



# **THE LOUISIANA CODE OF GOVERNMENTAL ETHICS & THE LOBBYIST DISCLOSURE ACTS**

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# PURPOSE

## **Legislative Lobbyist Disclosure Act**

**(La. R.S. 24:50 *et seq.*)**

## **Executive Branch Lobbyist Disclosure Act**

**(La. R.S. 49:71 *et seq.*)**

- To preserve and maintain the integrity of the legislative process and executive branch actions in state government; and,
- To disclose to the public the identity of persons who attempt to influence the legislative process and executive branch officials
- To disclose the expenditures made by lobbyists in connection with lobbying efforts.

# LEGISLATIVE LOBBYING

## What is Legislative Lobbying?

“Lobbying” or “to lobby” means any of the following:

- (a) Any direct act or communication with a legislator, the purpose of which is to aid in influencing the passage or defeat of any legislation;
- (b) Any preparation or research specifically intended, at the time it is performed, for use in or in support of any ongoing or planned direct act or communication with a legislator, the purpose of which is to aid in influencing the passage or defeat of any legislation, and
- (c) Conducting or attending a meeting the purpose of which is to discuss direct communication with a legislator to aid in influencing the passage or defeat of any legislation.

# THE LOBBYIST DISCLOSURE ACTS



## A Legislative Lobbyist

- (a) Any person who is employed or engaged for compensation to act in a representative capacity for the purpose of lobbying if lobbying constitutes one of the principal duties of such employment or engagement; (b) Any person who acts in a representative capacity and makes an expenditure.
- However, “lobbyist” shall not mean any person who does not make any direct act or have any direct communication with a legislator for the purpose of influencing the passage or defeat of any legislation.

# THE LOBBYIST DISCLOSURE ACTS

## Principal Duty

- Any duty which is expected to account for 20% or more of a person's time in fulfilling the terms of his engagement or any duty which is expected to account for 20% or more of a person's time in any given year in performing the responsibilities of his employment.

# THE LOBBYIST DISCLOSURE ACTS

## Expenditure



- The gift or payment of money or any thing of value for the purchase of food, drink, or refreshment for a
  - Legislator, or an
  - Executive branch official
    - For the purpose of lobbying when the lobbyist or principal accounts, or would be expected to account, for the expenditure as an ordinary and necessary expense directly related to the active conduct of the lobbyist's, his employer's, or the principal's trade or business.
- Amounts spent on spouses or minor children are also reportable expenditures.
- Amounts spent for legislator's travel and complimentary admission in accordance with **LA-RS 42:1123(13)& (16)** are also reportable expenditures.

# EXECUTIVE BRANCH LOBBYING

## What is Executive Branch Lobbying?

**“Lobbying” or “to lobby” means:**

Any direct act or communication with an executive branch official, the purpose of which is to aid in influencing an executive branch action.

# EXECUTIVE BRANCH ACTION

- Any act by an executive branch agency or official to effectuate the public powers, function and duties of an executive branch official or an executive branch agency.
- Any act by a licensed healthcare professional, or a person acting under a licensed healthcare professional's direction, to diagnose, treat, or provide medical advice to an individual patient, including prescribing a drug or device for use by the patient is NOT an executive branch action.
- Any action by the Medicaid Pharmaceutical and Therapeutics Committee is an executive branch action.

# EXECUTIVE BRANCH OFFICIAL

## Who is considered an Executive Branch Official?

- An elected official, appointed official, or an employee of an Executive Branch Agency.
- Executive branch agency means the state, any state office, department, board, commission, institution or any quasi-public entity created in the executive branch of state government, including any board or commission to which the governor appoints at least a majority of its membership.
- The Board has a list of all Executive Branch Agencies located on its website.

# EXECUTIVE BRANCH LOBBYIST

## Who is considered an Executive Branch Lobbyist?

Any person who acts in a representative capacity  
and  
makes an expenditure.

# RESPONSIBILITIES OF A REGISTERED LOBBYIST

## REGISTRATION

- A lobbyist must register with the Board as soon as possible after employment as a lobbyist, or
- As soon as possible after the first action requiring registration as a lobbyist, but no later than 5 days.

## SUPPLEMENTAL REGISTRATION FORMS

- Must be filed within 10 days of termination of employment or representation of any person, or
- Must be filed within 5 days, or as soon as possible, when adding additional representation or any other changes (such as contact info).

