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The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Yolanda Dixon.

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## DIGEST

Present law provides for the manner in which a person qualifies as a candidate in a primary election. Requires a person to file a notice of candidacy and either pay the fees imposed or present a nominating petition in lieu of the fees. Prohibits any person who is under an order of imprisonment for conviction of a felony from qualifying to become a candidate.

Present law provides that on a notice of candidacy, a candidate shall certify that he has read the notice of candidacy, that he meets the qualifications of the office, that he is not under an order of imprisonment for conviction of a felony, that he is not prohibited from qualifying as a candidate for conviction of a felony under the Louisiana Constitution, that he has attached applicable financial statements, that he acknowledges that he is subject to the Campaign Finance Disclosure Act, that he owes no outstanding fines, fees, or penalties under the Campaign Finance Disclosure Act, and that all of his statements are true and correct.

Proposed law retains present law and additionally requires the candidate to certify that he owes no outstanding fines, fees, or penalties under the Code of Governmental Ethics which have been imposed by a final order of the Board of Ethics, or a final order of court against which all appeals have been exhausted.

Present law provides for the various fees required to be paid by a candidate at the time of qualifying for a primary election and that such fees shall be paid by cash, certified check, cashier's check, or bank or postal money order. The amount of qualifying fees are established by the office sought. Additional fees may be imposed by the state central committee and the parish executive committee of a political party for candidates affiliated with that party or who seek membership on such committee.

Proposed law requires the qualifying official to collect any outstanding fines, fees, or penalties under the Code of Governmental Ethics which have been imposed by a final order of the Board of Ethics, or a final order of court against which all appeals have been exhausted and to immediately transmit those funds, to the Board of Ethics.

Proposed law also provides a procedure for a candidate to contest the validity of the ethics fine, fee, or penalty, by making the payment along with a statement of contest. In the event of a contest, the qualifying official shall transmit the statement of contest to the Board of Ethics. The qualifying official shall additionally file a concursus proceeding pursuant to C.C.P. Art. 4653 within five days of the contest and deposit the candidate's payment into the registry of the district court in the parish where the candidate filed his notice of candidacy.

Requires the qualifying official to make the candidate and the Board of Ethics a party to the proceedings. Provides that if the candidate fails to answer within the time provided for answer,

pursuant to C.C.P.Art. 4655, the monies shall be released to the Board of Ethics in accordance with judgment rendered in the concursus proceeding. Provides that if the Board of Ethics fails to answer within the time provided for answer pursuant to C.C.P.Art. 4655, the monies shall be released to the candidate in accordance with judgment rendered in the concursus proceeding.

Present law directs the Supervisory Committee on Campaign Finance Disclosure to prepare and distribute the forms to be used to satisfy the filing requirement of the Campaign Finance Disclosure Act and the informational packets to the general public and candidates. Candidate information packets are forwarded to the elections qualifying officials for dissemination to candidates at the time of qualifying.

Proposed law retains present law and adds a requirement that the supervisory committee maintain a list of all persons who owe a fine, fee, or penalty assessed pursuant to the Code of Governmental Ethics which has been imposed by a final order of the Board of Ethics or a final order of a court against which all appeals have been exhausted. Provides that the list shall include each such person's name, last known address, and the amount of the fine, fee, or penalty owed. Requires the supervisory committee to send a copy of the list, long with the candidate informational packets to all officials with whom candidates will qualify for any primary election.

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

(Amends R.S. 18:461(B) and 463(A)(2)(a) and (b); adds R.S. 18:461(C), 464(I) and 1511.3(F))