

SENATE BILL NO. 1

BY SENATORS CHAISSON, ALARIO, AMEDEE, BROOME, CHEEK, CRAVINS, CROWE, DONAHUE, DORSEY, DUPLESSIS, DUPRE, ERDEY, B. GAUTREAUX, N. GAUTREAUX, HEBERT, HEITMEIER, JACKSON, KOSTELKA, LONG, MARTINY, MICHOT, MOUNT, NEVERS, QUINN, RISER, SCALISE, SHAW, SHEPHERD, SMITH, THOMPSON AND WALSWORTH AND REPRESENTATIVES ABRAMSON, ANDERS, ARMES, ARNOLD, AUBERT, AUSTIN BADON, BOBBY BADON, BALDONE, BARRAS, BARROW, BILLIOT, BURFORD, HENRY BURNS, TIM BURNS, BURRELL, CARMODY, CARTER, CAZAYOUX, CHAMPAGNE, CHANDLER, CHANEY, CONNICK, CORTEZ, CROMER, DANAHAY, DIXON, DOVE, DOWNS, EDWARDS, ELLINGTON, FANNIN, FOIL, FRANKLIN, GALLOT, GISCLAIR, GREENE, ELBERT GUILLORY, MICKEY GUILLORY, GUINN, HARDY, HARRISON, HAZEL, HENDERSON, HENRY, HILL, HINES, HOFFMANN, HONEY, HOWARD, HUTTER, GIROD JACKSON, MICHAEL JACKSON, JOHNSON, ROSALIND JONES, KATZ, KLECKLEY, LABRUZZO, LAMBERT, LEBAS, LEGER, LIGI, LITTLE, LOPINTO, LORUSSO, MARCHAND, MILLS, MONICA, MONTOUCET, MORRELL, MORRIS, NORTON, NOWLIN, PEARSON, PERRY, PETERSON, PONTI, POPE, PUGH, RICHARD, RICHARDSON, RICHMOND, RITCHIE, ROBIDEAUX, ROY, SCHRODER, SIMON, SMILEY, GARY SMITH, JANE SMITH, PATRICIA SMITH, ST. GERMAIN, TALBOT, TEMPLET, TRAHAN, TUCKER, WADDELL, WHITE, WILLIAMS, WILLMOTT AND WOOTON

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AN ACT

To amend and reenact R.S. 42:1113(A) and (D) and 1114.3 and to enact R.S. 42:1113(E), relative to conflicts of interest; to provide relative to certain contracts involving certain public servants and certain affiliated persons and entities; to provide restrictions on certain contracts; to provide for disclosure relative to certain contracts; to require certain disclosures by certain elected officials; to provide for the content of such disclosures; to provide for enforcement and penalties; to provide exceptions and waivers; to provide for effectiveness; and to provide for related matters.

1 Be it enacted by the Legislature of Louisiana:

2 Section 1. R.S. 42:1113(A) and (D) and 1114.3 are hereby amended and reenacted  
3 and R.S. 42:1113(E) is hereby enacted to read as follows:

4 §1113. Prohibited contractual arrangements

5 A.(1) No public servant, excluding any legislator and any appointed member  
6 of any board or commission and any member of a governing authority of a parish  
7 with a population of ten thousand or less, or member of such a public servant's  
8 immediate family, or legal entity in which he has a controlling interest shall bid on  
9 or enter into any contract, subcontract, or other transaction that is under the  
10 supervision or jurisdiction of the agency of such public servant.

11 (2) No head of a department listed in R.S. 36:4(A) who is appointed by  
12 the governor or lieutenant governor shall bid on or enter into any contract,  
13 subcontract, or other transaction that is under the supervision or jurisdiction  
14 of any agency to which funds have been transferred from the agency of such  
15 department head, but such prohibition shall apply only to any contract,  
16 subcontract, or transaction related to such funds.

