

2024 Regular Session

SENATE BILL NO. 497

BY SENATOR MIGUEZ

ETHICS. Amends provisions concerning selection of members of the Board of Ethics.
(8/1/24)

1 AN ACT

2 To amend and reenact R.S. 42:1132(B)(1) and to repeal R.S. 42:1132(B)(2), relative to the
3 Board of Ethics; to provide for appointment by the governor and the legislature; and
4 to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 42:1132(B)(1) is hereby amended and reenacted to read as follows:

7 §1132. Board of Ethics

8 * * *

9 B. Membership; terms; vacancies; qualifications. (1) The Board of Ethics
10 shall consist of eleven members to be selected as follows:

11 (a) The governor shall appoint seven members, who shall be representative
12 of the state's population as near as practicable and who shall be subject to Senate
13 confirmation. At least one member shall be appointed from each congressional
14 district and the governor shall give due consideration to the demographics of the
15 population of the state, including without limitation geography, gender, and
16 race. Of those seven, the governor shall appoint at least three members, each of
17 whom shall have been licensed to practice law in this state for at least eight years at

1 the time of his appointment.

2 (b) Two members shall be elected by the House of Representatives, who
 3 shall give due consideration to the demographics of the population of the state,
 4 including without limitation geography, gender, and race .

5 (c) Two members shall be elected by the Senate, who shall give due
 6 consideration to the demographics of the population of the state, including
 7 without limitation geography, gender, and race.

8 * * *

9 Section 2. R.S. 42:1132(B)(2) is hereby repealed.

The original instrument was prepared by Thomas L. Tyler. The following digest, which does not constitute a part of the legislative instrument, was prepared by Dawn Romero Watson.

DIGEST

SB 497 Reengrossed

2024 Regular Session

Miguez

Present law provides that membership on the Board of Ethics be composed of eleven members: seven members appointed by the governor; two members elected by the House of Representatives; and two members elected by the Senate.

Proposed law retains these provisions in present law and requires consideration be given to the demographics of the population of the state, including without limitation geography, gender, and race when making their selection.

Present law provides the following procedure in which the governor's appointments and the members elected by legislature are to be made.

- (1) A nominating committee composed of presidents of the colleges and universities that are member institutions of the Louisiana Association of Independent Colleges and Universities, or its successor, submits names of no fewer than five different eligible nominees for each position or vacancy to the governor, Senate, or House of Representatives, whichever is appropriate.
 - (a) Requiring that due consideration be given to the demographics of the population of the state, including without limitation geography, gender, and race. A majority vote of the membership of the nominating committee is required to nominate persons to a position.
- (2) Requires that the governor's appointments and the election by members of the Senate and House of Representatives occur no later than 60 days after the receipt of the names of the nominees.
 - (a) Provides a procedure if the governor fails to make an appointment or if the Senate or House of Representatives fails to elect a member.
- (3) Requires that any vacancy on the board for any cause be filled in the same manner as the original appointment and from the same source for the remainder of the

original term.

Proposed law removes this procedure.

Effective August 1, 2024.

(Amends R.S. 42:1132(B)(1); repeals R.S. 42:1132(B)(2))

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Senate and Governmental Affairs to the original bill

1. Makes technical changes.
2. Requires the governor and members of the House and Senate to give due consideration to the demographics of the population of the state, including without limitation geography, gender, and race when making their selection of members of the Board of Ethics.

Senate Floor Amendments to engrossed bill

1. Makes technical corrections.