

Regular Session, 2012

HOUSE BILL NO. 509

BY REPRESENTATIVE LORUSSO

ELECTION OFFENSES: Prohibits certain conduct relative to the withdrawal from an election of a candidate for public office

1 AN ACT

2 To enact R.S. 18:1461.5(A)(4), relative to elections; to prohibit certain conduct relative to
3 the withdrawal from an election of a candidate for public office; to provide for
4 penalties; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 18:1461.5(A)(4) is hereby enacted to read as follows:

7 §1461.5. Election offenses involving bribery, threats or intimidation of election
8 officials or candidates; penalties

9 A. No person shall knowingly, willfully, or intentionally:

10 * * *

11 (4)(a) Give or offer to give, directly or indirectly, any money or any thing
12 of apparent present or prospective value to a candidate for public office for the
13 purpose of securing the candidate's withdrawal from an election.

14 (b) Solicit or accept, directly or indirectly, money or any thing of apparent
15 present or prospective value to secure the withdrawal from an election of a candidate
16 for public office.

17 * * *

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)]

Lorusso

HB No. 509

Abstract: Prohibits solicitation or acceptance of a thing of value to secure the withdrawal of a candidate from an election.

Present law prohibits certain conduct related to withdrawal of a candidate in an election. Prohibits a person from knowingly, willfully, or intentionally:

- (1) Giving or offering to give, directly or indirectly, any money or any thing of apparent present or prospective value to any person who has withdrawn or who was eliminated prior or subsequent to the primary election as a candidate for public office, for the purpose of securing or giving his political support to any remaining candidate or candidates for public office in the primary or general election.
- (2) When such person is a candidate for public office who has withdrawn or was eliminated prior to or subsequent to the primary election, accepting or offering to accept, directly or indirectly, any money, or anything of apparent present or prospective value that is given for the purpose of securing or giving his political support to any remaining candidate or candidates for public office in the primary or general election.

Proposed law retains present law and additionally prohibits a person from knowingly, willfully, or intentionally:

- (1) Giving or offering to give, directly or indirectly, any money or any thing of apparent present or prospective value to a candidate for public office for the purpose of securing the candidate's withdrawal from an election.
- (2) Soliciting or accepting, directly or indirectly, money or any thing of apparent present or prospective value to secure the withdrawal from an election of a candidate for public office.

Present law provides that whoever violates any provision of present law shall be fined not more than \$2,000 or be imprisoned, with or without hard labor, for not more than two years, or both, for the first offense. Provides that on a second offense, or any subsequent offense, the penalty shall be a fine of not more than \$5,000 or imprisonment at hard labor for not more than five years, or both.

Proposed law provides that present law penalties shall apply to violations of proposed law.

(Adds R.S. 18:1461.5(A)(4))