17 \* \* \*

18 D.(1)(a)(i) No legislator or person who has been certified by the secretary  
19 of state as elected to the legislature, or spouse of a legislator or person who has been  
20 certified as elected to the legislature, person identified in Item (ii) of this  
21 Subparagraph or the spouse of such person nor any legal entity of a person  
22 corporation, partnership, or other legal entity, in which the legislator or person who  
23 has been certified by the secretary of state as elected to the legislature or the spouse  
24 of a legislator or spouse of a person who has been certified by the secretary of state  
25 as elected to the legislature owns any interest in, except publicly traded corporations,  
26 shall enter into any contract or subcontract with state government, any branch,  
27 agency, department, or institution of state government or with the Louisiana  
28 Insurance Guaranty Association, the Louisiana Health Insurance Guaranty  
29 Association, or any other quasi public entity created in law unless the contract or  
30 subcontract is awarded by competitive bidding after being advertised and awarded

1 in accordance with Part II of Chapter 10 of Title 38 of the Louisiana Revised Statutes  
2 of 1950 or is competitively negotiated through a request for proposal process or any  
3 similar competitive selection process in accordance with Chapters 16 or 17 of Title  
4 39 of the Louisiana Revised Statutes of 1950.

5 (ii) The provisions of this Subparagraph and other provisions which  
6 reference this Item shall apply to the following persons:

7 (aa) A legislator and any person who has been certified by the secretary  
8 of state as elected to the legislature.

9 (bb) The governor and each person holding statewide elected office.

10 (cc) The secretary of the Department of Economic Development.

11 (dd) The secretary of the Department of Culture, Recreation and  
12 Tourism.

13 (ee) The secretary of the Department of Environmental Quality.

14 (ff) The secretary of the Department of Health and Hospitals.

15 (gg) The secretary of the Department of Labor.

16 (hh) The secretary of the Department of Natural Resources.

17 (ii) The secretary of the Department of Public Safety and Corrections  
18 and any warden or assistant warden of a state penal institution.

19 (jj) The secretary of the Department of Revenue.

20 (kk) The secretary of the Department of Social Services.

21 (ll) The secretary of the Department of Transportation and  
22 Development.

23 (mm) The secretary of the Department of Wildlife and Fisheries.

24 (nn) The secretary of the Department of Veterans Affairs.

25 (oo) The executive secretary of the Public Service Commission.

26 (pp) The director of state civil service.

27 (qq) Each member of the State Board of Elementary and Secondary  
28 Education.

29 (rr) The superintendent of education, the commissioner of higher  
30 education, and the president of each public postsecondary education system.

1            (ss) Each member of the Board of Ethics and the ethics administrator.

2            (tt) The chief of staff to the governor.

3            (uu) The commissioner of the division of administration.

4            (vv) The executive counsel to the governor.

5            (ww) The legislative director for the governor.

6            (xx) The deputy chief of staff to the governor.

7            (yy) The director of policy for the governor.

8            (iii) For purposes of this Subsection, "legal entity of a person" means any  
9            corporation, partnership, or other such entity, except a publicly traded  
10           corporation or a passive ownership interest that is the result of participation in  
11           a federally approved program of employee ownership, in which a person  
12           identified in Item (ii) of this Subparagraph or the spouse of such person owns  
13           an interest of greater than five percent.

14           (iv) For purposes of this Subsection, "legal entity of a family member"  
15           means any corporation, partnership, or other such entity, except a publicly  
16           traded corporation or a passive ownership interest that is the result of  
17           participation in a federally approved program of employee ownership, in which  
18           an immediate family member of a person identified in Item (ii) of this  
19           Subparagraph, except the spouse of such a person, owns an interest of greater  
20           than five percent.

21           (v) For purposes of this Subsection, "state government" means any  
22           branch, agency, department, or institution of state government or with the  
23           Louisiana Insurance Guaranty Association, the Louisiana Health Insurance  
24           Guaranty Association, or any other state quasi public entity created in law.

