



LOUISIANA BOARD OF ETHICS ETHICS ADMINISTRATION PROGRAM

SUMMARY OF THE LOUISIANA CODE OF GOVERNMENTAL ETHICS (UPDATED THROUGH THE 2025 REGULAR SESSION)

Note: This outline was produced by the Louisiana Ethics Administration Program, Post Office Box 4368, Baton Rouge, LA 70821; 225-219-5600; www.ethics.la.gov. It is intended as a summary of the various ethics provisions and does not purport to be a comprehensive statement of the law. If interpretations of this outline conflict with the provisions of the Code of Governmental Ethics (R.S. 42:1101, *et seq.*), the Code will control. (Revised 11/2025)

I. Introduction to the Code of Governmental Ethics (“Code”)

Policy Goals:

1. To ensure the public confidence in the integrity of government.
2. To ensure the independence and impartiality of elected officials and public employees.
3. To ensure that governmental decisions and policy are made in the proper channel of the government structure.
4. To ensure that public office and employment are not used for private gain.¹

The Board of Ethics is composed of 15 members. Their terms are for 5 years, with a 2-term limit on Board membership:

9 members appointed by the Governor
3 members elected by the Senate
3 members elected by the House of Representatives²

Duties of the Board:

- Administer the Code as to all state, parish, and local public employees, appointed members of boards and commissions, and elected officials (other than judges).
- Issue advisory opinions interpreting the Code pertaining to prospective behavior.³
- Conduct private investigations of alleged violations of the Code.⁴
- Establish a computerized data management system.⁵
- Conduct educational activities and seminars; publish appropriate materials to provide instruction.⁶

1 R.S. 42:1101
2 R.S. 42:1132
3 R.S. 42:1134E
4 R.S. 42:1134C & 1141
5 R.S. 42:1134M
6 R.S. 42:1134N

II. Key Definitions (R.S. 42:1102)

Agency: A department, office, division, agency, commission, board, committee, or other organizational unit of a governmental entity.⁷

Agency Head: The chief executive or administrative officer of an agency or any member of a board or commission who exercises supervision over the agency.⁸

Controlling Interest: Any ownership interest in any legal entity or beneficial interest in a trust, held by or on behalf of an individual or a member of his immediate family, either individually or collectively, which exceeds 25 percent of that legal entity.⁹

Elected Official: Any person holding an office in a governmental entity which is filled by the vote of the appropriate electorate.¹⁰

Governing Authority: The body which exercises the legislative functions of a political subdivision.¹¹

Governmental Entity: The state or any political subdivision which employs the public employee or to which the elected official is elected.¹²

Immediate Family Member: As the term relates to a public servant, it means his children, the spouses of his children, his brothers, his sisters, the spouses of his brothers and sisters, his parents, his spouse, and the parents of his spouse.¹³

Legislator: Any person holding office in the Senate or the House of Representatives of the Louisiana Legislature.¹⁴

Participate: To take part in or to **have or share responsibility** for an action of the governmental entity through approval, disapproval, decision, recommendation, the rendering of advice, investigation, or the failure to act or perform a duty.¹⁵

Person: An individual or legal entity other than a governmental entity, or an agency thereof.¹⁶

Public Employee: Anyone, whether compensated or not, who is:

- (a) An officer or official of a governmental entity who is not filling an elective office;
- (b) Appointed by an elected official to a position to serve the governmental entity or an agency thereof, when the elected official was acting in his official capacity;

7 R.S. 42:1102(2)

8 R.S. 42:1102(3)

9 R.S. 42:1102(7)

10 R.S. 42:1102(8)

11 R.S. 42:1102(10)

12 R.S. 42:1102(11)

13 R.S. 42:1102(12)

14 R.S. 42:1102(13)

15 R.S. 42:1102(14)

16 R.S. 42:1102(15)

- (c) Engaged in the performance of a governmental function; or
- (d) Under the supervision or authority of an elected official or another governmental employee.¹⁷

Public Servant: A public employee or an elected official.¹⁸

Service: The performance of work, duties, or responsibilities, or the leasing, rental, or sale of movable or immovable property.¹⁹

Substantial Economic Interest: An economic interest which is of greater benefit to the public servant or other person than to a general class or group of persons, except the interest the public servant has in his public employment or the interest a person has as a member of the general public.²⁰

Thing of Economic Value: Money or any other thing having economic value, except:

