



STATE OF LOUISIANA
DEPARTMENT OF STATE CIVIL SERVICE
LOUISIANA BOARD OF ETHICS

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August 10, 2022

VIA email

The Honorable Patrick Page Cortez,
President, Louisiana State Senate
'apa.senatepresident@legis.la.gov'
P. O. Box 94183
Baton Rouge, LA 70804

The Honorable Senator Sharon Hewitt,
Senate and Governmental Affairs Committee
apa.s-s&g@legis.la.gov
P.O. Box 94183
Baton Rouge, Louisiana 70804

The Honorable Clay Schexnayder
Speaker, Louisiana House of Representatives
'apa.housespeaker@legis.la.gov'
P. O. Box 94062
Baton Rouge, LA 70804-9062

The Honorable Representative John M.
Stefanski,
House and Governmental Affairs Committee
apa.h-hg@legis.la.gov
P. O. Box 94062
Baton Rouge, Louisiana 70804

Re: Promulgation of Amended Rules Regarding School Board Disclosures

Dear President Cortez, Speaker Schexnayder, Senator Hewitt and Representative Stefanski:

Pursuant to R.S. 49:968 (B) and (C), the Louisiana Board of Ethics is submitting a copy of the Notice of Intent and approved Fiscal Statement for the proposed amended regulations to the Rules for the Board of Ethics concerning school board disclosures. The proposed rule provides amendments to codify the Board of Ethics rules to recent changes in statute. Act 199 of the 2021 Regular Session and Act 50 of the 2022 Regular Session amended R.S. 42:1119(B)(2), which requires amending the administrative rules. The deadline to submit comments or request a public hearing for the proposed rules is September 10, 2022.

If I can be of any further assistance, please do not hesitate in contacting me.

Sincerely,

A handwritten signature in blue ink that reads "Kristy Gary".

Kristy Gary
Deputy Ethics Administrator

NOTICE OF INTENT

Department of Civil Service Board of Ethics

Disclosure Forms Filed Pursuant to R.S.
42:1119(B)(2) (LAC 52:I.Chapter 13)

In accordance with the provisions of the Administrative Procedure Act, R.S. 49:950 et seq., notice is hereby given that the Department of Civil Service, Louisiana Board of Ethics, has initiated rulemaking procedures to make amendments to the Rules for the Board of Ethics to codify the rules with current statutory provisions.

Title 52. ETHICS

Part 1. Board of Ethics

Chapter 13. Records and Reports

§1309. Disclosure Forms Filed Pursuant to R.S. 42:1119(B)(2) of the Code

A. Disclosure forms filed pursuant to R.S. 42:1119(B)(2)(a) of the code shall:

1. be on a form approved by the board or a form which is substantially the same as the form approved by the board;
2. be filed by September 15th of each school year;
3. be signed by the school board member or superintendent and contain:
 - a. the name, address, and position of the school board member or superintendent;
 - b. the name, relationship, and position of the immediate family member and the date of the family member's employment;
 - c. the parish in which the school board member or superintendent serves and the date of the commencement of such service; and
 - d. which of the following exceptions applies to the immediate family member:
 - i. classroom teacher certified to teach;
 - ii. employed by school board for more than one year prior to the school board member, or charter school board member or the superintendent becoming a member of the school board or the superintendent; or
 - iii. served in public employment on April 1, 1980, the effective date of the code;
 - iv. certified school bus operator;

v. brother/sister-in-law employed before August 15, 1999.

AUTHORITY NOTE: Promulgated in accordance with R.S. 42:1134(A).

HISTORICAL NOTE: Promulgated by the Department of Civil Service, Board of Ethics, LR 23:1300 (October 1997), amended LR 26:629 (April 2000), LR 42:1655 (October 2016).

Family Impact Statement

The proposed rule changes have no known impact on family formation, stability or autonomy, as described in R.S. 49:972.

Poverty Impact Statement

The proposed Rule changes have no known impact on poverty, as described in R.S. 49:973.

Small Business Statement

The proposed Rule should not have any known or adverse impact on small business as described in R.S. 49:978.5.

Provider Impact Statement

The proposed Rule should not have any known or foreseeable impact on providers as defined by HCR 170 of 2014 Regular Legislative Session.

Public Comments

Interested persons may direct their comments to Kathleen M. Allen, Louisiana Board of Ethics, P.O. Box 4368, Baton Rouge, Louisiana 70821, telephone (225) 219-5600, until 4:45 p.m. on September 10, 2022.

Kathleen M. Allen
Ethics Administrator

FISCAL AND ECONOMIC IMPACT STATEMENT FOR ADMINISTRATIVE RULES RULE TITLE: Disclosure Forms Filed Pursuant to R.S. 42:1119(B)(2)

I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENTAL UNITS (Summary)

The proposed rule provides amendments to codify the Board of Ethics rules to recent changes in statute. Act 199 of the 2021 Regular Session and Act 50 of the 2022 Regular Session amended R.S. 42:1119(B)(2), which requires amending the administrative rules. The proposed rule provide the exception to allow an immediate family member of a local school board

member to be employed as a certified school bus driver and that each disclosure be filed by September 15th of each school year. The only estimated cost to implement the proposed rule is \$320 in FY 22-23, which includes the cost to publish the Notice of Intent and the proposed rule in the State Register.

II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS (Summary)

The proposed rule will have no anticipated effect on revenue collections of state or local governmental units.

III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS, SMALL BUSINESSES, OR NON GOVERNMENTAL GROUPS (Summary)

The proposed rule will require directly affected persons to file a disclosure form with the Board of Ethics by September 15th of each school year.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

The proposed rule will have no anticipated effect on competition and employment.

Kristy Gary
Deputy Ethics Administrator

Alan Boxberger
Interim Legislative Fiscal Officer