25           (b)(i) No immediate family member, except the spouse, of a person  
26           identified in Item (a)(ii) of this Paragraph, nor any legal entity of a family  
27           member shall enter into any contract with state government unless the contract  
28           is awarded by competitive bidding after being advertised and awarded in  
29           accordance with Part II of Chapter 10 of Title 38 of the Louisiana Revised  
30           Statutes of 1950 or is competitively negotiated through a request for proposal

1 process or any similar competitive selection process in accordance with Chapter  
 2 16 or 17 of Title 39 of the Louisiana Revised Statutes of 1950; however, this  
 3 exception for competitively negotiated contracts shall not include contracts for  
 4 consulting services.

5 (ii) The provisions of this Subparagraph shall not prohibit a contract for  
 6 professional services entered into with the attorney general which is based on  
 7 criteria set forth by the office of risk management.

8 (c)(i) For the purposes of this Section, a provider agreement entered into  
 9 with the Department of Health and Hospitals under the state medical assistance  
 10 program shall not be considered a contract ~~or subcontract~~.

11 (ii) For the purposes of this Section, a foster parent provider agreement or  
 12 a child care provider agreement entered into with the Department of Social Services  
 13 shall not be considered a contract ~~or subcontract~~ **and shall not be subject to R.S.**  
 14 **42:1111(E)(2)(a).**

15 (iii) For purposes of this Section, any action taken to comply with a state  
 16 law, rule, or regulation shall not be considered a contract.

17 (2) The provisions of this Subsection shall not prohibit the following:

18 (a) Completion of any contract ~~or subcontract~~ otherwise prohibited by this  
 19 Subsection which was entered into prior to initial election to the legislature;  
 20 however, no such contract or subcontract shall be renewed.

21 (b) Completion of any contract ~~or subcontract~~ otherwise prohibited by this  
 22 Subsection which was entered into prior to July 1, 1995; however, no such contract  
 23 or subcontract shall be renewed.

24 (c) Contracts for employment in a professional educational capacity in **or for**  
 25 **professional services for** an elementary or secondary school or other educational  
 26 institution.

27 (d) Contracts of sale pursuant to the expropriation of immovable property by  
 28 any branch, agency, department, or institution of state government.

29 (e) Contracts of employment of a physician **or other licensed health care**  
 30 **professional** with the state or the charity hospitals of the state **or the Department**

1 of Health and Hospitals.

2 (f) Donation of professional veterinary services or the donation of any goods  
3 and services related to the provision of such veterinary services.

4 (g) Completion of any contract which, at the time it was entered into,  
5 was not prohibited by the provisions of this Subsection; however, no such  
6 contract shall be renewed.

7 (h)(i) Completion of any contract between a person identified by Item  
8 (a)(ii) of this Paragraph or his spouse or a legal entity of a person and state  
9 government, which contract was awarded by competitive bidding after being  
10 advertised and awarded in accordance with Part II of Chapter 10 of Title 38 of  
11 the Louisiana Revised Statutes of 1950, or competitively negotiated through a  
12 request for proposal process or any similar competitive selection process in  
13 accordance with Chapter 16 or 17 of Title 39 of the Louisiana Revised Statutes  
14 of 1950 or which contract, other than a contract for consulting services, was not  
15 competitively negotiated through a request for proposal process or any similar  
16 competitive selection process in accordance with Chapter 16 or 17 of Title 39 of  
17 the Louisiana Revised Statutes of 1950, and which contract was entered into  
18 prior to the effective date of this Subparagraph; however, no such contract shall  
19 be renewed for a period extending beyond January 9, 2012.

20 (ii) Completion of any contract between the immediate family member,  
21 except for a spouse, of a person identified in Item (1)(a)(ii) of this Subsection or  
22 a legal entity of a family member and state government, which contract was not  
23 awarded by competitive bidding after being advertised and awarded in  
24 accordance with Part II of Chapter 10 of Title 38 of the Louisiana Revised  
25 Statutes of 1950 or which contract, other than a contract for consulting services,  
26 was not competitively negotiated through a request for proposal process or any  
27 similar competitive selection process in accordance with Chapter 16 or 17 of  
28 Title 39 of the Louisiana Revised Statutes of 1950, and which contract was  
29 entered into prior to the effective date of this Subparagraph; however, no such  
30 contract shall be renewed for a period extending beyond January 9, 2012.