- (a) Promotional items having no substantial resale value;
- (b) Food, drink, or refreshments, including reasonable transportation and entertainment incident thereto, consumed while the personal guest of some person;
- (c) With reference to legislators and legislative employees only, reasonable transportation when organized primarily for educational or informational purposes, including food and drink incidental thereto; and,
- (d) Salary and related benefits due to public employment.²¹

Transaction Involving the Governmental Entity: Any proceeding, application, submission, request for a ruling or other determination, contract, claim, case, or other such particular matter which the public servant or former public servant of the governmental entity in question knows or should know:

- (a) Is, or will be, the subject of action by the governmental entity;
- (b) Is one to which the governmental entity is or will be a party; and,
- (c) Is one in which the governmental entity has a direct interest. A transaction involving the agency of a governmental entity shall have the same meaning with respect to the agency.²²

17 R.S. 42:1102(17)
18 R.S. 42:1102(18)
19 R.S. 42:1102(23)
20 R.S. 42:1102(24)
21 R.S. 42:1102(25)
22 R.S. 42:1102(26)

III. General Prohibitions

NOTE: The following is a synopsis of the key provisions of the Code. For the official text of the provisions described below and for the text of other provisions of the Code, including information relative to exceptions to these general restrictions, refer to the Code at R.S. 42:1101, *et seq.*

A. Prohibited Payments of Compensation or other Things of Economic Value

Section 1111A(1)(a) - Prohibited Compensation for Public Duties

No public servant shall receive anything of economic value, other than compensation and benefits from the governmental entity to which he is duly entitled, for the performance of the duties and responsibilities of his office or position.

Example: An administrative assistant of a state board or commission was prohibited by Section 1111A(1)(a) from receiving bonus payments for the performance of the duties as an administrative assistant. (Consent Opinion No. 2022-054)

Example: A City Marshal was prohibited by Section 1111A(1)(a) from receiving supplemental compensation when such supplemental compensation was not authorized by statute. (Consent Opinion No. 2017-1404)

Section 1111B – Finders Fees

No public servant shall receive anything of economic value from a person to whom the public servant has directed the business of the governmental entity.

Example: Personnel Manager for a parish government was prohibited by Section 1111B from receiving compensation for services rendered to a payroll company when the Personnel Manager directed the parish's business to the payroll company. (Consent Opinion No. 2021-081)

Section 1111C(1)(a) - Prohibited Compensation for Substantially Similar Services

No public servant shall receive anything of economic value for any service, the subject matter of which: (a) is devoted substantially to the responsibilities, programs, or operations of the agency of the public servant in which the public servant has participated.

Example: An employee of Louisiana Public Broadcasting was prohibited by Section 1111C(1)(a) from receiving compensation for the publication of a news article, when the article was substantially related to the subject matter of the employee's work with Louisiana Public Broadcasting. (Advisory Opinion No. 2022-378)

Section 1111C(2)(d) – Compensation from Prohibited Sources

No public servant and no legal entity in which the public servant exercises control or owns an interest in excess of twenty-five percent, shall receive anything of economic value for or in consideration of services rendered, or to be rendered, to or for any person during his public service unless such services are neither performed for, nor compensated, by any person:

- (1) Who has or is seeking to obtain a contractual or other business or financial relationship with the public servant’s agency;
- (2) Who is regulated by the public employee’s agency;
- (3) Who has substantial economic interests which may be substantially affected by the performance or nonperformance of the public employee’s official duties.

NOTE: These same restrictions apply to the public servant’s spouse and to any legal entity in which the public servant, their spouse, or their immediate family members exercises control or owns an interest in excess of 25%.

Example: Parish Councilman was prohibited by Section 1111C(2)(d) from rendering compensated employment services to a plumbing business, while the plumbing business was a vendor of the parish. (Consent Opinion No. 2023-326)

Example: An appointed member of a parish tourist commission was prohibited by Section 1111C(2)(d) from providing compensated services to a local nonprofit organization, while the nonprofit organization received funding from the parish tourist commission. (Consent Opinion No. 2023-954)

NOTE: Limited exceptions to Section 1111C(2)(d) are provided for spouses and for elected members of a school board and a parish or municipal governing authority, provided they meet certain requirements and file disclosure statements. See R.S. 42:1111C(5) & (6).

Section 1111E(1) – Prohibited Assistance by Public Servants

No public servant, and no legal entity of which such public servant is an officer, director, trustee, partner, or employee, or in which such public servant has a substantial economic interest, shall receive or agree to receive anything of economic value for assisting a person in a transaction, or in an appearance in connection with a transaction, with the agency of such public servant.

