2016 Regular Session

HOUSE BILL NO. 820

BY REPRESENTATIVE PUGH

LOBBYING: Provides certain prohibited conduct related to lobbying

AN ACT

To enact R.S. 24:56(H) and 58.2, relative to lobbying; to provide for certain prohibited conduct by certain person; to prohibit certain coercive activities related to nonprofit organizations engaged in lobbying activity; to provide for penalties; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 24:56(H) and 58.2 are hereby enacted to read as follows:

§56. Prohibited conduct

* * *

H. No officer, director, employee, or agent of a nonprofit organization or officer, director, employee, or agent of a member of a nonprofit organization or any other person acting on behalf of such a nonprofit organization or nonprofit member shall use the authority or influence of his bargaining position, directly or indirectly, in a manner intended to compel or coerce any person or agent thereof to contribute anything of economic value to a nonprofit organization engaged in lobbying activity as a condition or implied condition of engaging in a business or financial relationship with the nonprofit organization or nonprofit member or agent acting on behalf of the nonprofit organization or nonprofit member.

* * *

CODING: Words in ~~struck through~~ type are deletions from existing law; words underscored are additions.

§58.2. Additional penalties; coercive activities

A. Any person who violates the provisions of R.S. 24:56(H) shall be subject to the penalties contained in R.S. 42:1153 for violations of the Code of Governmental Ethics and laws under the jurisdiction of the board. In addition, the board may recommend to the legislature that the legislature censure any person found guilty of a violation of R.S. 24:56(H) and prohibit such person from lobbying or from engaging a lobbyist for not less than thirty days and not more than one year.

B. The board shall afford any person accused of violating R.S. 24:56(H) a hearing in accordance with the provisions of Part III of Chapter 15 of Title 42 of the Louisiana Revised Statutes of 1950.

C. The provisions of this Section shall be in addition to any other applicable penalties or any other remedy or relief provided by law.

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)]

HB 820 Original 2016 Regular Session Pugh

Abstract: Prohibits certain coercive activities related to nonprofit organizations engaged in lobbying activity.

Present law (R.S. 24:50 et seq.) provides for the registration and regulation of persons engaged in lobbying the legislature. Requires lobbyists to report expenditures made for the purpose of lobbying monthly. Provides for certain prohibited conduct.

Proposed law additionally prohibits an officer, director, employee, or agent of a nonprofit organization or officer, director, employee, or agent of a member of a nonprofit organization or any other person acting on behalf of such a nonprofit organization or nonprofit member from using the authority or influence of his bargaining position, directly or indirectly, in a manner intended to compel or coerce any person or agent thereof to contribute anything of economic value to a nonprofit organization engaged in lobbying activity as a condition or implied condition of engaging in a business or financial relationship with the nonprofit organization or nonprofit member or agent acting on behalf of the nonprofit organization or member.

Proposed law specifies that any person who violates the provisions of proposed law shall be subject to the penalties contained in present law (R.S. 42:1153) for violations of the ethics code and other laws under the jurisdiction of the ethics board (censure by the board or the imposition of a fine of not more than $10,000, or both). Further provides that the ethics board may recommend to the legislature that the legislature censure any person found guilty of a violation proposed law and prohibit such person from lobbying or from engaging a lobbyist for not less than 30 days and not more than one year. Specifies that the board shall afford any person accused of such a violation a hearing in accordance with the

CODING: Words in ~~struck through~~ type are deletions from existing law; words underscored are additions.

administration and enforcement provisions of the ethics code. Further specifies that such penalties shall be in addition to any other applicable penalties or any other remedy or relief provided by law.

(Adds R.S. 24:56(H) and 58.2)

CODING: Words in ~~struck through~~ type are deletions from existing law; words underscored are additions.