1            (i)(i) A sale by a retail establishment valued at two thousand five  
2            hundred dollars or less. However, no person shall enter into separate sales  
3            valued at two thousand five hundred dollars or less as a subterfuge to avoid the  
4            prohibition of this Subsection.

5            (ii) For purposes of this Subparagraph, "retail establishment" shall have  
6            the same meaning provided in R.S. 14:67.25.

7            (j) An agreement with a state entity or state quasi public entity providing  
8            for housing, retirement or insurance benefits, provided that those benefits are  
9            available to similarly situated persons.

10           (k) An agreement providing for public assistance benefits, including but  
11           not limited to, subsidies for agriculture, aquaculture, forestry, soil and water  
12           conservation, educational scholarships, grants and subsidies or guaranteed  
13           student loans, provided that such benefits are available to similarly situated  
14           persons.

15           (l) The payment of admission fees for events open to the public.

16           (m) Contracts for employment or for services by any licensed health  
17           care professional providing services in the classroom or working with  
18           administration in an elementary or secondary school or other educational  
19           institution.

20           (n) Contracts for services by health care professionals which are  
21           required by federal or state law to provide an educational program for students  
22           in an elementary or secondary school or other educational institution.

23           (o) Contracts for which the compensation is solely reimbursement of  
24           costs.

25           (p) Applying for, payment of fees for, or obtaining a license, credential,  
26           or permit provided that such license, credential, or permit is available to  
27           similarly situated persons.

28           (q) A contract in existence on the effective date of this Subparagraph for  
29           professional services entered into by a person selected pursuant to Part VII of  
30           Chapter 10 of Title 38 of the Louisiana Revised Statutes of 1950 with any

1 agency or entity of state government with which such person had a contract for  
2 professional services pursuant to Part VII of Chapter 10 of Title 38 of the  
3 Louisiana Revised Statutes of 1950 at any time prior to the effective date of this  
4 Subparagraph. Such a contract may be renewed, but may not continue in effect  
5 after January 8, 2012.

6 (r) An agreement for the provision of goods or services by state  
7 government provided on the same terms and conditions available to similarly  
8 situated persons.

9 (3) No person formerly serving in a position identified in Item (1)(a)(ii)  
10 of this Subsection nor his spouse nor any legal entity of a person shall, for a  
11 period of one year following the termination of the public service of such person  
12 enter into a contract that would have been prohibited by this Subsection prior  
13 to the termination of the public service of such person. The provisions of this  
14 Paragraph shall not prohibit the renewal of a contract that was not prohibited  
15 prior to the effective date of this Paragraph.

16 (4)(a) Each person identified in Item (1)(a)(ii) of this Subsection shall file  
17 a report with the Board of Ethics, by July first of each year of his term of office  
18 or of his service in his position, identifying the parties to and the value and term  
19 of each contract between him or his spouse or legal entity of a person and state  
20 government.

21 (b) Each immediate family member, except a spouse, of a person  
22 identified in Item (1)(a)(ii) of this Subsection shall file a report with the Board  
23 of Ethics by July first of each year of the person's term of office or of the  
24 person's service in his position identifying the parties to and the value and term  
25 of each contract between the immediate family member or any legal entity of  
26 a family member and state government.

27 E. If any provision of this Section conflicts with any other provision of  
28 this Part, the more restrictive provision shall govern.