Example: An employee of the Office of State Civil Service is prohibited by Section 1111E(1) from receiving compensation for professional career coaching services from any person to assist them in transactions involving the Talent Development Department of the State Civil Service. (Advisory Opinion No. 2020-706).

Section 1111E(2) – Prohibited Assistance by Elected Officials

No elected official of a governmental entity shall receive or agree to receive anything of economic value for assisting a person in a transaction or in an appearance in connection with a transaction with the governmental entity or its officials or agencies, unless he files a written statement with the board prior to or within ten days after initial assistance is rendered. See Form 414 at ethics.la.gov/disclosures.

Example: An elected member of the House of Representatives was prohibited by Section 1111E(2) from assisting a nonprofit organization for compensation in a transaction involving an agency of the State of Louisiana unless the proper disclosure form was filed prior to or at least 10 days after initial assistance was rendered. (Advisory Opinion No. 2015-099)

NOTE: For exceptions to the various compensation prohibitions, see R.S. 42:1111 and 1123.

B. Prohibited Participation

Section 1112A: No public servant shall participate in a transaction in which he has a personal substantial economic interest of which he may be reasonably expected to know involving the governmental entity.

Section 1112B: No public servant shall participate in a transaction involving the governmental entity in which, to his actual knowledge, any of the following persons has a substantial economic interest:

- (1) Any member of his immediate family;
- (2) Any person in which he has an ownership interest that is greater than the interest of a general class;
- (3) Any person of which he is an officer, director, trustee, partner, or employee;
- (4) Any person with whom he is negotiating or has an arrangement concerning prospective employment;
- (5) Any person who is indebted to him or is a party to an existing contract with him and by reason thereof is in a position to affect directly his economic interests.

Recusal by Elected Officials: An elected official may participate in the debate and discussion of a matter which would violate Section 1112, but only if he discloses the nature of the conflict on the record of his agency prior to his participation in the debate and discussion, and prior to any vote taken on the matter. The elected official is not allowed to vote on the matter.²³

Recusal by Appointed Members of Boards and Commissions: Appointed members of boards or commissions must recuse themselves to avoid a violation of Section 1112. **Unlike elected officials, such appointed members may not participate in the debate, discussion, or vote on the matter.**²⁴

²³ R.S. 42:1120

²⁴ R.S. 42:1120.4

Disqualification Plans: Public employees who are not sole decision makers can be disqualified from transactions that would violate this prohibition. A mechanism for disqualification is found in the rules promulgated by the Board.²⁵

C. Prohibited Contracts and Transactions

Section 1113A: No public servant, excluding any legislator and any appointed member of any board or commission and any member of a governing authority of a parish with a population of ten thousand or less, ... shall bid on or enter into any contract, subcontract, or other transaction that is under the supervision or jurisdiction of the agency of such public servant.

NOTE: This restriction also applies to the immediate family members of the public servant and to legal entities in which the public servant and/or his family members own an interest in excess of 25%.

Exception: The prohibition does not apply to prohibit a public servant or their immediate family member from entering into transactions to obtain basic governmental services (such as water, sewer, waste disposal, etc.) and in connection with basic governmental regulations (such as taxation, permitting, licensing, inspections, code enforcement, etc.), provided the services are available to the general public. See R.S.42:1113A(1)(c)(i-iii).

Example: An Alderman's husband is prohibited from being appointed to the position of Chief of Police for the Municipality. (Advisory Opinion No. 2025-337)

Example: The daughter of an elected member of a parish school board is prohibited from rendering contractual services to any schools in the parish while her mother is in office. (Advisory Opinion No. 2025-208)

Example: A teacher employed at a high school is prohibited from entering into transactions with the school to provide photography services. (Consent Opinion No. 2023-201)

Exception: This provision does not prohibit a municipal or parish governing authority to appoint one of its members: (1) to fill a vacancy in accordance with the Louisiana Election Code; however, any such appointee is ineligible to qualify for the position in the next election; and (2) to a board or commission as the appointing authority, provided the person receives no salary or per diem, or if a member of the governing authority is required to be appointed by ordinance or statute. See R.S. 42:1113A(1)(b)(i-ii).

