S. 18:1491.7(D), 1495.5(D), and 1511.3(A); Adds R.S. 42:1134(A)(3); Repeals R.S. 18:1511.2(A)(5))

#### Summary of Amendments Adopted by House

##### Committee Amendments Proposed by House Committee on House and Governmental Affairs to the reengrossed bill.

1. Relative to provisions of present law that require the Supervisory Committee on Campaign Finance Disclosure to provide for the reporting of totals of information required by present law to be reported, removes requirement for adoption of a rule and removes provisions for the preparation and distribution of forms by rule through the Administrative Procedure Act.
2. Removes proposed law additions to present law (Campaign Finance Disclosure Act) rule-making authority of the supervisory committee that provided for approval of legislative governmental affairs committees for the development and amendment of forms and provides instead for a review and approval process for forms by the legislative governmental affairs committees.
3. Removes provisions of proposed law amending provisions of present law (Code of Governmental Ethics) relative to specific financial disclosure statements that provided for approval of legislative governmental affairs committees for the development and amendment of forms and provides instead for a review and approval process for forms by the legislative governmental affairs committees.
4. Adds provisions providing that all forms, instructions, and explanations promulgated or prescribed by the board of ethics or the supervisory committee prior to the effective of proposed law shall remain in effect until the board of ethics or the supervisory committee prepares or prescribes new forms, instructions, or explanations and such forms, instructions, and explanations receive approval in accordance with proposed law.