

SENATE BILL NO. 769

BY SENATOR CHAISSON

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AN ACT

To amend and reenact R.S. 42:1113(D)(1)(a)(iii) and (iv) and (c), (2), (3) and (4), 1114.3(A)(1), (2), (4), and (5), (B), and (C)(3), 1115.1(D) and (E), 1123(13) and (39)(a), and 1125(B) and (C), to enact R.S. 42:1113(D)(5), 1115.1(F), 1119(C)(7), and 1123(41), and to repeal R.S. 42:1113(E), relative to the Code of Governmental Ethics; to provide relative to certain contracts involving certain public servants and certain affiliated persons and entities; to provide relative to restrictions regarding such contracts; to provide for disclosure of such contracts; to provide for enforcement and penalties; to provide relative to applicability; to provide exceptions; to provide for effectiveness; to provide relative to the acceptance of complimentary admission to certain events by public servants; to provide definitions; to provide for limitations on food, drink, and refreshments provided to public servants; to provide relative to restrictions on immediate family members of legislators serving as registered lobbyists; to provide relative to certain employment of immediate family members of legislators; to provide relative to reporting of contributions and expenditures related to gubernatorial transition and inauguration and for the applicability of such provisions; to provide relative to the acceptance by a public servant of certain admission, transportation, and lodging and to provide relative to disclosure of the acceptance of such things of economic value; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 42:1113(D)(1)(a)(iii) and (iv) and (c), (2), (3) and (4), 1114.3(A)(1), (2), (4), and (5), (B), and (C)(3), 1115.1(D) and (E), 1123(13) and (39)(a) are hereby amended and reenacted and R.S. 42:1113(D)(5), 1115.1(F), and 1119(C)(7) are hereby enacted to read as follows:

1 §1113. Prohibited contractual arrangements; **exceptions; reports**

2 * * *

3 D.(1)(a)

4 * * *

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

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

22 * * *

23 ~~(c)(i) For the purposes of this Section, a provider agreement entered into~~
24 ~~with the Department of Health and Hospitals under the state medical assistance~~
25 ~~program shall not be considered a contract. **The following shall not be considered**~~
26 **a contract for purposes of this Subsection:**

27 (ii) For the purposes of this Section, a

28 **(i)** A foster parent provider agreement or a child care provider agreement
29 entered into with the Department of Social Services. ~~shall not be considered a~~
30 ~~contract and **In addition, such an agreement** shall not be subject to R.S.~~

1 42:1111(E)(2)(a).

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

4 (ii) An agreement with a state entity or state quasi-public entity for
 5 housing, medical treatment, retirement benefits, or insurance benefits provided
 6 on the same terms and conditions available to similarly situated persons.

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

12 (iv) An agreement for which the compensation is solely reimbursement
 13 of costs.

14 (v) Applying for, payment of fees for, or obtaining a license, credential,
 15 or permit provided that such license, credential, or permit is available to
 16 similarly situated persons.

17 (vi) The payment of admission fees.

18 (vii) The sale of property pursuant to the expropriation of immovable
 19 property by any branch, agency, department, or institution of state government.

20 (viii) The donation of professional veterinary services and the donation
 21 of any goods and services related to the provision of such veterinary services.

22 (ix) Any transaction valued at two thousand five hundred dollars or less.
 23 However, no person shall enter into separate transactions valued at two
 24 thousand five hundred dollars or less as a subterfuge to avoid the prohibition
 25 of this Subsection.

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

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

30 ~~(b) Completion of any contract otherwise prohibited by this Subsection~~

1 ~~which was entered into prior to July 1, 1995; however, no such contract or~~
 2 ~~subcontract shall be renewed.~~

3 ~~(e)(a)~~ Contracts for employment in a professional educational capacity in or
 4 for professional services for an elementary or secondary school or other educational
 5 institution.

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

8 **(b) A provider agreement entered into with the Department of Health**
 9 **and Hospitals under the state medical assistance program.**

10 ~~(e)(c)~~ Contracts of employment of a physician or other licensed health care
 11 professional with the state or the charity hospitals of the state or the Department of
 12 Health and Hospitals.

