2022 Regular Session

HOUSE BILL NO. 281

BY REPRESENTATIVE MARCELLE

CAMPAIGN FINANCE: Provides relative to the assessment of penalties for failure to timely file required reports

AN ACT

To amend and reenact R.S. 18:1505.4(A)(1) and (2)(a)(ii) and (iii), relative to campaign finance; to provide relative to the assessment of penalties; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 18:1505.4(A)(1) and (2)(a)(ii) and (iii) are hereby amended and reenacted to read as follows:

§1505.4. Civil penalties; failure to file; timely and accurate filing; forfeiture

A.(1) Any candidate, the treasurer or chairman of a political committee, or any other person required to file any reports under this Chapter, who knowingly fails to file or who knowingly fails to timely file any such reports as are required by this Chapter may be assessed a civil penalty as provided in R.S. 18:1511.4.1 for each day <u>after the notice sent pursuant to R.S. 42:1157 is received</u> until such report is filed.

(2)(a) The amount of such penalty may be:

* * *

(ii) Sixty dollars per day, not to exceed ~~two thousand~~ <u>five hundred</u> dollars, for any candidate for district office and any treasurer or chairman of any political committee designated as a principal campaign committee or subsidiary committee of such a candidate.

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(iii) Forty dollars per day, not to exceed ~~one thousand~~ five hundred dollars, for any candidate for all other offices and any treasurer or chairman of any political committee designated as a principal campaign committee or subsidiary committee of such a candidate.

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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)]

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Abstract: Provides that per day civil penalties for failing to file or failing to timely file campaign reports begins after certified notice of delinquency is received and changes the cap for those per day penalties for district office candidates from $2,000 to $500 and for other office candidates from $1,000 to $500.

Present law provides that any candidate, the treasurer or chairman of a political committee, or any other person required to file campaign finance reports, who knowingly fails to file or who knowingly fails to timely file any such required may be assessed a civil penalty for each day until such report is filed. Present law (R.S. 42:1157(B)) requires the staff of the ethics board to mail by certified mail a notice of delinquency within four days after the due date of any report or statement due that the staff knows or has reason to know has not been timely filed.

Proposed law would change the beginning of the assessment of per day penalties to after the notice sent pursuant to present law is received.

Present law provides that the amount of the per day penalty may be:

(a) $100 per day not to exceed $2500 for major office.

(b) $60 per day not to exceed $2,000 for district office.

(c) $40 per day not to exceed $1,000 for other office.

Proposed law changes the cap on the per day penalties for district office candidates from $2,000 to $500 and for other office candidates from $1,000 to $500.

(Amends R.S. 18:1505.4(A)(1) and (2)(a)(ii) and (iii))

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