

First Extraordinary Session, 2008

HOUSE BILL NO. 39

BY REPRESENTATIVE ARNOLD

ETHICS/FINANCIAL DISCLOS: Requires the chief law enforcement officer of a municipality to annually disclose certain financial information related to certain gaming interests (Item #1)

1 AN ACT

2 To enact R.S. 42:1114.4, relative to ethics; to require certain financial disclosures by certain  
3 chief law enforcement officers; to provide for content; to provide for penalties; and  
4 to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 42:1114.4 is hereby enacted to read as follows:

7 §1114.4. Chief law enforcement officer; financial disclosure of gaming interests;  
8 penalties

9 A. The chief law enforcement officer of a jurisdiction who derives or whose  
10 spouse derives, either directly or through a legal entity in which such official or his  
11 spouse owns ten percent or more, either individually or collectively, any thing of  
12 economic value from a gaming related entity or service within his jurisdiction shall  
13 disclose the following as provided in this Section:

14 (1)(a) The name of the chief law enforcement officer and the name of the  
15 governmental entity of his jurisdiction.

16 (b) If the thing of economic value is derived by or through the spouse, the  
17 name of such person.

18 (2) If the thing of economic value is derived through a legal entity, the name  
19 and business address of the legal entity, the percentage of the chief law enforcement

1 officer's or spouse's ownership interest in the legal entity, either individually or  
2 collectively, and the position, if any, held by the chief law enforcement officer or  
3 spouse in the legal entity.

4 (3) The nature of the thing of economic value received, including a fair  
5 valuation of the thing of economic value and a description of the goods or services  
6 provided or to be provided for the thing of economic value.

7 B. Each chief law enforcement officer shall file the disclosure statements  
8 required by this Section with the Board of Ethics no later than May fifteenth of each  
9 year and shall include the required information for the previous calendar year.

10 C. All disclosure statements filed pursuant to this Section shall be a matter  
11 of public record.

12 D.(1) Failure to file a statement, failure to timely file a statement, failure to  
13 disclose required information, filing a false statement, or engaging in a subterfuge  
14 to avoid the disclosure requirements of this Section shall subject a person required  
15 to file to penalties as provided by this Chapter.

16 (2) In addition to other applicable penalties, whoever fails to file a statement  
17 required by this Section, or knowingly and willfully fails to timely file any such  
18 statement, or knowingly and willfully fails to disclose or to accurately disclose any  
19 information required by this Section shall be assessed a civil penalty in accordance  
20 with R.S. 42:1157 for each day until such statement or the required accurate  
21 information is filed. The amount of the penalty shall be one hundred dollars per day.

22 E. For the purposes of this Section, the term "a gaming related entity or  
23 service" shall mean any person who holds a license, permit, or contract issued  
24 pursuant to the Louisiana Riverboat Economic Development and Gaming Control  
25 Act, the Louisiana Economic Development and Gaming Corporation Act, or the  
26 Video Draw Poker Devices Control Law.

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**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 [R.S. 1:13(B)] and do not constitute proof or indicia of legislative intent. [R.S. 24:177(E)]

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Arnold

HB No. 39

**Abstract:** Requires a chief law enforcement officer of a municipality to annually disclose by May 15 of each year the receipt of things of economic value by the officer, his spouse, and certain related entities from certain gaming interests.

Proposed law requires the chief law enforcement officer of a jurisdiction to disclose certain information if he or his spouse, either directly or indirectly through a legal entity that he or his spouse owns at least 10%, collectively or individually, receives any thing of economic value from a gaming related industry or service in his jurisdiction. Proposed law requires such officer to report:

- (1) His name and his governmental entity.
- (2) The name of his spouse if the thing of economic value is derived through such person.
- (3) If the thing of economic value is derived through a legal entity, the entity's name and business address, the percentage of his or his spouse's ownership interest in the entity, and the position he or his spouse holds in the legal entity.
- (4) The nature of the thing of economic value, including its fair valuation, and a description of the goods or services to be provided for such thing.

Proposed law requires the disclosure statements to be filed with the Board of Ethics by May 15 each year. Such reports shall include the required information for the previous calendar year. Proposed law further provides that such statements shall be public record.

Proposed law provides that failure to file or timely file such statement, failure to disclose required information, filing a false statement, or engaging in subterfuge to avoid disclosure requirements shall subject the officer to penalties provided in present law (Chapter 15 of Title 42). Additionally, any person who fails to file such statement, or knowingly and willfully fails to timely file such statement, or knowingly and willfully fails to disclose or accurately disclose required information shall be assessed a civil fine pursuant to present law (R.S. 14:1157), which penalty shall be \$100 per day.

Proposed law defines "gaming related entity or service" as any person who holds a license, permit, or contract issued pursuant to the La. Riverboat Economic Development and Gaming Control Act, the La. Economic Development and Gaming Corporation Act, or the Video Draw Poker Devices Control Law.

(Adds R.S. 42:1114.4)