

First Extraordinary Session, 2008

SENATE BILL NO. 9

BY SENATORS CHAISSON, ALARIO, AMEDEE, BROOME, CHEEK, CRAVINS, CROWE, DONAHUE, DORSEY, DUPLESSIS, DUPRE, ERDEY, B. GAUTREAUX, N. GAUTREAUX, HEBERT, HEITMEIER, KOSTELKA, LONG, MARIONNEAUX, MARTINY, MICHOT, MORRISH, MOUNT, NEVERS, QUINN, RISER, SCALISE, SHAW, SHEPHERD, SMITH, THOMPSON AND WALSWORTH

LOBBYING. Requires lobbyists to file monthly expenditure reports and to disclose expenditures in excess of \$50 in the aggregate on public servants. (See Act)

1 AN ACT

2 To amend and reenact R.S. 24:51(2), 55(B) and (E), and R.S. 49:76(B) and(E), all relative  
3 to expenditures on public servants and the reporting of such expenditures by  
4 lobbyists; to provide for monthly reporting of expenditures by lobbyists; to provide  
5 for the reporting of monthly aggregate expenditures by lobbyists; to provide for  
6 reporting of certain things of economic value expended on behalf of certain public  
7 officials; and to provide for related matters.

8 Be it enacted by the Legislature of Louisiana:

9 Section 1. R.S. 24:51(2) and 55(B) and (E) are hereby amended and reenacted to  
10 read as follows:

11 §51. Definitions

12 When used in this Part:

13 \* \* \*

14 (2) "Expenditure" means the gift or payment of money or anything of value  
15 when the amount of value exceeds ten dollars for the purchase of food, drink, or  
16 refreshment for a legislator, **or public servant as defined in R.S. 42:1102**, and any  
17 gift or payment as permitted by R.S. 42:1123(13) and (16) when the value exceeds



\* \* \*

B. A report shall be filed ~~semi-annually, and shall be filed, or if mailed shall be postmarked, as follows:~~ **monthly. The report for each month shall be filed by the fifteenth of the following month.**

~~(1) By August fifteenth for the period from January first through June thirtieth.~~

~~(2) By February fifteenth for the period from July first through December thirty-first.~~

\* \* \*

Section 4. R.S. 49:76(E) is hereby amended and reenacted to read as follows:

§76. Lobbyist expenditure reports

\* \* \*

E. When the aggregate expenditure for any one executive branch official exceeds the sum of fifty dollars on any one occasion, or when the aggregate expenditure for any one executive branch official exceeds the sum of ~~two hundred~~ **fifty dollars in a reporting period** **fifty dollars in one month**, then the total amount of expenditures for the executive branch official during the reporting period shall be attributable to an individual executive branch official. **The total amount of every expenditure attributable for any one executive branch official during a reporting period shall be attributable to the individual executive branch official and reported as provided in this Section and shall be reported to the individual executive branch official.**

\* \* \*

Section 5. The provisions of Sections 1 and 3 of this Act shall become effective on January 1, 2009.

Section 6. The provisions of Sections 2, 4, 5 and this Section of this Act shall become effective upon signature by the governor or, if not signed by the governor, upon expiration of the time for bills to become law without signature by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If vetoed by the governor and

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

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The original instrument was prepared by Thomas L. Tyler. The following digest, which does not constitute a part of the legislative instrument, was prepared by Bobbie Hunter.

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#### DIGEST

Chaisson (SB 9)

Present law provides that legislative and executive branch lobbyists shall file a report of all expenditures incurred for the purpose of lobbying with the Board of Ethics. Provides that the reports shall be filed semi-annually by August 15<sup>th</sup> for the period from January 1<sup>st</sup> through June 30<sup>th</sup>, and by February 15<sup>th</sup> for the period from July 1<sup>st</sup> through December 31<sup>st</sup>.

Proposed law provides that such reports shall be filed monthly rather than semi-annually.

Proposed law expands the definition of expenditure in the legislative branch lobbying registration and disclosure laws to include any thing of value which exceeds \$10 for food or drink and any other gift permitted by exceptions to the Code of Governmental Ethics when the value exceeds \$10 to include such expenditures made for any public servant, as defined in the Code of Governmental Ethics.

Present law provides for attributable reporting of lobbying expenditures for both legislative and executive branch lobbying when an expenditure for any one legislator or executive branch official exceeds the sum of \$50 on any one occasion, or when the aggregate expenditure for any one legislative or executive branch official exceeds \$250 in a reporting period.

Proposed law deletes present law provision requiring attributable reporting of aggregate expenditures when the amount exceeds \$250 and adds that a lobbyist shall report when the aggregate expenditure for any one executive branch official exceeds the sum of \$50 per month. Requires reporting every such expenditure attributable to each public servant without a threshold requirement and without aggregation.

Proposed law deletes present law provision when the aggregate expenditure for any one legislator exceeds the sum of fifty dollars on any one occasion, or when the aggregate expenditure for any one legislature exceeds the sum of two-hundred fifty dollars in a reporting period, which will be attributable to an individual legislator. Requires reporting every such expenditure attributable to each public servant without at threshold requirement and without aggregation.

Provisions of proposed law regarding the reporting of lobbying expenditures takes effect on January 1, 2009.

Provisions of proposed law regarding expenditure limits are effective upon signature of the governor or lapse of time for gubernatorial action.

(Amends R.S. 24:51(2) and 55(B) and (E) and R.S. 49:76(B) and (E))

Summary of Amendments Adopted by Senate

Senate Floor Amendments to engrossed bill.

1. Expands the definition of expenditure in the legislative and executive branch lobbying registration and disclosure laws to include any thing of value which exceeds \$10 for food or drink and any other gift permitted by exceptions to the Code of Governmental Ethics when the value exceeds \$10 to include such expenditures made for any public servant, as defined in the Code of Governmental Ethics.
2. Requires reporting every such expenditure attributable to each legislator or public servant without a threshold requirement and without aggregation.