

Regular Session, 2013

HOUSE BILL NO. 221

BY REPRESENTATIVE CONNICK

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

ETHICS/DUAL EMPLOYMENT: Authorizes certain dual employment and dual officeholding for physicians

1 AN ACT

2 To enact R.S. 42:66(O), relative to dual officeholding and dual employment; to allow a
3 member of the faculty or staff of a public higher education institution to also hold
4 certain appointive office or employment in the government of the United States; and
5 to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 42:66(O) is hereby enacted to read as follows:

8 §66. Exemptions

9 * * *

10 O. Nothing in this Part shall be construed to prohibit a member of the faculty
11 or staff of a public higher education institution from also holding an appointive
12 office or employment in the government of the United States in a health care facility
13 as a health care provider or researcher.

14 * * *

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)]

Connick

HB No. 221

Abstract: Allows a member of the faculty or staff of a public higher education institution to also hold an appointive office or employment in the U.S. government in a health care facility as a health care provider or researcher.

Present law regulates dual officeholding and dual employment in order to prevent conflicts of interest and to promote and maintain citizen trust in government. Prohibits certain

specific combinations of public office and employment, including a prohibition against a person holding at the same time office or employment in state government and office or employment in the U.S. government. Provides exceptions to this prohibition. Allows an employee of the U.S. government to hold an appointive office in a political subdivision or serve as an elected member of a school board, unless the particular combination of duties is adverse to the public interest as set forth in present law. Allows a part-time elected official, as that term is defined in present law, to hold employment with the U.S. government while serving in his part-time elective office, unless the particular combination of duties is adverse to the public interest.

Present law additionally prohibits a person from holding a combination of offices and employments that are determined to be incompatible because of the existence of certain conditions set forth in present law.

Proposed law provides an exception to present law to allow a member of the faculty or staff of a public higher education institution to also hold an appointive office or employment in the U.S. government in a health care facility as a health care provider or researcher.

(Adds R.S. 42:66(O))

Summary of Amendments Adopted by House

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

1. Removes restriction that the faculty or staff shall be a licensed physician so that proposed law provides instead that any member of the faculty or staff of a public higher education facility may be appointed or employed in the U.S. government in a health care facility as a health care provider or researcher.