ENROLLED

Regular Session, 2011

ACT No. 167

HOUSE BILL NO. 103

BY REPRESENTATIVE ARMES

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

AN ACT

To amend and reenact R.S. 42:1119(B)(2)(introductory paragraph) and (a)(i), relative to the Code of Governmental Ethics; to except employment by a local school board of special education related services professionals from the nepotism prohibition of the code; to provide limitations, procedures, and penalties for certain violations; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 42:1119(B)(2)(introductory paragraph) and (a)(i) are hereby amended and reenacted to read as follows:

§1119. Nepotism

* * *

B.

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(2) Notwithstanding the provisions of Paragraph ~~(B)~~(1) of this Subsection:

(a)(i) Any local school board may employ any member of the immediate family of any board member or of the superintendent as a classroom teacher provided that such family member is certified to teach. Any local school board in a parish having a population of fewer than sixty thousand according to the latest federal decennial census may employ any member of the immediate family of any board member or of the superintendent as a special education related services professional provided that such family member is licensed in an appropriate field for special education related services and such family member is the only applicant who meets the qualifications for the position set by the school board who has applied for the position after it has been advertised for at least thirty days in the official journal

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of the school board. A special education related services professional shall include the following when employed to provide special education services: a social worker, occupational therapist, physical therapist, speech therapist/pathologist, teacher of hearing impaired students, teacher of visually impaired students, or nurse. Any school board member or superintendent whose immediate family member is employed by the school board shall recuse himself from any decision involving the promotion or assignment of teaching or service location of such employee.

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Section 2. This Act shall become effective upon signature by the governor or, if not signed by the governor, upon expiration of the time for bills to become law without signature by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If vetoed by the governor and subsequently approved by the legislature, this Act shall become effective on the day following such approval.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____

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