

# Rules

## **Department of Civil Service Board of Ethics**

### Exemption Disclosure Statement (LAC 52:I.Chapter 20)

In accordance with the provisions of the Administrative Procedure Act, R.S. 49:950 et seq., the Department of Civil Service, Board of Ethics, has amended its rules regarding the exemption disclosure statement pursuant to R.S. 42:1123(34). This Rule is hereby adopted on the day of promulgation.

### **Title 52 ETHICS**

#### **Part I. Board of Ethics**

#### **Chapter 20. Exemption Pursuant to the Provisions of Section 1123(34)**

##### **§2001. Application**

A. A member of a municipal or parish governing authority, an appointed member of a planning or zoning or appeals board or commission of a parish or municipality, or a member of such public official's immediate family or a legal entity they have an interest may make an application which is under the supervision or jurisdiction of his agency for the approval of the subdivision or resubdivision of property, and for the zoning of such property or for a building permit and any inspections performed pursuant thereto, provided the public servant recuses himself from acting in his official governmental capacity in matters concerning such application, and provides the written notice as required in §2003 is filed.

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

HISTORICAL NOTE: Promulgated by the Department of Civil Service, Board of Ethics, LR 30:2686 (December 2004), LR 49:1028 (June 2023).

##### **§2003. Reporting Requirements**

A. Written notices filed pursuant to R.S. 42:1123(34) of the Code shall:

1. be filed with the board and with the public servant's governing authority or board or commission no later than 10

days prior to any hearing pertaining to such application or if no hearing is held at least 10 days prior to final action on such application; and

2. be in writing, on a form provided by the board or a form which is substantially similar to the form provided by the board, and shall contain the following;

a. name, address, and the office held by the public servant;

b. name and address, and relation to public servant, if the applicant is a member of the public servant's immediate family;

c. name and business address of the legal entity, if applicable;

d. name of municipality or parish;

e. description of the application being made;

f. date of hearing or final action regarding such application;

g. statement that:

i. the zoning of such subdivided property will not be less restrictive than the zoning of the original parcel;

ii. the property will be used for residential purposes only;

iii. application for the subdivision, resubdivision, or zoning of no more than 12 lots per calendar year and the construction of no more than 12 residential units per calendar year by the elected official, his immediate family members and any legal entity in which they own a controlling interest has been submitted; and

iv. no public funds will be used to construct any infrastructure for the use or benefit of such property;

h. signed certificate of accuracy that the information in the form is true and correct to the best of the public servant's knowledge, information, and belief and that no information required by R.S. 42:1123(34) has been deliberately omitted.

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

HISTORICAL NOTE: Promulgated by the Department of Civil Service, Board of Ethics, LR 30:2686 (December 2004), LR 49:1028 (June 2023).

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#### **RULE**

#### **Department of Civil Service Board of Ethics**

#### **Late Filings (LAC 52:I.1211)**

In accordance with the provisions of the Administrative Procedure Act, R.S. 49:950 et seq., the Department of Civil Service, Board of Ethics, has adopted a Rule regarding the suspension of late filing fees. This Rule is hereby adopted on the day of promulgation.

## **Title 52 ETHICS**

### **Part I. Board of Ethics**

#### **Chapter 12. Late Filings**

#### **§1211. Late Filing; Suspension**

A. When the board suspends a late fee based on one or more conditions and the late filer does not comply with the condition, the failure to comply with the condition is called the "triggering event".

B. When a triggering event occurs, the portion of the late that was suspended shall be immediately due and owing. At that time, the staff shall send a demand letter to the late filer advising the late filer of the "triggering event" and that the suspended portion of the late fee is now due and owing, and failure to pay will result in collection procedures being pursued.

C. If a triggering event does not occur within eight years after the board suspended the late fee, the suspended portion of the late fee is waived in full.

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

HISTORICAL NOTE: Promulgated by the Department of Civil Service, Board of Ethics, LR 49:1029 (June 2023).

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#### **RULE**

#### **Department of Civil Service Board of Ethics**

#### **Spousal Income Disclosure Statement (LAC 52:I.1319)**

In accordance with the provisions of the Administrative Procedure Act, R.S. 49:950 et seq., the Department of Civil Service, Board of Ethics, has adopted a Rule regarding disclosure forms filed pursuant to R.S. 42:1111(C)(5). This Rule is hereby adopted on the day of promulgation.

## **Title 52 ETHICS**

### **Part I. Board of Ethics**

#### **Chapter 13. Records and Reports**

#### **§1319. Disclosures Filed Pursuant to R.S. 42:1111(C)(5)**

A. Disclosures filed pursuant to R.S. 42:1111(C)(5) shall:

1. be in writing and on a form provided by the board or a form which is substantially similar to the form provided by the board;

2. contain the following:

a. name and mailing address of public servant and their spouse;

b. position held by the public servant and the name of the public servant's agency;

c. name and mailing address of public servant's spouse's employer;

d. date of public servant's spouse's employment;

- e. date public servant began public service;
- f. brief description of the nature of the contractual, business, or financial relationship between the public servant's spouse's employer and with the public servant's agency;
- g. start date of relationship between public servant's spouse's employer and public servant's agency; and,
- h. certification that:
  - i. the public servant's spouse is a salaried or wage earning employee;
  - ii. the public servant's spouse's compensation is substantially unaffected by a contractual or other business or financial relationship with the public servant's agency;
  - iii. neither the public servant nor the public servant's spouse are an owner, officer, director, trustee, or partner in the legal entity that has or is seeking to have the relationship with the public servant's agency;
  - iv. the public servant will recuse or disqualify themselves from participating in the transaction in accordance with R.S. 42:1112; and,
  - v. the public servant's spouse will comply with the disclosure requirements in La. R.S. 42:1114.
- i. signature by the public servant and the public servant's spouse certifying that the information contained in the form is true and correct to the best of their knowledge, information and belief.
- j. date of signature.

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

HISTORICAL NOTE: Promulgated by the Department of Civil Service, Board of Ethics, LR 49:1029 (June 2023).

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**RULE**