

Regular Session, 2012

HOUSE BILL NO. 711

BY REPRESENTATIVE PUGH

ELECTIONS/CANDIDATES: Provides for the requirements of the notice of candidacy by additionally requiring a candidate for major or district office to certify that he has filed any campaign finance reports previously due

1 AN ACT

2 To amend and reenact R.S. 18:463(A)(2)(a)(v) through (vii) and to enact R.S.
3 18:463(A)(2)(a)(viii), relative to the notice of candidacy; to require certain
4 candidates to make certain certifications regarding campaign finance reports; to
5 provide for penalties; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 18:463(A)(2)(a)(v) through (vii) are hereby amended and reenacted
8 and R.S. 18:463(A)(2)(a)(viii) is hereby enacted to read as follows:

9 §463. Notice of candidacy; ~~financial~~ campaign finance disclosure; political
10 advertising; penalties

11 A.

12 * * *

13 (2)(a) The notice of candidacy also shall include a certificate, signed by the
14 candidate, certifying all of the following:

15 * * *

16 (v) That he acknowledges that he is subject to the provisions of the
17 Campaign Finance Disclosure Act (~~R.S. 18:1481 et seq.~~) if he is a candidate for any
18 office other than United States senator, representative in congress, or member of a

1 committee of a political party and that he does not owe any outstanding fines, fees,
2 or penalties pursuant to the Campaign Finance Disclosure Act.

3 (vi) That, if he is a major or district office candidate as defined in R.S.
4 18:1483, he has filed each report he has been required to file by the Campaign
5 Finance Disclosure Act, if any were previously due.

6 (vii) That he does not owe any outstanding fines, fees, or penalties pursuant
7 to the Code of Governmental Ethics.

8 ~~(vii)~~(viii) That all of the statements contained in it are true and correct.

9 * * *

10 Section 2. This Act shall become effective on January 1, 2013.

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)]

Pugh

HB No. 711

Abstract: Requires a major or district office candidate to certify in his notice of candidacy that he has filed each report he has been required to file by the Campaign Finance Disclosure Act, if any were previously due.

Present law requires a person who desires to become a candidate in a primary election to qualify by timely filing a notice of candidacy accompanied by either a nominating petition or the qualifying fee and any additional fees. Provides relative to the content of a notice of candidacy and requires that it include a certificate, signed by the candidate, certifying all of the following:

- (1) That he has read the notice of his candidacy.
- (2) That he meets the qualifications of the office.
- (3) That he is not currently under an order of imprisonment for conviction of a felony and that he is not prohibited from qualifying as a candidate pursuant to present constitution (Art. I, §10) due to conviction of a felony.
- (4) That, except for a candidate for U.S. senator or representative, for each of the previous five tax years he has filed his federal and state income tax returns, has filed for an extension of time for filing either his federal or state income tax return or both, or was not required to file either a federal or state income tax return or both.
- (5) That he acknowledges that he is subject to the provisions of present law (Campaign Finance Disclosure Act) if he is a candidate for any office other than U.S. senator, representative in congress, or member of a committee of a political party and that he does not owe any outstanding fines, fees, or penalties pursuant to present law.

- (6) That he does not owe any outstanding fines, fees, or penalties pursuant to present law (Code of Governmental Ethics).
- (7) That all of the statements contained in it are true and correct.

Proposed law adds a requirement that, if the candidate is a major or district office candidate as defined in R.S. 18:1483, he has filed each report he has been required to file by the Campaign Finance Disclosure Act, if any were previously due.

Effective Jan. 1, 2013.

(Amends R.S. 18:463(A)(2)(a)(v)-(vii); Adds R.S. 18:463(A)(2)(a)(viii))

Summary of Amendments Adopted by House

Committee Amendments Proposed by House Committee on House and Governmental Affairs to the original bill.

- 1. Makes technical changes.
- 2. Limits applicability of proposed law to a candidate for a major or district office.