13 ~~(f)~~ Donation of professional veterinary services or the donation of any goods
 14 and services related to the provision of such veterinary services.

15 ~~(g)(d)~~ Completion of any contract which, at the time it was entered into, was
 16 not prohibited by the provisions of this Subsection; however, no such contract shall
 17 be renewed **except as specifically provided for in this Paragraph.**

18 ~~(h)(e)(i)~~ Completion of any contract between a person identified by **in** Item
 19 **(1)(a)(ii)** of this Paragraph **Subsection** or his spouse or a legal entity of a person and
 20 state government, which contract was awarded by competitive bidding after being
 21 advertised and awarded in accordance with Part II of Chapter 10 of Title 38 of the
 22 Louisiana Revised Statutes of 1950, or competitively negotiated through a request
 23 for proposal process or any similar competitive selection process in accordance with
 24 Chapter 16 or 17 of Title 39 of the Louisiana Revised Statutes of 1950 or which
 25 contract, other than a contract for consulting services, was not competitively
 26 negotiated through a request for proposal process or any similar competitive
 27 selection process in accordance with Chapter 16 or 17 of Title 39 of the Louisiana
 28 Revised Statutes of 1950, and which contract was entered into prior to March 3,
 29 2008; however, no such contract shall be renewed for a period extending beyond
 30 January 9, 2012.

1 (ii) Completion of any contract between the immediate family member,
 2 except for a spouse, of a person identified in Item (1)(a)(ii) of this Subsection or a
 3 legal entity of a family member and state government, which contract was not
 4 awarded by competitive bidding after being advertised and awarded in accordance
 5 with Part II of Chapter 10 of Title 38 of the Louisiana Revised Statutes of 1950 or
 6 which contract, other than a contract for consulting services, was not competitively
 7 negotiated through a request for proposal process or any similar competitive
 8 selection process in accordance with Chapter 16 or 17 of Title 39 of the Louisiana
 9 Revised Statutes of 1950, and which contract was entered into prior to March 3,
 10 2008; however, no such contract shall be renewed for a period extending beyond
 11 January 9, 2012.

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

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

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

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

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

26 ~~(m)~~**(f)** Contracts for employment or for services by any licensed health care
 27 professional providing services in the classroom or working with administration in
 28 an elementary or secondary school or other educational institution.

29 ~~(n)~~**(g)** Contracts for services by health care professionals which are required
 30 by federal or state law to provide an educational program for students in an

1 elementary or secondary school or other educational institution.

2 ~~(o) Contracts for which the compensation is solely reimbursement of costs.~~

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

6 ~~(q)~~**(h)** A contract ~~in existence on March 3, 2008~~ for professional services
 7 entered into by a person selected pursuant to Part VII of Chapter 10 of Title 38 of the
 8 Louisiana Revised Statutes of 1950 with any agency or entity of state government
 9 with which such person had a contract for professional services pursuant to Part VII
 10 of Chapter 10 of Title 38 of the Louisiana Revised Statutes of 1950 at any time prior
 11 to ~~March 3, 2008. Such a contract may be renewed, but may not continue in effect~~
 12 **March 3, 2008, or at any time prior to the initiation of the public service which**
 13 **made the person subject to the provisions of this Subsection; however, no**
 14 **contract for such professional services shall be entered into** after January 8, 2012.

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

17 ~~(3)~~**(a)** No person formerly serving in a position identified in Item (1)(a)(ii)
 18 of this Subsection nor his spouse nor any legal entity of a person shall, for a period
 19 of one year following the termination of the public service of such person enter into
 20 a contract that would have been prohibited by this Subsection prior to the termination
 21 of the public service of such person. The provisions of this Paragraph shall not
 22 prohibit the renewal of a contract that was not prohibited prior to March 3, 2008.