29 \* \* \*

30 §1114.3. Disaster or emergency contracts; **prohibition**; disclosure

1           A.(1) No statewide elected official, legislator, commissioner of  
2           administration, or chief of staff or executive counsel to the governor, nor the  
3           spouse of any such person, nor any corporation, partnership, or other legal  
4           entity, except a publicly traded corporation or a passive ownership interest that  
5           is the result of participation in a federally approved program of employee  
6           ownership, in which such a person owns an interest of greater than five percent  
7           shall enter into any contract to which all of the following apply:

8                   (a) The contract is directed to addressing needs directly emanating from  
9                   a gubernatorially declared disaster or emergency.

10                   (b) The person knows or reasonably should know that the contract or  
11                   subcontract is funded or reimbursed in whole or in part with federal funds  
12                   distributed, paid, or allocated to or by the state or a state department, agency,  
13                   or official.

14                   (2) Hereafter in this Subsection, "person covered by this Subsection"  
15                   shall mean a statewide elected official, legislator, commissioner of  
16                   administration, or chief of staff or executive counsel to the governor, or the  
17                   spouse of any such person. "Company covered by this Subsection" shall mean  
18                   a corporation, partnership, or other legal entity, except a publicly traded  
19                   corporation or a passive ownership interest that is the result of participation in  
20                   a federally approved program of employee ownership, in which a person  
21                   covered by this Section owns an interest of greater than five percent.

22                   (3) The provisions of Paragraph (1) of this Subsection shall not apply to  
23                   construction-related contracts entered into with entities more than two years  
24                   following the initial declaration of disaster or emergency, provided that the  
25                   entity is not the governmental entity of a person covered by this Section.

26                   (4)(a)(i) The provisions of this Subsection shall not prohibit a sale by a  
27                   retail establishment which is valued at two thousand five hundred dollars or  
28                   less. However, no person shall enter into separate sales valued at two thousand  
29                   five hundred dollars or less as a subterfuge to avoid the prohibition of this  
30                   Subsection.

1                    (ii) For purposes of this Subparagraph, "retail establishment" shall have  
2                    the same meaning provided in R.S. 14:67.25.

3                    (b) For the purposes of this Subsection, the following shall not constitute  
4                    a contract:

5                    (i) A provider agreement entered into with the Department of Health and  
6                    Hospitals under the state medical assistance program.

7                    (ii) A foster parent provider agreement or a child care provider  
8                    agreement entered into with the Department of Social Services.

9                    (iii) An agreement with a state entity or state quasi public entity  
10                   providing for retirement or insurance benefits, provided that those benefits are  
11                   available to similarly situated persons.

12                   (iv) An agreement providing for public assistance benefits, including but  
13                   not limited to, subsidies for agriculture, aquaculture, forestry, soil and water  
14                   conservation, educational scholarships, grants and subsidies or guaranteed  
15                   student loans, provided that such benefits are available to similarly situated  
16                   persons.

17                   (c) The provisions of this Subsection shall not prohibit the following:

18                   (i) Contracts for employment or for services in a professional  
19                   educational capacity in an elementary or secondary school or other educational  
20                   institution.

21                   (ii) Contracts for employment or for services by any licensed health care  
22                   professional providing services in the classroom or working with administration  
23                   in an elementary or secondary school or other educational institution.

24                   (iii) Contracts for services by health care professionals which are  
25                   required by federal or state law to provide an educational program for students  
26                   in an elementary or secondary school or other educational institution.

27                   (iv) Contracts of sale pursuant to the expropriation of immovable  
28                   property by any branch, agency, department, or institution of state government.

29                   (v) Contracts of employment of a physician or other licensed health care  
30                   professional with the state or the charity hospitals of the state or the

1 Department of Health and Hospitals.

2 (vi) Donation of professional veterinary services or the donation of any  
 3 goods and services related to the provision of such veterinary services.

4 (vii) Applying for, payment of fees for, or obtaining a license, credential,  
 5 or permit provided that such license, credential, or permit is available to  
 6 similarly situated persons.