25 R.S. 42:1112C & LAC 52:I.1401, et seq.

Section 1113B – Prohibited Contracts for Appointed Members of Boards and Commissions:

No appointed member of any board or commission, member of his immediate family, or legal entity in which the appointed member has a substantial economic interest shall bid on, enter into, or have a substantial economic interest in any contract, subcontract, or other transaction which is under the supervision or jurisdiction of the agency of such appointed member.

Example: An appointed member of a parish sewerage district was prohibited from entering into transactions with the sewerage district for grass-cutting services.

(Consent Opinion No. 2023-389)

Section 1113C – Prohibited Contracts for Legislators:

Legislators are prohibited from bidding on, entering into, or having a substantial economic interest in contracts, subcontracts, or other transactions that are under the supervision or jurisdiction of the legislative branch of state government. This restriction also applies to the immediate family members of the legislator and to legal entities in which the legislator and/or his family members own an interest in excess of 25%.

Section 1113D – Prohibited Contracts for Legislators and Certain Executive Branch Officials:

The Ethics Code provides an additional prohibition applicable to legislators, certain executive branch officials, their spouses, or legal entities in which either owns an interest in excess of 5% from entering into a contract with any branch, agency, department, or institution of state government, with a few specific exceptions.

Example: A Louisiana Senator and his business were prohibited by Section 1113D from bidding on or entering into a contract with the Louisiana Recovery School District, provided the Senator owned an interest greater than 5% in the business. (Advisory Opinion No. 2010-988)

D. Prohibited Gifts

Section 1115A: Elected officials and public employees are prohibited from soliciting or accepting a gift from the following:

- (1) Persons who have or are seeking to obtain a contractual or other business or financial relationship with the public servant’s agency; or,
- (2) Persons who are seeking, for compensation, to influence the passage or defeat of legislation by the public servant’s agency.

Example: An employee of a local housing authority violated Section 1115A(1) by accepting a cash gift from a vendor while the vendor was seeking to obtain a business or financial relationship with the local housing authority. (Consent Opinion No. 2022-677)

Section 1115B: Public employees, not elected officials, are also prohibited from soliciting or accepting a gift from the following:

- (1) Persons who conduct operations or activities regulated by the public employee’s agency;
or

- (2) Persons who have substantial economic interests which may be substantially affected by the performance or nonperformance of the public employee's official duties.

The prohibition against soliciting or accepting a gift from certain persons extends to officers, directors, agents, or employees of such persons.

NOTE: The gift prohibition does not prohibit the receipt of promotional items having no substantial resale value (i.e.: cups, hats, or pens with a company's logo).

Exception: R.S. 42:1123(26)(b) allows teachers and other school employees to accept gifts valued at \$25 or less per gift from or on behalf of students or former students, with a maximum amount of \$75 per calendar year from each student.

Food and Drink Exception: \$81 per event (effective July 1, 2025)

A public servant is allowed to accept food or drink consumed as the personal guest of the person providing the food or drink, including reasonable transportation and entertainment incidental thereto. The person providing the food and drink may not provide a public servant more than **\$81** of food and drink per single event.²⁶

Complimentary Admission, Lodging, and Travel Exception

A public servant is allowed to accept complimentary admission, lodging, and reasonable transportation, or reimbursement of such expenses, if the agency head of the public servant certifies each of the following:

- (1) The acceptance is either of direct benefit to the agency or will enhance the knowledge of the public servant as it relates to his public service.
- (2) The agency head approved the public servant's acceptance prior to such acceptance.

The public servant who accepts the complimentary admission, lodging, or transportation must file a disclosure statement with the Board of Ethics within 60 days of acceptance. See Form 413 at ethics.la.gov/disclosure.

NOTE: A public servant who is also the agency head may approve his own acceptance of complimentary admission, lodging, or travel.

²⁶ R.S. 42:1115.1C; The limitation on food, drink and refreshment shall be adjusted annually according to the Consumer Price Index (CPI-U). LAC 52:I.1703.

E. Abuse of Office

Section 1116A: No public servant shall use the authority of his office or position, directly or indirectly, in a manner intended to compel or coerce any person or other public servant to provide himself, any other public servant, or other person with anything of economic value.

Example: A city employee violated Section 1116A when he used his position with the City to coerce or compel city police officers to overlook his alleged violations of criminal and traffic laws. (Consent Opinion No. 2021-1054)

Section 1116B: No public servant shall use the authority of his office or position, directly or indirectly, in a manner intended to compel or coerce any person or other public servant to engage in political activity. For the purposes of this Subsection, "political activity" means an effort to support or oppose the election of a candidate for political office in an election.

