

Regular Session, 2010

SENATE BILL NO. 92

BY SENATOR MURRAY

CAMPAIGN FINANCE. Provide for hard copy filing of specific reports in certain situations. (gov sig)

1 AN ACT

2 To enact R.S. 18:1485(F), relative to campaign finance reporting requirements; to provide
3 relative to procedures for the filing of certain reports electronically; and to provide
4 for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 18:1485(F) is hereby enacted to read as follows:

7 §1485. Filing; receipt by supervisory committee; special penalties

8 * * *

9 **F. Exceptions to electronic filing. (1) If at any time during the three**
10 **calendar days prior to and including the due date of any report required by this**
11 **Section to be filed electronically, the Board of Ethics Computerized Data**
12 **Management System is inoperable or otherwise impaired so as to be unavailable**
13 **for use by the person or political committee required to file a report**
14 **electronically, then the report may be submitted to the supervisory committee**
15 **by any other means, including the United States Postal Service, commercial**
16 **delivery service, hand delivery, or facsimile. The person or political committee**
17 **submitting the report by means other than electronically shall certify in writing**

1 to the supervisory committee that the Computerized Data Management System
2 was inoperable or otherwise impaired at the time of the attempted electronic
3 filing at the same time as the report is submitted by other means. The person
4 or political committee submitting the report other than electronically shall
5 submit the report electronically within twenty-four hours of submitting the
6 report by other means, or within twenty-four hours of the Computerized Data
7 Management System becoming available for use, whichever occurs first.

8 (2) If on the due date of any report required by this Chapter to be filed
9 electronically, a computer is inaccessible by or unavailable to the person or
10 political committee required to file a report electronically, then the report may
11 be submitted to the supervisory committee by any other means, including the
12 United States Postal Service, commercial delivery service, hand delivery, or
13 facsimile. The person or political committee submitting the report by means
14 other than electronically shall certify in writing to the supervisory committee
15 that a computer was inaccessible or unavailable for submitting the report
16 electronically at the same time as the report is submitted by other means. The
17 person or political committee submitting the report other than electronically
18 shall submit the report electronically within twenty-four hours of a computer
19 becoming accessible or available for this purpose.

20 (3) Notwithstanding the provisions of Paragraphs (1) and (2) of this
21 Subsection, in no case shall a report be filed electronically more than five days
22 after the due date of the report.

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

The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Alden A. Clement, Jr.

DIGEST

Murray (SB 92)

Present law provides that each candidate for a major or district office and each principal campaign committee of a candidate for a major or district office that receives contributions or loans in excess of \$25,000 in the aggregate during the aggregating period or that makes expenditures in excess of \$25,000 in the aggregate during the aggregating period must electronically file reports of contributions and expenditures with the Supervisory Committee on Campaign Finance Disclosure (Board of Ethics) through the Board of Ethics Computerized Data Management System as provided in present law.

Proposed law provides exceptions to present law provisions relative to electronic filing of reports to the supervisory committee.

Proposed law provides that if at any time during the three calendar days prior to and including the due date of any report required by present law to be filed electronically, the Computerized Data Management System is inoperable or otherwise impaired so as to be unavailable for use by the person or political committee required to file a report electronically, then the report may be submitted to the supervisory committee by any other means, including the United States Postal Service, commercial delivery service, hand delivery, or facsimile. Proposed law further provides that the person or political committee submitting the report by means other than electronically must certify in writing to the supervisory committee that the Computerized Data Management System was inoperable or otherwise impaired at the time of the attempted electronic filing at the same time as the report is submitted by other means. Proposed law further provides that the person or political committee submitting the report by means other than electronically must submit the report electronically within 24 hours of submitting the report by other means, or within 24 hours of the Computerized Data Management System becoming available for use, whichever occurs first.

Proposed law also provides that if on the due date of any report required by present law to be filed electronically, a computer is inaccessible or unavailable to the person or political committee required to file a report electronically, then the report may be submitted to the supervisory committee by any other means, including the United States Postal Service, commercial delivery service, hand delivery, or facsimile. Proposed law further provides that the person or political committee submitting the report by means other than electronically must certify in writing to the supervisory committee that a computer was inaccessible or unavailable for submitting the report electronically at the same time as the report is submitted by other means. Proposed law provides that the person or political committee submitting the report other than electronically must submit the report electronically within 24 hours of a computer becoming accessible or available for this purpose.

Proposed law further provides that, notwithstanding the provisions of proposed law, in no case will reports be filed electronically more than five days after the due date of the report.

Proposed law otherwise retains present law.

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

(Adds R.S. 18:1485(F))

Summary of Amendments Adopted by Senate

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

1. Adds provision that in no case will reports be filed electronically more than five days after the due date of the report.