7 (5) Each person covered by this Section who derives, either directly or  
 8 through a company covered by this Section, any thing of economic value  
 9 through any contract which is directed to addressing needs directly emanating  
 10 from a gubernatorially declared disaster or emergency and which the person  
 11 covered by this Section knows or reasonably should know is or may be funded  
 12 or reimbursed in whole or in part with federal funds shall disclose the  
 13 information required by Subsection C of this Section as provided in that  
 14 Subsection.

15 B.(1) Except as provided in ~~Subsection B~~ Paragraph 2 of this Section  
 16 Subsection, each elected official; other than a statewide elected official or  
 17 legislator, each appointed state official, other than the commissioner of  
 18 administration or the chief of staff or executive counsel to the governor, and  
 19 each immediate family member of an ~~elected official or appointed state official~~  
 20 subject to this Subsection or Subsection A of this Section who derives, either  
 21 directly or through a legal entity in which such official or immediate family member  
 22 owns ten percent or more, any thing of economic value through any contract ~~or~~  
 23 ~~subcontract~~ which is related to a gubernatorially declared disaster or emergency and  
 24 which the official or immediate family member knows or reasonably should know  
 25 is or may be funded or reimbursed in whole or in part with federal funds shall ~~make~~  
 26 ~~the disclosure shall disclose the following as provided in this Section:~~ disclose the  
 27 information required by Subsection C of this Section as provided in that  
 28 Subsection.

29 (2) No person required to disclose information by Paragraph (1) of this  
 30 Subsection shall be required to disclose the receipt of any thing of economic

1 value pursuant to this Section when the value of the contract is two thousand  
 2 five hundred dollars or less. However, no person shall enter into separate  
 3 contracts valued at two thousand five hundred dollars or less with the same  
 4 person or governmental entity or agency thereof as a subterfuge to avoid the  
 5 disclosure requirements of this Section.

6 ~~(1)~~**C.(1) The following information shall be disclosed:**

7 (a)**(i)** If an elected or appointed official, the name and address of the elected  
 8 or appointed official and the office held by such person.

9 ~~(b)~~**(ii)** If an immediate family member of an elected or appointed official, the  
 10 name and address of such person; the name, address, and office of the elected or  
 11 appointed official to whom the person is related; and the nature of the relationship.

12 ~~(2)~~**(b)** If through a legal entity, the name and business address of the legal  
 13 entity, the percentage of the official's or immediate family member's ownership  
 14 interest in the legal entity, and the position, if any, held by the official or immediate  
 15 family member in the legal entity.

16 ~~(3)~~**(c)** The nature of the contract or subcontract, including the amount of the  
 17 contract or subcontract and a description of the goods or services provided or to be  
 18 provided pursuant to the contract or subcontract.

19 ~~(4)~~**(d)** The amount of income or value of any thing of economic value  
 20 derived through the contract or subcontract by the official or immediate family  
 21 member for the previous calendar year, except as provided in ~~Subsection C~~ of this  
 22 **Section Paragraph (2) of this Subsection.**

23 ~~B. No person shall be required to disclose the receipt of any thing of~~  
 24 ~~economic value pursuant to this Section when the value of the contract or~~  
 25 ~~subcontract is two thousand five hundred dollars or less. However, no person shall~~  
 26 ~~enter into separate contracts or subcontracts valued at two thousand five hundred~~  
 27 ~~dollars or less with the same person or governmental entity or agency thereof as a~~  
 28 ~~subterfuge to avoid the disclosure requirements of this Section.~~

29 ~~C.~~**(2)** Each elected or appointed official and immediate family member  
 30 subject to the provisions of this Section shall file an initial disclosure statement with

1 the Board of Ethics no later than thirty days after the official, immediate family  
 2 member, or legal entity enters into the contract, ~~whichever occurs later~~. The initial  
 3 disclosure statement shall contain all of the information required by ~~Subsection A~~  
 4 ~~of this Section~~ **Paragraph (1) of this Subsection**, except that instead of the actual  
 5 amount of income or value of any thing of economic value derived from the contract  
 6 by the official or immediate family member for the previous calendar year, the  
 7 official or immediate family member shall include the amount of income or value of  
 8 any thing of economic value to be derived or, if the actual amount is unknown at the  
 9 time the statement is due, reasonably expected to be derived from the contract or  
 10 subcontract for the first calendar year of the contract or subcontract.

