2021 Regular Session

HOUSE BILL NO. 306

BY REPRESENTATIVE MUSCARELLO

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

ETHICS/NEPOTISM: Provides an exception to allow an immediate family member of a local school board member to be employed as a certified school bus operator

AN ACT

To enact R.S. 42:1119(B)(2)(a)(vi), relative to nepotism; to provide an exception to allow an immediate family member of a school board member or superintendent to be employed as a bus operator; to provide for an effective date; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 42:1119(B)(2)(a)(vi) is hereby enacted to read as follows:

§1119. Nepotism

* * *

B.

* * *

(2) Notwithstanding the provisions of Paragraph (1) of this Subsection:

(a)

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<u>(vi) Any local school board may employ any member of the immediate family of any board member or of the superintendent as a school bus operator provided that such family member is certified as a school bus operator. Any school board member or superintendent whose immediate family member is employed by the school board shall recuse himself from any decision involving the promotion or assignment of such employee.</u>

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

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

HB 306 Engrossed 2021 Regular Session Muscarello

Abstract: Provides an exception to the nepotism prohibitions to allow an immediate family member of a local school board member or superintendent to be employed as a certified bus operator.

Present law (ethics code) generally prohibits an immediate family member of an agency head from being employed in his agency, but present law has a general exception to allow the continued employment of an immediate family member of an agency head if the public employee has been employed in the agency for a period of at least one year prior to the public employee's immediate family member becoming the agency head.

Present law provides various exceptions regarding the employment by school boards of family members of school board members and school superintendents. Requires any board member or superintendent whose family member is employed by the board to disclose such employment to the Bd. of Ethics. Provides penalties for failure to disclose such employment.

Proposed law retains present law and provides an additional exception to allow an immediate family member of a local school board member or superintendent to be employed as a certified bus operator by that board. Further provides that such school board member or superintendent shall not participate in employment related decisions of such family member.

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

(Adds R.S. 42:1119(B)(2)(a)(vi))

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