



Louisiana Campaign Finance Disclosure Act

Campaign Finance Seminar
August 21, 2009



Louisiana Board of Ethics

- Acts as the Supervisory Committee on Campaign Finance Disclosure
- Administers the Campaign Finance Disclosure Act



Levels of Office for Candidates

- Major
- District
- Any Other



Importance of Levels of Office

- Contribution Limits
- Reporting Requirements



Political Committees

- Defined
- Big PACs
- Registration
- Out-of-State PACs
- Officers



Independent Expenditures

Any person who makes independent expenditures in excess of \$500 is required to file campaign finance disclosure reports on the same schedule and forms as candidates.



Contribution Limits for Candidates

- Major - \$5,000
- District - \$2,500
- Any Other - \$1,000



Contribution Limits to Political Committees

- From individuals or legal entities
- From another political committee



Recordkeeping Requirements

- Retention of Records
- Designation of campaign depository
- Contributions
- Cash Contributions
- Expenditures
- Contributions to Candidates



Reporting Requirements and Deadlines

- Candidate Elections
- Proposition/Recalls
- <http://www.ethics.state.la.us>



Reporting Requirements and Deadlines

Act 17 Of the 2008 1st Extraordinary Session

- Activity over \$50,000 (contributions over \$50,000 or expenditures over \$50,000 in a calendar year) must electronically file
- Failure to do so \$500 a day with no maximum
- Effective 7/1/09



Failure to Timely File

- Per day penalties:
 - PACs - \$200/day - \$3,000/max
 - Proposition - \$40/day - \$1,000/max



Prohibited Practices

- Contributions through or in the name of another
- Contributions from an anonymous source
- Cash Contributions over \$100
- Payments to haul voters to the polls
- Coercing persons to make contributions
- Contributions from those interested in the riverboat gaming industry and the land based casino industry



Act 14 of the 2008 1st Extraordinary Session

- If a 3rd party entity pays for a political advertisement for a candidate, the name of the 3rd party entity shall be displayed on the face of the advertisement in a font size that is not less than half of the font size of the advertisement.
- Effective date 1/1/10



Use of Campaign Funds

- Appropriate use of campaign funds
- Use of surplus funds



Board procedures involving campaign finance

- Late Fee Assessments
- Waiver Requests
- Campaign Finance Public Hearings
- Enforcement
- Objection to candidacy



Late Fee Assessments

- Per day penalties:
 - Major - \$100/day - \$2,500/max
 - District - \$60/day - \$2,000/max
 - Any - \$40/day - \$1,000/max
 - Political Committees – \$200/day - \$3,000/max



Waiver Requests

- A political committee has 30 days to request a good cause waiver of the assessed late fees.



Campaign Finance Public Hearings

- Late fee assessments
 - If a political committee has neither paid the late fee nor requested a waiver, the Board will hold a public hearing to obtain a Board order for the payment of the late fees.
- Charges for failure to file campaign finance disclosure reports
 - When a political committee has not filed a required campaign finance disclosure report, the Board issues charges for the failure to file and sets the matter for public hearing.



Enforcement

- Judgment

- If after a public hearing a PAC has failed to comply with a Board Order, then the Board can file suit in the Nineteenth Judicial District Court to have the Board Order converted into a Judgment of the Court.

- Collection of the judgment

- Once there has been a final Judgment in connection with the payment of the late fines, the matter is then transferred to the Attorney General's Collection Division for collection.



CLE CREDIT

- CLE Course Title

Campaign Finance Seminar

- Course Number

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