Example: Elected Sheriff violated Section 1116B when he used his position to compel or coerce sheriff's office employees to support his re-election campaign. (Consent Opinion No. 2015-1449)

Section 1116: No regulatory employee shall participate in any way in the sale of goods or services to a person regulated by his public agency, or to any officer, director, agent, or employee of such person, if a member of the immediate family of the regulatory employee, or any business enterprise in which such regulatory employee or member of his immediate family owns at least twenty-five percent, receives or will receive a thing of economic value by virtue of the sale.

Example: A regulatory employee of the Department of Transportation and Development is prohibited from participating in the sale of goods or services to a DOTD vendor by his son's business. (Advisory Opinion No. 2024-667)

F. Illegal Payments

Section 1117: No public servant or other person shall give, pay, loan, transfer, or deliver or offer to give, pay, loan, transfer, or deliver, directly or indirectly, to any public servant or other person anything of economic value which such public servant or other person would be prohibited from receiving by any provision of the Code.

Example: A payroll company violated Section 1117 by making payments to a parish employee when the parish employee was prohibited from receiving payments from the payroll company, while the payroll company had a business or financial relationship with the parish. (Consent Opinion No. 2021-081(2))

G. Nepotism

Section 1119A: No member of the immediate family of an agency head shall be employed in his agency.

Example: The son of the Director of Technology for a parish school board violated Section 1119A by being employed by the school board in the Technology Department, over which his father was the agency head. (Consent Opinion No 2023-398)

Section 1119B: No member of the immediate family of a member of a governing authority or the chief executive of a governmental entity shall be employed by the governmental entity.

Example: The spouse of an appointed board member of a hospital service district violated Section 1119B by being employed by the hospital service district while her spouse served as an appointed board member. (Consent Opinion No. 2023-327)

Section 1119D: A willful violation of this Section shall subject the agency head, member of the governing authority, the public employee having authority to hire and fire the employee, the immediate supervisor of the employee, whether or not such persons are immediate family members of the employee, and such employee, to disciplinary action and penalties provided by the Code.

NOTE: The application of these restrictions is not affected by whether the agency head, chief executive, or governing authority member has authority over or actually participates in the hiring decision.

Some Exceptions to the Nepotism Prohibitions:

- (1) A person employed for one year prior to their family member becoming an agency head. This provision also allows normal promotional advancements.²⁷
- (2) Employment of a classroom school teacher who is a member of the immediate family of the superintendent or a school board member, as long as the family member is certified to teach or is temporarily authorized to teach while pursuing certification. Annual disclosure is required by September 15th. If the required disclosure is not timely filed, a late fee assessment of \$50 per day, with a maximum penalty of \$1,500, may be imposed.²⁸ See Form 403 at ethics.la.gov/disclosure.
- (3) Employment as a health care provider, of an immediate family member of a hospital service district board member, or of a public trust authority board member, as long as the family member is a licensed physician, allied health professional, or a registered nurse. Annual disclosure is required. If the required disclosure is not timely filed, a late fee assessment of \$50 per day, with a maximum penalty of \$1,500, may be imposed.²⁹ See Form 404 at ethics.la.gov/disclosure.
- (4) Persons employed as volunteer firefighters.³⁰
- (5) Employment of the immediate family member of an athletic director of a school as a coach.³¹

27 R.S. 42:1119C(2)

28 R.S. 42:1119B(2)(a)

29 R.S. 42:1119B(2)(b)

30 R.S. 42:1119B(6)

31 R.S. 42:1119E

H. Post Employment Restrictions

Section 1121A(1): During the two-year period following the termination of public service as an **agency head** or **elected official**, a former agency head or elected official may not assist another person for compensation, in a transaction, or in an appearance in connection with any transaction involving their former agency.

Additionally, a former agency head or elected official may not render any service on a contractual basis to or for their former agency.

Example: The former director of a parish public works department was prohibited by Section 1121A(1) from assisting his new employer in transactions involving the parish public works department for a period of two years following the end of his employment as public works director.

(Advisory Opinion No. 2024-382)

Example: The former elected Clerk of Court was prohibited by Section 1121A(1) from assisting her new employer in transactions involving the clerk of court's office or from rendering any services to the clerk of court's office on a contractual basis for a period of two years following the end of her service as clerk of court. (Advisory Opinion No. 2024-265)

Section 1121A(2): During the two-year period following the termination of public service as a **board or commission member**, former members of boards or commissions may not contract with, be employed in any capacity by, or be appointed to any position by that board or commission.

