

First Extraordinary Session, 2008

SENATE BILL NO. 25

BY SENATOR NEVERS

ETHICS. Provides that no elected official may appoint or nominate any person who contributed to the elected official's campaign for that office. (gov sig)

1 AN ACT

2 To enact R.S. 42:1119.1, relative to ethical standards for public servants; to provide for  
3 conflicts of interest by elected officials; to prohibit appointment or nomination of  
4 certain campaign contributors; to provide penalties; and to provide for related  
5 matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 42:1119.1 is hereby enacted to read as follows:

8 **§1119.1. Prohibited appointment; campaign contributor**

9 **A. No elected official shall appoint or nominate to any state board or**  
10 **commission a person who made a contribution, as defined in R.S. 18:1483, to the**  
11 **official's principal or any subsidiary campaign committee for one election**  
12 **period which in the aggregate for such election is two thousand five hundred**  
13 **dollars or more nor the spouse or immediate family member, as defined in R.S.**  
14 **42:1102(13), of the contributor nor any officer of any business or corporation**  
15 **in which the contributor owns any interest, except publically traded**  
16 **corporations.**

17 **B. A violation of this Section shall subject the elected official to**

1            **disciplinary action and penalties provided by this Chapter, and shall constitute**  
 2            **grounds for immediate termination of or removal from the appointment or**  
 3            **nomination.**

4            Section 2. This Act shall become effective upon signature by the governor or, if not  
 5            signed by the governor, upon expiration of the time for bills to become law without signature  
 6            by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If  
 7            vetoed by the governor and subsequently approved by the legislature, this Act shall become  
 8            effective on the day following such approval.

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The original instrument was prepared by J. W. Wiley. The following digest,  
 which does not constitute a part of the legislative instrument, was prepared  
 by Diane Burkhart.

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#### DIGEST

Nevers (SB 25)

Proposed law provides that no elected official can appoint or nominate to any agency a person who made a contribution to his principal or any subsidiary campaign committee for one election which in the aggregate is \$2,500 or more to the official's campaign. Further precludes the official from nominating or appointing the spouse or immediate family member of the contributor or any business or corporation in which the contributor has any interest, except for a publically traded corporation.

Present law provides the following penalties: (1) censorship or (2) a fine of not more than \$10,000 or both. Proposed law retains present law and adds the immediate termination of or removal from the appointment or nomination.

Effective upon signature of the governor or lapse of time for gubernatorial action.

(Adds R.S. 42:1119.1)

#### Summary of Amendments Adopted by Senate

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

1. Limits those who the elected official may not nominate or appoint to a person who made a contribution to his principal or any subsidiary campaign committee for one election which in the aggregate is \$2,500 or more to the official's campaign.
2. Further precludes the official from nominating or appointing the spouse or immediate family member of the contributor or any business or corporation in which the contributor has any interest, except for a publically traded corporation.