SLS 17RS-421

ORIGINAL

2017 Regular Session

SENATE BILL NO. 189

BY SENATOR COLOMB

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

ETHICS. Provides for ethical standards for public servants. (gov sig)

1	AN ACT
2	To amend and reenact R.S. 42:1111(A)(1)(b), and to enact R.S. 17:3390(G) and (H), relative
3	to the Code of Governmental Ethics; to provide for compensation of public
4	employees; to provide for benefits of public employees; to provide for participation
5	in the raising of funds in institutions of education and affiliates; and to provide for
6	related matters.
7	Be it enacted by the Legislature of Louisiana:
8	Section 1. R.S. 17:3390(G) and (H) are hereby enacted to read as follows:
9	§3390. Private nonprofit corporations which support public higher education
10	institutions; findings; status; private funds
11	* * *
12	G. Notwithstanding the provisions of R.S. 42:1112, a substantial
13	economic interest of an organization meeting the criteria of R.S. 17:3390(B),
14	and recognized as an affiliate organization by the management board of an
15	institution of higher education, shall not prohibit a public servant of the
16	institution of higher education from participation in a transaction involving the
17	institution and the affiliated organization.

Page 1 of 3 Coding: Words which are struck through are deletions from existing law; words in **boldface type and underscored** are additions.

1	H. Notwithstanding the provisions of R.S. 42:1115(A)(1), a public servant
2	of an institution of higher education may promote and participate in the raising
3	of private funds for the benefit of the institution by an organization meeting the
4	criteria of R.S. 17:3390(B), and recognized as an affiliate organization by the
5	management board of the institution of higher education, including solicitation
6	of donations to the institution or its affiliate organization.
7	Section 2. R.S. 42:1111(A)(1)(b) is hereby amended and reenacted to read as
8	follows:
9	§1111. Payment from nonpublic sources
10	A.(1) * * * *
11	(b) Any supplementary compensation or benefits provided to an employee
12	of a public higher education institution, board, or system from funds or property
13	accruing to the benefit of the institution, board, or system as approved by the
14	appropriate policy or management board, through an alumni organization recognized
15	by the management board of a college or university within the state or through a
16	foundation organized by the alumni or other supportive individuals of a college or
17	university within the state the charter of which specifically provides that the purpose
18	of the foundation is to aid said college or university in a philanthropic manner shall
19	be deemed for purposes of this Subsection as compensation and benefits from the
20	government to which he is duly entitled.
21	* * *
22	Section 3. This Act shall become effective upon signature by the governor or, if not
23	signed by the governor, upon expiration of the time for bills to become law without signature
24	by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
25	vetoed by the governor and subsequently approved by the legislature, this Act shall become
26	effective on the day following such approval.

The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Ashley Mitchell Carter.

SB 189 Original

DIGEST 2017 Regular Session

Colomb

<u>Present law</u> provides that any supplementary compensation or benefits provided to an employee of any of the entities names in <u>present law</u> will be deemed compensation and benefits, which the employee is entitled to, from the government.

<u>Proposed law</u> retains <u>present law</u> but deletes supplementary compensation, to include all compensation or benefits.

<u>Proposed law</u> provides that notwithstanding the provisions of <u>present law</u>, a substantial economic interest of an organization that meets the criteria of <u>present law</u>, and is an affiliate organization by the institution of higher education, will not prohibit a public servant of the institution from participation in a transaction involving the institution and the affiliated organization.

<u>Proposed law</u> provides that notwithstanding the provisions of <u>present law</u>, a public servant may help to raise funds for the institution, including solicitation of donations to the institution or its affiliate organization, by an organization meeting the criteria of <u>present law</u>, and recognized as an affiliate organization.

Effective upon signature of the governor or lapse of time for gubernatorial action.

(Amends R.S. 42:1111(A)(1)(b); adds R.S. 17:3390(G) and (H))