

Regular Session, 2008

HOUSE BILL NO. 921

BY REPRESENTATIVES GALLOT AND TUCKER

ETHICS/CODE: Provides relative to the acceptance of admission to certain events by elected officials

1 AN ACT

2 To amend and reenact R.S. 42:1123(13), relative to the acceptance of certain things of
3 economic value; to provide relative to the acceptance of complimentary admission
4 to certain events by certain public servants; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 42:1123(13) is hereby amended and reenacted to read as follows:

7 §1123. Exceptions

8 This Part shall not preclude:

9 * * *

10 (13)(a)(i) The acceptance by an elected official ~~to~~ of complimentary
11 admission to a civic, ~~non-profit, educational, or political~~ or non-profit event when
12 the elected official is a program honoree, ~~is a speech presenter~~ is giving a speech at
13 the event, or is a panel member for a discussion occurring at the event.

14 (ii) The acceptance by an elected official of complimentary admission to an
15 educational event or to a fundraising event for a candidate or political party.

16 (b) (i) The provisions of this Paragraph shall not apply to ~~an~~ admission to
17 any professional, semi-professional, or collegiate sporting event; ~~or any.~~

18 (ii) The provisions of this Paragraph shall not apply to fishing trip, hunting
19 trip, or golf outing ~~unless such trip or outing is associated with a candidate's, elected~~
20 ~~official's, or organization's fundraising event open to the general public~~ unless the

1 fishing, hunting, or golf is directly related to a fundraising event for a candidate or
2 political party and the elected official is invited to participate by the host of the
3 event.

4 * * *

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

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 or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

Gallot

HB No. 921

Abstract: Allows an elected official to accept complimentary admission to a civic or non-profit event when the public servant is a program honoree, is giving a speech at the event, or is a panel member for a discussion occurring at the event. Additionally allows an elected official to accept complimentary admission to an educational event or to a fundraising event for a candidate or political party. Does not allow acceptance of admission to any professional, semi-professional, or collegiate sporting event or fishing, hunting, or golf unless the fishing, hunting, or golf is directly related to a fundraising event for a candidate or political party and the elected official is invited to participate by the host of the event.

Present law (R.S. 42:1111) prohibits a public servant (which includes a public employee or an elected official) from receiving any thing of economic value, other than compensation and benefits from the governmental entity to which he is entitled, for the performance of his duties. Present law (R.S. 42:1115(A)) prohibits a public servant from soliciting or accepting any thing of economic value as a gift or gratuity from any person if the public servant knows or should know that such person has or is seeking to obtain a business relationship with the public servant's agency or is seeking to influence the passage or defeat of legislation by the public servant's agency. Present law (R.S. 42:1115(B)) prohibits a public employee from soliciting or accepting any thing of economic value as a gift or gratuity from any person if the public employee knows or should know that such person conducts operations or activities which are regulated by the public employee's agency or has substantial economic interests which may be substantially affected by the performance or nonperformance of the public employee's official duty. Present law (R.S. 42:1102(22)) defines a "thing of economic value" as money or any other thing having economic value except promotional items having no substantial resale value. Contains certain other exceptions including the acceptance of food, drink, or refreshments consumed by a public servant while the personal guest of a person, including reasonable transportation and entertainment incidental thereto.

Present law provides an exception to allow an elected official to accept complimentary admission to a civic, non-profit, educational, or political event when the elected official is a program honoree, is a speech presenter, or is a panel member. Present law provides that

the exception does not apply to any admission to any professional, semi-professional, or collegiate sporting event; or any fishing trip, hunting trip, or golf outing unless such trip or outing is associated with a candidate's, elected official's, or organization's fund-raising event open to the general public.

Proposed law provides instead that an elected official may accept complimentary admission to a civic or non-profit event when the public servant is a program honoree, is giving a speech at the event, or is a panel member for a discussion occurring at the event. Proposed law additionally allows an elected official to accept complimentary admission to an educational event or to a fundraising event for a candidate or political party. Provides that proposed law exception does not apply to admission to any professional, semi-professional, or collegiate sporting event or to fishing, hunting, or golf unless the fishing, hunting, or golf is directly related to a fundraising event for a candidate or political party and the elected official is invited to participate by the host of the event.

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

(Amends R.S. 42:1123(13))