

Regular Session, 2013

HOUSE BILL NO. 14

BY REPRESENTATIVE RICHARD

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

LEGISLATORS: Prohibits a former legislator from being appointed to or employed in any position in state government for a period of two years following the termination of his service as a legislator

1 AN ACT

2 To enact R.S. 42:1121(A)(3), relative to post-service restrictions; to prohibit a former
3 legislator from being appointed to or employed in certain positions for a certain
4 period of time; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 42:1121(A)(3) is hereby enacted to read as follows:

7 §1121. Assistance to certain persons after termination of public service; post-service
8 restrictions

9 A.

10 * * *

11 (3) No former legislator shall, for a period of two years following the
12 termination of his public service as a legislator, be appointed to or employed in any
13 unclassified position in state government or any agency thereof.

14 * * *

15 Section 2. This Act shall become effective upon signature by the governor or, if not
16 signed by the governor, upon expiration of the time for bills to become law without signature
17 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
18 vetoed by the governor and subsequently approved by the legislature, this Act shall become
19 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)]

Richard

HB No. 14

Abstract: Prohibits a former legislator from being appointed to or employed in any unclassified position in state government for a period of two years following the termination of his service as a legislator.

Present law (R.S. 42:1121) prohibits a former agency head or elected official, for a period of two years following the termination of his public service as the head of such agency or as an elected public official serving in such agency, from assisting another person, for compensation, in a transaction, or in an appearance in connection with a transaction, involving that agency or from rendering any service on a contractual basis to or for such agency. Present law further prohibits a former member of a board or commission, for a period of two years following the termination of his public service on such board or commission, from contracting with, being employed in any capacity by, or being appointed to any position by that board or commission. (Note: The Board of Ethics has interpreted this provision to apply in certain circumstances to certain representative bodies.) Present law further prohibits a legal entity in which a former public servant is an officer, director, trustee, partner, or employee, for a period of two years following termination of his public service, from assisting another person for compensation in a transaction or in an appearance in connection with a transaction in which such public servant at any time participated during his public service and involving his former agency. Present law prohibits a former public servant from sharing in any compensation received by another person for assistance which such former public servant is prohibited from rendering.

Present law (R.S. 42:1113(D)) prohibits former legislators and former specified executive branch officials and their spouses and legal entities of such persons, for a period of one year following the termination of the elected official's public service, from entering into a contract with state government if such contract was prohibited prior to the termination of the public service of the specified public servant.

Proposed law further prohibits a former legislator from being appointed to or employed in any unclassified position in state government for a period of two years following the termination of his service as a legislator; otherwise retains present law.

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

(Adds R.S. 42:1121(A)(3))