

2018 Regular Session

HOUSE BILL NO. 887

BY REPRESENTATIVE STOKES

CAMPAIGN FINANCE: Prohibits the acceptance of certain campaign contributions by the chairman of the State Bond Commission

1 AN ACT

2 To enact R.S. 18:1505.2(T), relative to campaign finance; to prohibit the acceptance of
3 certain campaign contributions by the chairman of the State Bond Commission; to
4 provide for penalties; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 18:1505.2(T) is hereby enacted to read as follows:

7 §1505.2. Contributions; expenditures; certain prohibitions and limitations

8 * * *

9 T.(1) The chairman of the State Bond Commission shall not during the
10 period described in Paragraph (2) of this Subsection accept a campaign contribution,
11 loan, or transfer of funds or accept and use an in-kind contribution for his campaign
12 from any person who has been engaged to provide professional services in
13 connection with an application to the State Bond Commission requesting authority
14 to incur debt or levy taxes, including without limitation bond or other counsel, a
15 financial adviser, a paying agent, or a registrar.

16 (2) The prohibition provided in this Subsection shall apply during the period
17 beginning with the engagement of the person to provide professional services in
18 connection with the application and ending six months after the State Bond
19 Commission approves or disapproves the application.

1 (3) If the chairman of the State Bond Commission receives a contribution,
 2 loan, or transfer of funds in violation of this Subsection, he shall return such
 3 contribution, loan, or transfer of funds to the contributor within ten days after the
 4 receipt of such contribution, loan, or transfer of funds. Any contribution, loan, or
 5 transfer of funds so returned shall not be deemed to be accepted.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 887 Original

2018 Regular Session

Stokes

Abstract: Prohibits the acceptance of certain campaign contributions by the chairman of the State Bond Commission.

Present constitution (Art. VII, Sec. 8) creates the State Bond Commission and provides that its membership and authority shall be determined by law. Provides that no bonds or other obligations shall be issued or sold by the state, directly or through any state board, agency, or commission, or by any political subdivision of the state, unless prior written approval of the bond commission is obtained.

Present law (R.S. 39:1401) provides that the bond commission shall be composed of the governor, the lieutenant governor, the president of the Senate, the speaker of the House of Representatives, the state treasurer, the secretary of state, the attorney general, the Senate Finance Committee chairman, the Senate Revenue and Fiscal Affairs Committee chairman, the House Ways and Means Committee chairman, the House Appropriations Committee chairman, two members of the legislature, one to be appointed by the president of the Senate and one to be appointed by the speaker of the House of Representatives, and the commissioner of administration, all ex officio. Provides that the state treasurer shall serve as chairman of the bond commission and that the bond commission may select such other officers as the commission may deem necessary.

Proposed law prohibits the chairman of the bond commission from accepting a campaign contribution, loan, or transfer of funds and from accepting and using an in-kind contribution for his campaign during a defined period from any person who has been engaged to provide professional services in connection with an application to the commission requesting authority to incur debt or levy taxes, including without limitation bond or other counsel, a financial adviser, a paying agent, or a registrar.

The prohibition in proposed law applies during the period beginning with the engagement of the person to provide professional services in connection with the application and ending six months after the commission approves or disapproves the application.

Proposed law provides that if the chairman of the bond commission receives a contribution, loan, or transfer of funds in violation of proposed law, he must return such contribution, loan, or transfer of funds to the contributor within 10 days after it. Any contribution, loan, or transfer of funds so returned is not deemed to have been accepted.

Present law (R.S. 18:1505.5) provides civil penalties for a candidate who knowingly and wilfully violates any provision of present law. Provides a maximum amount for each violation of present law, depending on the level of office sought by the candidate as follows:

\$500 for a major office candidate, \$300 for a district office candidate, and \$100 for candidates for all other offices. Defines "knowingly and wilfully" as conduct which could have been avoided through the exercise of due diligence.

Present law (R.S. 18:1505.2) provides criminal penalties for a candidate who knowingly, wilfully, and fraudulently violates present law. Provides that a candidate upon conviction be sentenced to not in excess of six months in the parish jail or to pay a fine of not more than \$500, or both.

Proposed law applies present law penalties to violations of proposed law.

(Adds R.S. 18:1505.2(T))