Example: A former member of a parish fire district board is prohibited by Section 1121A(2) for two years following the termination of his service as a board member from being hired as an employee of the fire district. (Advisory Opinion No. 2025-517)

The Board has interpreted "board or commission" to include a collective body that shares responsibility for its actions. This includes school boards, police juries, boards of aldermen, a group of selectmen, a council, etc.

Example: A former member of a parish school board violated Section 1121A(2) by virtue of his appointment by the school board to fill a vacant position on the school board within two years of the end of his term as an elected member of the school board. (Consent Opinion No. 2023-688)

Section 1121B: During the two-year period following the termination of public service as a **public employee**, a former public employee may not assist another for compensation, in a transaction, or in an appearance in connection with a transaction involving the agency in which the former public employee participated while employed by the agency.

Additionally, the former public employee may not provide, on a contractual basis, any service he provided while employed by his former public employer.

Example: The former assistant director of the Office of Facility Planning was prohibited by Section 1121B from assisting his new employer in any transactions involving the Office of Facility Planning if he participated in those transactions while employed with the State of Louisiana. (Advisory Opinion No. 2025-458)

Section 1121C: No legal entity in which a former public servant is an officer, director, trustee, partner, or employee shall, for a period of two years following the termination of his public service, assist another person, for compensation, in a transaction, or in an appearance in connection with a transaction in which such public servant at any time participated during his public service and involving the agency by which he was formerly employed or in which he formerly held office.

Example: The employer of a former member of the Louisiana Housing Corporation was prohibited for two years following the termination of the former board member's public service from assisting third parties in transactions involving the Louisiana Housing Corporation if the board member participated in the transactions. The employer was not prohibited from assisting third parties in new transactions involving the Louisiana Housing Corporation. (Advisory Opinion No. 2025-256)

I. Retaliation

Section 1169: It is a violation of the Code for any public employee to be disciplined or otherwise subjected to acts of reprisal for reporting to his agency head, the Board, or any person of competent authority or jurisdiction, information which he reasonably believes is a violation of any law, order, rule, or regulation or any other alleged acts of impropriety within any governmental entity.

Each agency head is required to post notice of the employee's rights against retaliation at a convenient and conspicuous location in each agency where at least 10 public employees are employed.

IV. Ethics Procedures

Advisory Opinions:

Advisory opinion requests must be received in writing and signed by the requestor; the request must indicate the requestor's interest in the advisory opinion and provide sufficient information for the Board to make a determination. The Board may decline to render an opinion with regard to any such request.

For additional information regarding advisory opinions: [Advisory Opinions](#)

NOTE: The Board does not issue advisory opinions as to past conduct.
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Complaints:

An ethics complaint must be submitted in writing. Complaints are confidential and privileged. A complaint may be sworn or non-sworn. The Board is required to consider any signed sworn complaint. Additionally, the Board may consider any other matter by a 2/3 vote of its membership.

For additional information regarding complaints: [Ethics Complaints](#)

Investigations:

The Board may initiate an investigation into any complaint or other matter which it has probable cause to believe may be a violation of the Code by a 2/3 vote of its membership (10 votes). A certified copy of the vote and a detailed explanation of the matter, along with a redacted copy of the complaint, are sent to the respondent.

Upon completion of an investigation, the respondent will receive a copy of the investigation report, along with all documents obtained during the investigation. The respondent may choose to address the Board during either an executive or general session to present any defenses to the allegations.

After considering the investigation report and any defenses presented by the respondent, the Board may:

- (1) Order further investigation, if necessary
- (2) File Charges alleging a violation of the Code
- (2) Offer a consent opinion for an alleged violation of the Code
- (4) Close the file

Penalties:

Penalties that may be imposed upon a finding of a violation of the laws under the Board's jurisdiction:

- (1) Censure of an elected official or other person within its jurisdiction and imposition of a fine of not more than \$10,000 per violation.³²
- (2) Removal, suspension, or reduction of the pay or demotion of a public employee or other person and imposition of a fine of not more than \$10,000 per violation.³³