## REPORTING

- Lobbying Expenditure Reports **MUST** be electronically filed monthly. Reports are due on the 25<sup>th</sup> of every subsequent month.

# PENALTIES FOR NON-COMPLIANCE

**Late fees of \$50 per day. Effective August 1, 2024 the maximum amount is \$500. (Act 2024 No. 540):**

- Failure to Register or timely Register, or failure to timely file any Supplemental Registration or Expenditure Report:
  - A report is considered timely filed when it is electronically filed on or before the due date. Failure to renew your lobbyist registration each year results in automatic termination.
- Penalties may also be imposed for the failure to accurately file.

**Effective August 1, 2024, an enhanced penalty of up to \$1,000 may be assessed in addition to late fees, if the Registration is filed 11 or more days late.**

**Censure by the Legislature and prohibited from lobbying for 30 days to 1 year.**

**Void contract.**

# NEW: FOREIGN ADVERSARY

**Act 394 – Eff. Dec. 1, 2025**



- Creates new reporting requirements for lobbying on behalf of foreign adversaries and foreign corporations, similar to the Foreign Agents Registration Act at the federal level.
- Who is a foreign adversary? An individual, corporation, or government identified in 15 CFR 791.4 and identified by the Dept. of Treasury, Office of Foreign Assets Control.
- Currently: China, Cuba, Iran, North Korea, Russia, and the Venezuelan Maduro Regime

# NEW: FOREIGN ADVERSARY

**Act 394 – Eff. Dec. 1, 2025**



- Who is required to register? Any person who lobbies on behalf of a foreign adversary.
- Foreign Adversary Lobbyist required to report:
  - Name and office address
  - Name of Foreign Adversary represented
  - Description of Business Activity of the Foreign Adversary
  - Identification of Matters on which lobbying to be conducted
- Any change in reported information shall be reported through a supplemental disclosure within 10 days of the change.
- Applies to both legislative and executive branch lobbyists

# NEW: FOREIGN CORPORATION

**Act 394 – Eff. Dec. 1, 2025**



- Who is required to register? Any person who lobbies on behalf of a foreign corporation or any entity whose headquarters or principal place of business is located in a country identified in 15 CFR 791.4.
- Foreign Corporation Lobbyist required to report:
  - Name of Foreign Corporation represented
  - Nation under whose laws the corporation is incorporated
  - Location of principal place of business, including permanent mailing address
  - Description of Business Activity of the Foreign Corporation
  - Identification of Matters on which lobbying to be conducted
- Any change in reported information shall be reported through a supplemental disclosure within 10 days of the change.

# NEW: FOREIGN CORPORATION

**Act 394 – Eff. Dec. 1, 2025**



- Creates new reporting requirements for lobbying on behalf of designated foreign corporations, similar to the Foreign Agents Registration Act at the federal level.
- Who is a foreign adversary? An individual, corporation, or government identified in 15 CFR 791.4 and identified by the Dept. of Treasury, Office of Foreign Assets Control.
- Currently: China, Cuba, Iran, North Korea, Russia, and the Venezuelan Maduro Regime



**THINGS TO WATCH OUT FOR| . . .**

# Registering/Adding a New Client

You have 5 days to register. If the “start date” that you enter into the system for a client is more than 5 days from when you file your registration/supplemental, you will be assessed a late fee of \$50 per day.

For example, you are hired to lobby on behalf of Client 59. You enter the start date for Client 59 as April 16, 2026. The registration should be filed no later than April 23, 2026. However, you do not submit the registration/supplemental until April 30, 2026. You will be assessed a \$250 late fee. (Saturdays and Sundays are excluded from the calculation, effective August 1, 2024.).

# Payment to renew registration not made by January 31<sup>st</sup>

To complete your registration, you must submit your payment by January 31<sup>st</sup>. If your payment is not received by January 31<sup>st</sup>, you will be terminated as a lobbyist effective December 31<sup>st</sup> and will be subject to late fees.

For example, you renew your registration electronically on January 10, 2026, but you do not submit your registration fee at that time. You submit your registration fee on February 14, 2026. You will be terminated as a lobbyist effective December 31, 2025. Also, late fees of \$50 per day, with a maximum late fee of \$500 for the late registration, will be assessed.