23 **(b) The provisions of this Paragraph shall not apply to a person, to the**
 24 **spouse of a person, nor to a legal entity of a person if the public service of the**
 25 **person terminated prior to March 3, 2008. However, the provisions of this**
 26 **Paragraph shall apply to a person, to the spouse of a person, and to a legal**
 27 **entity of a person if the person served in an office or position identified in Item**
 28 **(1)(a)(ii) of this Subsection on or after March 3, 2008.**

29 (4)(a) Each person identified in Item (1)(a)(ii) of this Subsection shall file
 30 a report with the Board of Ethics, by ~~July first~~ **May fifteenth** of each year of his term

1 of office or of his service in his position, identifying the parties to and the value and
 2 term of each contract between him or his spouse or legal entity of a person and state
 3 government **during the previous calendar year.**

4 (b) Each immediate family member, except a spouse, of a person identified
 5 in Item (1)(a)(ii) of this Subsection shall file a report with the Board of Ethics by
 6 ~~July first~~ **May fifteenth** of each year of the person's term of office or of the person's
 7 service in his position identifying the parties to and the value and term of each
 8 contract between the immediate family member or any legal entity of a family
 9 member and state government **during the previous calendar year.**

10 **(c) Notwithstanding the provisions of Subparagraphs (a) and (b) of this**
 11 **Paragraph, the first report due pursuant to the provisions of this Subsection**
 12 **shall be due by May 15, 2009, and shall include the information required by this**
 13 **Paragraph for the period between and including March 3, 2008, and December**
 14 **31, 2008.**

15 E.~~(5)~~ If any provision of this Section **Subsection** conflicts with any other
 16 provision of this Part **Section**, the more restrictive provision shall govern.

17 * * *

18 §1114.3. Disaster or emergency contracts; prohibition; disclosure

19 A.(1) No statewide elected official, legislator, commissioner of
 20 administration, or chief of staff or executive counsel to the governor, nor the spouse
 21 of any such person, nor any corporation, partnership, or other legal entity, ~~except a~~
 22 ~~publicly traded corporation or a passive ownership interest that is the result of~~
 23 ~~participation in a federally approved program of employee ownership,~~ in which such
 24 a person owns an interest of greater than five percent, **except a publicly traded**
 25 **corporation or a legal entity in which the person owns a passive ownership**
 26 **interest that is the result of participation in a federally approved program of**
 27 **employee ownership,** shall enter into any contract to which all of the following
 28 apply:

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

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

5 (2) Hereafter in this Subsection, "person covered by this Subsection" shall
6 mean a statewide elected official, legislator, commissioner of administration, or chief
7 of staff or executive counsel to the governor, or the spouse of any such person.
8 "Company covered by this Subsection" shall mean a corporation, partnership, or
9 other legal entity, ~~except a publicly traded corporation or a passive ownership~~
10 ~~interest that is the result of participation in a federally approved program of~~
11 ~~employee ownership~~, in which a person covered by this ~~Section~~ **Subsection** owns
12 an interest of greater than five percent, **except a publicly traded corporation or a**
13 **legal entity in which the person owns a passive ownership interest that is the**
14 **result of participation in a federally approved program of employee ownership.**

15 * * *

16 (4)(a) **The following shall not be considered contracts for the purposes**
17 **of this Section:**

18 (i) ~~The provisions of this Subsection shall not prohibit a sale by a retail~~
19 ~~establishment which is~~ **A transaction** valued at two thousand five hundred dollars
20 or less. However, no person shall enter into separate sales **transactions** valued at two
21 thousand five hundred dollars or less as a subterfuge to avoid the prohibition of this
22 Subsection.

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

25 (b) ~~For the purposes of this Subsection, the following shall not constitute a~~
26 ~~contract:~~

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

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

1 (iii) An agreement with a state entity or state quasi-public entity providing
 2 for housing, medical treatment, retirement benefits, or insurance benefits, provided
 3 ~~that those benefits are~~ on the same terms and conditions available to similarly
 4 situated persons.

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

9 (v) An agreement for which the compensation is solely reimbursement
 10 of costs.

11 (vi) Applying for, payment of fees for, or obtaining a license, credential,
 12 or permit provided that such license, credential, or permit is available to
 13 similarly situated persons.

14 (vii) The payment of admission fees.

15 (viii) The sale of property pursuant to the expropriation of immovable
 16 property by any branch, agency, department, or institution of state government.

