

Regular Session, 2012

# ACT No. 574

HOUSE BILL NO. 141

BY REPRESENTATIVE ST. GERMAIN

1 AN ACT

2 To amend and reenact R.S. 18:1495.7(A) and R.S. 42:1124(B) and (C)(introductory  
3 paragraph), 1124.2(B) and (C)(introductory paragraph), 1124.2.1(B) and  
4 (C)(introductory paragraph), 1124.3(B) and (C)(introductory paragraph), and  
5 1124.4(A)(2), relative to financial disclosure; to change the deadline for certain  
6 disclosures by candidates for certain offices; to change the time for certain notices  
7 relative to financial disclosure statements; to allow a person to file a financial  
8 statement covering the time served when service ends early in January in lieu of  
9 filing a statement for the calendar year in the year following termination of service;  
10 to provide for penalties; and to provide for related matters.

11 Be it enacted by the Legislature of Louisiana:

12 Section 1. R.S. 18:1495.7(A) is hereby amended and reenacted to read as follows:

13 §1495.7. Financial disclosure statements

14 A. Any person who becomes a candidate for an office for which the holder  
15 of the office is required to file financial disclosure statements pursuant to R.S.  
16 42:1124, 1124.2, or 1124.3 shall file a financial disclosure statement as required by  
17 R.S. 42:1124, 1124.2, or 1124.3 for the office for which he is a candidate. The  
18 statement required by this Section shall be filed within ~~ten days of the day~~ three  
19 business days after the close of the qualifying period during which the candidate files  
20 his notice of candidacy for the office. If the person is required by R.S. 42:1124,  
21 1124.2, or 1124.3 to file a statement for the office for which he is a candidate, such  
22 filing shall satisfy the requirements of this Section.

23 \* \* \*

24 Section 2. R.S. 42:1124(B) and (C)(introductory paragraph), 1124.2(B) and  
25 (C)(introductory paragraph), 1124.2.1(B) and (C)(introductory paragraph), 1124.3(B) and

1 (C)(introductory paragraph), and 1124.4(A)(2) are hereby amended and reenacted to read  
2 as follows:

3 §1124. Financial disclosure; statewide elected officials; certain public servants

4 \* \* \*

5 B.(1) The financial statement required by this Section shall be filed by May  
6 fifteenth of each year during which the person holds an office or position included  
7 in Subsection A of this Section and, except as provided in Paragraph (2) of this  
8 Subsection, by May fifteenth of the year following the termination of the holding of  
9 such office or position. The financial statement shall include the information  
10 required by Subsection C of this Section for the preceding calendar year.

11 (2) Notwithstanding the provisions of Paragraph (1) of this Subsection, if the  
12 holding of the office or position terminates in the month of January, the person shall  
13 not be required to file a financial statement pursuant to this Section in the year  
14 following the termination of the holding of the office or position if the person files  
15 a financial statement by May fifteenth of the year in which the holding of the office  
16 or position terminated containing the information required by Subsection C of this  
17 Section for the period in which the person held the office or position during that year.

18 C. The financial statement required by this Section shall be filed on a form  
19 prescribed by the Board of Ethics and shall include the following information ~~for the~~  
20 ~~preceding calendar year:~~

21 \* \* \*

22 §1124.2. Financial disclosure; certain elected officials; members of certain boards  
23 and commissions; ethics administrator

24 \* \* \*

25 B.(1) The financial statement required by this Section shall be filed by May  
26 fifteenth of each year during which the person holds an office or position included  
27 in Subsection A of this Section and, except as provided in Paragraph (3) of this  
28 Subsection, by May fifteenth of the year following the termination of the holding of  
29 such office or position. The financial statement shall include the information  
30 required by Subsection C of this Section for the preceding calendar year.