11 ~~D.(1)(3)(a)~~ After filing the initial disclosure statement, the elected or  
 12 appointed official or immediate family member shall file the disclosure statements  
 13 required by this ~~Section~~ **Subsection** with the Board of Ethics no later than February  
 14 fifteenth each year and shall include such information for the previous calendar year.

15 ~~(2)(b)~~ An elected or appointed official or immediate family member subject  
 16 to the provisions of this Section shall be required to file the annual disclosure  
 17 statements required by this ~~Section~~ **Subsection** until a disclosure statement is filed  
 18 after the completion of the contract or subcontract subject to disclosure, or the person  
 19 filing such statements, or to whom the immediate family member is related is no  
 20 longer an elected or appointed official, whichever occurs first.

21 ~~(3)(c)~~ Annual disclosure statements shall not be required for the receipt of  
 22 things of economic value pursuant to contracts ~~or subcontracts~~ entered into prior to  
 23 an elected or appointed official taking office; however, if an elected or appointed  
 24 official or immediate family member thereof receives or reasonably expects to  
 25 receive a thing of economic value otherwise required to be disclosed by this Section  
 26 pursuant to the renewal of such a contract or subcontract occurring after the official  
 27 takes office, such official or immediate family member shall file a disclosure  
 28 statement no later than thirty days after such renewal in accordance with ~~Subsection~~  
 29 ~~C of this Section~~ **Paragraph 2 of this Subsection** and annually thereafter in  
 30 accordance with this Subsection.

1                   ~~(4)~~**(d)** All disclosure statements filed pursuant to this Section shall be a  
2 matter of public record.

3                   ~~E.(1)~~**(4)(a)** Failure to file a statement, failure to timely file a statement,  
4 failure to disclose required information, filing a false statement, or engaging in a  
5 subterfuge to avoid the disclosure requirements of this Section shall subject a person  
6 required to file to penalties as provided by this Chapter.

7                   ~~(2)~~**(b)** In addition to other applicable penalties, whoever fails to file a  
8 statement required by this Section, or knowingly and willfully fails to timely file any  
9 such statement, or knowingly and willfully fails to disclose or to accurately disclose  
10 any information required by this Section shall be assessed a civil penalty in  
11 accordance with R.S. 42:1157 for each day until such statement or the required  
12 accurate information is filed. The amount of the penalty shall be one hundred dollars  
13 per day.

14                   ~~(3)~~**(c)** In addition to other applicable penalties, whoever enters into separate  
15 contracts ~~or subcontracts~~ valued at two thousand five hundred dollars or less as a  
16 subterfuge to avoid the disclosure requirements of this Section shall be subject to the  
17 penalties of R.S. 42:1153.

18                   **F.D.** For the purposes of this Section, the term "appointed state official" or  
19 "appointed official" shall mean a person holding an office in any branch of state  
20 government or other position on a state agency, board, or commission or any  
21 executive office of any state agency, board, commission, or department which is  
22 specifically established or specifically authorized by the constitution or laws of this  
23 state or by executive order of the governor and which is filled by appointment or  
24 election by an elected or appointed public official or by a governmental body  
25 composed of such officials of this state.

26                   **G.E.** Nothing in this Section shall require the disclosure of any thing of  
27 economic value received from an individual assistance claim.

28                   Section 3. This Act shall become effective upon signature by the governor or, if not  
29 signed by the governor, upon expiration of the time for bills to become law without signature  
30 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If

1 vetoed by the governor and subsequently approved by the legislature, this Act shall become  
2 effective on the day following such approval.

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PRESIDENT OF THE SENATE

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

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GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: \_\_\_\_\_