17 (ix) The donation of professional veterinary services and the donation
 18 of any goods and services related to the provision of such veterinary services.

19 ~~(c)~~(b) The provisions of this Subsection shall not prohibit the following:

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

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

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

28 ~~(iv) Contracts of sale pursuant to the expropriation of immovable property~~
 29 ~~by any branch, agency, department, or institution of state government.~~ A provider
 30 agreement entered into with the Department of Health and Hospitals under the

1 state medical assistance program.

2 (v) Contracts of employment of a physician or other licensed health care
3 professional with the state or the charity hospitals of the state or the Department of
4 Health and Hospitals.

5 ~~(vi) Donation of professional veterinary services or the donation of any
6 goods and services related to the provision of such veterinary services.~~

7 ~~(vii) Applying for, payment of fees for, or obtaining a license, credential, or
8 permit provided that such license, credential, or permit is available to similarly
9 situated persons.~~

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

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

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

6 C. * * *

7 (3)(a) After filing the initial disclosure statement, the elected or appointed
8 official or immediate family member shall file the disclosure statements required by
9 this Subsection with the Board of Ethics no later than ~~February~~ **May** fifteenth each
10 year and shall include such information for the previous calendar year.

11 * * *

12 §1115.1. Limitation on food, drink, and refreshment

13 * * *

14 D. For purposes of this Section, at an event to which a group or organization
15 of public servants is invited and at which food, drink, or refreshment is given, the
16 value of the food, drink, or refreshment provided to a public servant shall be
17 determined by dividing the total cost of the food, drink, and refreshment provided
18 at the event by the total number of persons invited, **whether formally or informally,**
19 **and which is communicated in any manner or form,** to the event.

20 * * *

21 E. The provisions of this Section shall not apply to a **any of the following:**

22 **(1) A** gathering held in conjunction with a meeting related to a national or
23 regional organization or a meeting of a statewide organization of governmental
24 officials or employees.

25 **(2) The participation of a public servant of a post-secondary education**
26 **institution at an event held for the purpose of soliciting donations or**
27 **contributions of private funds for the benefit of that public servant's agency.**

28 **F. For purposes of this Section, "event" means a single activity, occasion,**
29 **reception, meal, or meeting at a given place and time.**

30 * * *

1 §1119. Nepotism

2 * * *

3 C. * * *

4 (7) The provisions of this Section and the provisions of R.S. 24:31.5 shall
5 not prohibit the employment of any employee provided for in R.S. 24:31.5, nor
6 shall it be construed to hinder, alter, or in any way affect normal promotional
7 advancements for such employee, so long as the legislator who employs the
8 employee remains a member of the legislature, provided the employee is
9 employed as provided for in R.S. 24:31.5 in the legislator's agency by the same
10 legislator at least one year prior to becoming a member of the immediate family
11 of the legislator. In addition, notwithstanding the provisions of R.S. 42:1112,
12 the legislator may participate in transactions regarding such employment.

13 * * *

14 §1123. Exceptions

15 This Part shall not preclude:

16 * * *

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

22 (ii) The acceptance by a public servant of complimentary admission to
23 a fundraising event for a candidate or political party.

24 (b) The provisions of Subparagraph (a) of this Paragraph shall not apply to
25 ~~an admission to any professional, semi-professional, or collegiate sporting event; or~~
26 ~~any fishing trip, hunting trip, or golf outing unless such trip or outing is associated~~
27 ~~with a candidate's, elected official's, or organization's fundraising event open to the~~
28 ~~general public.~~

29 * * *

30 (39) An immediate family member of a legislator from being a registered

1 lobbyist or from lobbying as provided in R.S. 24:50, et seq., provided each of the
2 following:

3 (a) The immediate family member was a registered lobbyist as provided in
4 R.S. 24:50, et seq., for at least one year prior to the effective date of this
5 Subparagraph, or for at least one year prior to becoming an immediate family
6 member of the legislator, or for at least one year prior to the legislator's initial
7 election to the legislature.

