

Regular Session, 2012

SENATE BILL NO. 226

BY SENATOR MORRISH

ETHICS. Provides exceptions to the prohibition of a public servant from doing business with a person who has a business relationship with the agency of the public servant under certain circumstances. (8/1/12)

1 AN ACT

2 To enact R.S. 42:1123(42), relative to the code of governmental ethics; to provide for an
3 exception to the prohibition of a public servant from doing business with a person
4 who has a business relationship with the agency of the public servant under certain
5 circumstances; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 42:1123(42) is hereby enacted to read as follows:

8 §1123. Exceptions

9 This Part shall not preclude:

10 * * *

11 (42) Any member of a governing authority of a municipality with a
12 population of five thousand or less according to the latest federal decennial
13 census, or legal entity in which he has a controlling interest, from entering into
14 any transaction with or accepting anything of economic value from a person or
15 entity which has entered into a transaction with the municipality, or a legal
16 entity in which an elected official of a parish governing authority of a parish
17 with a population of twenty-three thousand or less according to the latest

federal decennial census has a controlling interest from bidding on or
contracting with a public utility company if the only relationship the governing
authority has with the public utility company is a standard, non-exclusive
franchise agreement.

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The original instrument was prepared by Lauren Bailey. The following digest, which does not constitute a part of the legislative instrument, was prepared by Michelle Broussard-Johnson.

DIGEST

Morrish (SB 226)

Present law prohibits a public servant or a legal entity in which he exercises control or has an interest in excess of 25% from accepting anything of economic value, for services rendered, from a person who has a business relationship with the agency of the public servant.

Proposed law provides exceptions to present law for members of a governing authority of a municipality with a population of 5000 or less, and for a legal entity in which an elected official of a parish governing authority of a parish with a population of 23,000 or less according to the latest federal decennial census has a controlling interest from bidding on or contracting with a public utility company if the only relationship the governing authority has with the public utility company is a standard, nonexclusive franchise agreement.

Effective August 1, 2012.

(Adds R.S. 42:1123(42))

Summary of Amendments Adopted by Senate

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

1. Deletes "mayor" from the exception.

Senate Floor Amendments to engrossed bill

1. Adds an exception allowing a legal entity in which a certain elected official has controlling interest to bid on or contract with a public utility company, as long as the only relationship the governing authority has with the public utility is a standard, nonexclusive franchise agreement.