1                   (2) Notwithstanding the provisions of Paragraph (1) of this Subsection, the  
 2                   financial statement required by this Section may be filed within thirty days after the  
 3                   individual files his federal tax return for the year on which he is reporting, taking  
 4                   into consideration any extensions filed by the individual, provided that he notifies  
 5                   the Board of Ethics prior to the deadline provided in Paragraph (1) of this Subsection  
 6                   of his intention to do so.

7                   (3) Notwithstanding the provisions of Paragraph (1) of this Subsection, if  
 8                   the holding of the office or position terminates in the month of January, the person  
 9                   shall not be required to file a financial statement pursuant to this Section in the year  
 10                   following the termination of the holding of the office or position if the person files  
 11                   a financial statement by May fifteenth of the year in which the holding of the office  
 12                   or position terminated containing the information required by Subsection C of this  
 13                   Section for the period in which the person held the office or position during that year.

14                   C. The financial statement required by this Section shall be filed on a form  
 15                   prescribed by the Board of Ethics and shall include the following information ~~for the~~  
 16                   ~~preceding calendar year:~~

17   \*       \*       \*

18                   §1124.2.1. Financial disclosure; members of boards and commissions

19   \*       \*       \*

20                   B.(1) The financial statement required by this Section shall be filed by May  
 21                   fifteenth of each year during which the person holds an office included in Subsection  
 22                   A of this Section and, except as provided in Paragraph (2) of this Subsection, by May  
 23                   fifteenth of the year following the termination of the holding of such office. The  
 24                   financial statement shall include the information required by Subsection C of this  
 25                   Section for the preceding calendar year.

26                   (2) Notwithstanding the provisions of Paragraph (1) of this Subsection, if the  
 27                   holding of the office or position terminates in the month of January, the person shall  
 28                   not be required to file a financial statement pursuant to this Section in the year  
 29                   following the termination of the holding of the office or position if the person files  
 30                   a financial statement by May fifteenth of the year in which the holding of the office

1 or position terminated containing the information required by Subsection C of this  
2 Section for the period in which the person held the office or position during that year.

3 C. The financial statement required by this Section shall be filed on a form  
4 prescribed by the Board of Ethics and shall include the following information ~~for the~~  
5 ~~preceding calendar year:~~

6 \* \* \*

7 §1124.3. Financial disclosure; certain elected officials, voting districts of under five  
8 thousand

9 \* \* \*

10 B.(1) The financial statement required by this Section shall be filed by May  
11 fifteenth of each year during which the person holds an office included in Subsection  
12 A of this Section and, except as provided in Paragraph (2) of this Subsection, by May  
13 fifteenth of the year following the termination of the holding of such office. The  
14 financial statement shall include the information required by Subsection C of this  
15 Section for the preceding calendar year.

16 (2) Notwithstanding the provisions of Paragraph (1) of this Subsection, if  
17 the holding of the office or position terminates in the month of January, the person  
18 shall not be required to file a financial statement pursuant to this Section in the year  
19 following the termination of the holding of the office or position if the person files  
20 a financial statement by May fifteenth of the year in which the holding of the office  
21 or position terminated containing the information required by Subsection C of this  
22 Section for the period in which the person held the office or position during that year.

23 C. The financial statement required by this Section shall be filed on a form  
24 prescribed by the Board of Ethics and shall include the following information ~~for the~~  
25 ~~preceding calendar year:~~

26 \* \* \*

27 §1124.4. Penalties

28 A.

29 \* \* \*

1                   (2) The notice of delinquency shall inform the person that the financial  
2                   statement must be filed, or that the information must be disclosed or accurately  
3                   disclosed, or that a written answer contesting the allegation of such a failure,  
4                   omission, or inaccuracy must be filed no later than ~~fourteen~~ seven business days after  
5                   receipt of the notice of delinquency. The notice shall include the deadline for filing  
6                   the statement, filing the answer, or disclosing or accurately disclosing the  
7                   information.

\*       \*       \*

9                   Section 3. This Act shall become effective on January 1, 2013.

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

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PRESIDENT OF THE SENATE

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GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: \_\_\_\_\_