8 * * *

9 Section 2. R.S. 42:1125(B) and (C) are hereby amended and reenacted to read as
10 follows:

11 §1125. Gubernatorial transition and inauguration; contribution limits; reports

12 * * *

13 B. As used in this Section:

14 (1) "Contribution" means a gift, loan, conveyance, payment, or deposit of
15 money or ~~anything~~ any thing of value, including an in-kind contribution, made for
16 the purpose of supporting the transition and any event, activity, or fund associated
17 with the inauguration of the governor-elect. However, "contribution" shall not
18 include funds received pursuant to R.S. 49:209 or the receipt and acceptance of a
19 campaign contribution as defined in R.S. 18:1483(6).

20 (2) "Expenditure" means any use of a contribution.

21 (3) "Transition" means the effort to organize the operations of the governor-
22 elect and includes the acquisition of funds to cover necessary office expenses,
23 including the rental of office space, the employment of clerical and other assistance,
24 and office provisions such as stationery, postage, telephone service, or other similar
25 charges.

26 C. On or before the sixtieth day after the gubernatorial inauguration; and by
27 February fifteenth annually thereafter until all contributions have been
28 expended or used, the governor shall file ~~one~~ an all-inclusive report with the Board
29 of Ethics for which reporting is required by Subsection A which shall state:

30 (1) The full name and address of each person, natural or legal, who has made

1 a contribution.

2 (2) The date and amount of each contribution and a brief description and
3 valuation of each in-kind contribution.

4 (3) The full name and address of each person to whom an expenditure
5 was made and the amount, date, and purpose of each expenditure and a
6 description of the use of each in-kind contribution.

7 * * *

8 Section 3. R.S. 42:1113(E) is hereby repealed in its entirety.

9 Section 4. R.S. 42:1123(41) is hereby enacted to read as follows:

10 §1123. Exceptions

11 This Part shall not preclude:

12 * * *

13 (41)(a) The acceptance by a public servant of complimentary admission
14 to, lodging reasonably related to, and reasonable transportation to and from an
15 educational or professional development seminar or conference held in any state
16 of the United States or Canada, provided that (i) the public servant is requested
17 or invited to attend by the sponsoring civic, nonprofit, educational, or political
18 group or organization, (ii) the sponsor is not a person from whom the public
19 servant is prohibited from receiving or accepting a gift pursuant to R.S.
20 42:1115(A)(2), (iii) the seminar or conference is related to the public service of
21 the public servant and is designed to enhance the knowledge or skill of the
22 public servant as it relates to the performance of his public service, and (iv) the
23 public servant's agency head approves the acceptance.

24 (b) Any public servant who accepts complimentary admission, lodging,
25 or transportation to and from an educational or professional development
26 seminar or conference shall file an affidavit with the Board of Ethics within
27 sixty days after such acceptance, disclosing (i) the name of the person or
28 organization who gave, provided, or paid in whole or in part for the admission,
29 lodging, or transportation, (ii) the person or organization that hosted the
30 seminar or conference, and (iii) the amount expended on his behalf by the

1 person or organization on admission, lodging, and transportation.

2 (c) The provisions of this Paragraph shall not require an affidavit to be
3 filed in connection with the acceptance by a public servant of admission,
4 lodging, or transportation relative to a seminar or conference held or hosted by
5 the agency or governmental entity of the public servant.

6 Section 5. Sections 1 and 4 of this Act are declared to be remedial, curative, and
7 procedural and therefore are to be applied retroactively as well as prospectively.

8 Section 6.A. Except as otherwise provided in this Section, this Act shall become
9 effective upon signature by the governor or, if not signed by the governor, upon expiration
10 of the time for bills to become law without signature by the governor, as provided by Article
11 III, Section 18 of the Constitution of Louisiana. If vetoed by the governor and subsequently
12 approved by the legislature, except as otherwise provided in this Section, this Act shall
13 become effective on the day following such approval.

14 B. The provisions of this Act amending and reenacting R.S. 42:1123(39)(a) shall
15 become effective on January 1, 2009.

PRESIDENT OF THE SENATE

SPEAKER OF THE HOUSE OF REPRESENTATIVES

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____