SLS 13RS-246 **ENGROSSED**

Regular Session, 2013

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SENATE BILL NO. 129

BY SENATOR JOHN SMITH

ETHICS. Provides for an exception to the definition of "public employee" relative to the Code of Governmental Ethics. (8/1/13)

AN ACT

2	To amend and reenact R.S. 42:1102(18)(b), relative to the Code of Governmental Ethics; to
3	provide an exception to the definition of a public employee; to provide relative to
4	Hospital Service District Number Two of Beauregard Parish; to provide for
5	retroactive application; and to provide for related matters.
6	Notice of intention to introduce this Act has been published.
7	Be it enacted by the Legislature of Louisiana:
8	Section 1. R.S. 42:1102(18)(b) is hereby amended and reenacted to read as follows:
9	§1102. Definitions
10	Unless the context clearly indicates otherwise, the following words and
11	terms, when used in this Chapter, shall have the following meanings:
12	* * *
13	(18)(a) * * *
14	(b) However, "public employee" does shall not mean anyone a person whose
15	public service is limited to periodic any of the following:
16	(i) The donation of property to and the operation of a hospital within
17	Hospital Service District Number Two of Beauregard Parish.

(ii) **Periodic** duty in the National Guard pursuant to 32 U.S.C.A. 502.

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Section 2. The provisions of this Act shall be given retroactive application.

The original instrument was prepared by Tim Prather. The following digest, which does not constitute a part of the legislative instrument, was prepared by J. Ashley Mitchell.

DIGEST

John Smith (SB 129)

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Present law defines "public employee" as anyone, whether compensated or not, who is:

- (1) An administrative officer or official of a governmental entity who is not filling an elective office.
- (2) Appointed by any elected official when acting in an official capacity, and the appointment is to a post or position wherein the appointee is to serve the governmental entity or an agency thereof, either as a member of an agency, or as an employee thereof.
- (3) Engaged in the performance of a governmental function.
- (4) Under the supervision or authority of an elected official or another employee of the governmental entity.

<u>Present law</u> provides that public employee does not mean anyone whose public service is limited to periodic duty in the National Guard.

<u>Proposed law</u> retains <u>present law</u> exception and further adds anyone who donates property to and operates a hospital within Hospital Service District Number Two of Beauregard Parish.

Effective August 1, 2013.

(Amends R.S.42:1102(18)(b))

Summary of Amendments Adopted by Senate

<u>Committee Amendments Proposed by Senate Committee on Senate and Governmental Affairs to the original bill</u>

1. Technical Amendment