

DATE

William E. Weatherford
Secretary Treasurer
Sabine Parish Police Jury
400 Capitol Street, Room 101
Many, Louisiana 71449

Re: **Louisiana Board of Ethics**
Docket No. 2021-477

Dear Mr. Weatherford,

The Louisiana Board of Ethics, at its meeting on August 6, 2021, considered your request for an advisory opinion as to whether the Code of Governmental Ethics ("Code") would prohibit Sabine Parish Police Juror Jeffrey Davidson from purchasing and spreading rock and gravel on roads located within his district, District 5.

FACTS PROVIDED

Jeffrey Davidson is an elected member of the Sabine Parish Policy Jury, representing District 5. Mr. Davidson intends to purchase rock and gravel from a third-party vendor. He then intends to use his personal vehicle and trailer to transport the rock and gravel to parish road locations within District 5 and spread the materials on the road. You stated that Sabine Parish may be required to inspect the improvements, but would not be required to do so prior to Mr. Davidson's donations.

LAW

La. R.S. 42:1113A(1)(a) provides that no public servant, excluding any legislator and any appointed member of any board or commission and any member of a governing authority of a parish with a population of ten thousand or less, or member of such a public servant's immediate family, or legal entity in which he has a controlling interest shall bid on or enter into any contract, subcontract, or other transaction that is under the supervision or jurisdiction of the agency of such public servant.

La. R.S. 42:1123(30) provides that the Code shall not prohibit a public servant, a legal entity in which he has a controlling interest, or a member of his immediate family, from donating services, movable property, or funds to his agency.

CONCLUSION

The Board concluded, and instructed me to inform you, that generally, Section 1113A prohibits Jeffrey Davidson from entering into transactions that are under the supervision or jurisdiction of the Sabine Parish Police Jury, while he serves as an elected member. However, Section 1123(3) provides an exception which will allow Mr. Davidson to donate rock and gravel, as well as his personal services in spreading the materials, for the maintenance of parish roads in District 5.

This advisory opinion is based solely on the facts as set forth herein. Changes to the facts as presented may result in a different application of the provisions of the Code of Governmental Ethics. Please note that the Board issues no opinion as to past conduct and that the Board's expressed opinion is limited to an examination of the Code of Governmental Ethics, the Campaign Finance Disclosure Act, the Lobbyist Disclosure Acts, and the conflict of interest provisions in the gaming laws.

If you have any questions, please contact me at (800)842-6630 or (225)219-5600.

Sincerely,

LOUISIANA BOARD OF ETHICS

David M. Bordelon
For the Board

DISCLAIMER
This is a draft opinion and it is NOT an opinion of the Louisiana Board of Ethics. No party may rely on the facts or conclusions. The analysis and conclusions herein are provided for discussion purposes only, and are subject to change or revision at the meeting of the Board of Ethics at which the matter is considered.