# Say cheese . . .

Your renewals for 2026 do not need to include a recent photograph. The next time that you will be asked for a picture is in connection with your 2028 renewal. Remember, it must be a 2x2 photograph made within the 6 months prior to registration renewal.



# Late fees turned over to the AG's Office for collection

You have 20 days from receipt of a late fee assessment letter to ask for a waiver or to pay the late fee.

Once your due date has passed, a demand letter will be sent. Once the due date in the demand letter has passed, the assessed amount will be sent to the Attorney General's Office for collection.

# Change in your staff/assistant

- If you have had any change in staff during the year, please have them contact Andrea Millet in the Lobbying Division. She will make sure that your staff/assistant has the latest information to assist you in filing your registrations and reports.
- [Andrea.Millet@la.gov](mailto:Andrea.Millet@la.gov)
- 225-219-5638

# LOUISIANA CODE OF GOVERNMENTAL ETHICS

- LSA – R.S. 42:1101 et seq. are the conflicts of interest provisions for public servants in Louisiana.
- Limits the “expenditure” amount to be spent on a legislator or executive branch official.

# THE ETHICS CODE APPLIES TO PUBLIC SERVANTS

Elected Officials

Public Employees

- Are persons in the furtherance of a governmental function whether compensated or not.

Legislators and Executive Branch Officials

- Are considered to be “Public Servants” and are bound by the restrictions contained in the Ethics Code.

# PROHIBITED SOURCES

## For Elected Officials

- A person who has or is seeking a contractual, business, or financial arrangement with your agency. [R.S. 42:1115A(1)]
- Someone who, for compensation, attempts to influence any legislation of the public servant's agency.

## For Public Employees

(in addition to the prohibited sources for Elected Officials)

- A person who conducts activities which are regulated by the public employee's agency. [R.S. 42:1115B(1)]
- A person who has a substantial economic interest that can be affected by the performance or non-performance of the public employee's job duties. [R.S. 42:1115B(2)]

# SECTION 1115 - GIFTS



A public servant may **NOT** accept anything of economic value, directly or indirectly, as a gift from someone who is considered a prohibited source.

# PROHIBITED INCOME SECTION 1111A(1)(a)

**A PUBLIC SERVANT MAY  
NOT RECEIVE:**



Anything of economic value for the performance of his official duties and responsibilities other than his salary and related benefits from his governmental entity to which he is duly entitled.

# **PROHIBITED INCOME SECTION 1111C(2)(d)**

**A public employee may not receive a thing of economic value for services rendered to or for a prohibited source as defined in §1115A(1) and 1115B.**

# THING OF ECONOMIC VALUE

Means money or any thing having economic value.

## EXCEPT

Promotional items having no substantial resale value.

**Food and drink consumed while the guest of the giver:**

- \$81 cap on food and drink purchased per event (effective July 1, 2025).
- No cap for a gathering “in conjunction with” a meeting related to a national or regional organization or a meeting of a statewide organization of governmental officials or employees as long as 10 persons are invited. The amount must be reported.

# THING OF ECONOMIC VALUE

Means money or any thing having economic value.

## EXCEPT

Admission to a civic, non-profit, educational or political event if the public servant is a program honoree, discussion panel member, or speaker. R.S. 42:1123(13).

Admission to a fundraising event held by or for the benefit of an educational institution or by or for the benefit of a nonprofit organization which conducts educational programs. R.S. 42:1123(13).

For Legislators, food, refreshments, and lodging reasonably related to making a public speech reasonable transportation from his home, capitol, to the site of the speaking engagement. R.S. 1123(16).

# THE GIVER OF PROHIBITED GIFTS SECTION 1117



**The giver of a prohibited gift to a public servant violates the Code of Governmental Ethics and may be subject to enforcement proceedings.**

# CAMPAIGN CONTRIBUTIONS

- Campaign contributions to a legislator fall under the Campaign Finance Disclosure Act and are reportable by the candidate, not the Lobbyist.
- Remember that Lobbyists may not make campaign contributions during a legislative session.

If there is an exception that allows a legislator to receive a contribution during a regular session, a fundraiser notice must be filed with our office for the candidate to receive the contribution.



# WHERE TO GET MORE INFORMATION



## Contact Us

- Ethics Website:  
[ethics.la.gov](http://ethics.la.gov)
- Informal Advice:  
(225) 219-5600  
or  
(800) 842-6630