32 R.S. 42:1153A
33 R.S. 42:1153B

- (3) Imposition of restrictions on a former public servant and other persons to prevent appearances before the agency and prohibitions from negotiating for or entering into business relationships with the agency.³⁴
- (4) Rescission of contracts, permits, and licenses, without contractual liability to the public, whenever the Board finds that a violation has influenced the making of such contract, permit or license, and that such rescission is in the best interest of the public.³⁵
- (5) Order the payment of civil penalties if an investigation reveals that any public servant or other person has violated the Code to his economic advantage; the penalties can include an amount up to one and a half times the amount of such economic advantage.³⁶
- (6) Order the forfeiture of any gifts or payments made in violation of the Code.³⁷
- (7) Imposition of late fees for reports that are not timely filed.³⁸
- (8) Object to the candidacy of a person who has an outstanding fine, fee, or penalty equal to or greater than \$250 pursuant to the Code of Governmental Ethics for which all appeals have been exhausted.³⁹

V. Personal Financial Disclosures

Personal Financial Disclosures must be filed annually by May 15th. The report must be filed each year the office or position is held, as well as the year following the termination of the office or position. The report filed by May 15th covers activity in the prior calendar year.

If a public servant's term of office ends in January, he may file a "final" personal financial disclosure statement for the days served in January, if the disclosure statement is filed on or before May 15 of the year in which his service ends. By filing this "final" personal financial disclosure statement, he is not required to file the year following the termination of the holding of such office.

Tier 1 Personal Financial Disclosures:

Filed by persons holding statewide elected office, the secretaries of certain departments of state government, the superintendent of education, the commissioner of higher education, the president of each public postsecondary education system, and persons holding certain positions in the office of the governor.⁴⁰ The penalty for late filing is \$500 per day, with a maximum penalty of \$12,500.⁴¹

Tier 1 Personal Financial Disclosures must be filed electronically through the Board's E-File system.

34 R.S. 42:1151B

35 R.S. 42:1152

36 R.S. 42:1155

37 R.S. 42:1155

38 R.S. 42:1157

39 R.S. 18:463A(2)(a)(vii) & 492(b)

40 R.S. 42:1124

41 R.S. 42:1124.4C(1) & 1157A(4)(g)

Tier 2 Personal Financial Disclosures:

Filed by state legislators, elected officials holding a public office representing a voting district with a population of 5,000 or greater, members of the Board of Ethics, the ethics administrator, and members of the Board of Elementary and Secondary Education, the superintendent of the Recovery School District, the executive director of the Louisiana Housing Corporation, and the members of the Board of Pardons.⁴² The penalty for late filing is \$100 per day, with a maximum penalty of \$2,500.⁴³

Tier 2 Personal Financial Disclosures must be filed electronically through the Board's E-File system beginning in 2026.

Tier 2.1 Personal Financial Disclosures:

Filed by members and designees of boards and commissions that have the authority to expend, disburse, or invest \$10,000 or more in funds in a fiscal year, members of the State Civil Service Commission, and members of the Board of Commissioners of the Louisiana Stadium and Exposition District.⁴⁴ The penalty for late filing is \$50 per day, with a maximum penalty of \$1,500.⁴⁵

NOTE: Boards or commissions that do not have the authority to expend, disburse or invest more than \$50,000 in a fiscal year **and** whose members are not eligible to receive any compensation, per diem, or reimbursement of expenses for service on the board of commission are excluded from the reporting requirement.⁴⁶

Tier 3 Personal Financial Disclosures:

Filed by elected officials holding a public office representing a voting district with a population of less than 5,000 and members of the governing authority or management board of a charter school.⁴⁷ The penalty for late filing is \$25 per day, with a maximum penalty of \$500.⁴⁸

VI. Ethics Training

Each **public servant** shall receive a minimum of one hour of education and training on the Code of Ethics during each year of his public employment or term of office. Each political subdivision shall designate at least one person who shall provide information, notices, and updates to employees and officials of the political subdivision and assist the board in any way necessary to fulfill the education requirements. Newly elected officials must receive training within 90 days of taking the oath of office.⁴⁹

The following individuals are exempt from the annual training requirements:

- (1) Persons who are public servants solely because they are an uncompensated, volunteer fireman or an uncompensated, auxiliary or reserve law enforcement officer.

42 R.S. 42:1124.2

43 R.S. 42:1124.4C(2) & 1157A(4)(e)

44 R.S. 42:1124.2.1

45 R.S. 42:1124.4C(3) & 1157A(4)(c)

46 R.S. 42:1124.2.1D(1)(b)(vi)

47 R.S. 42:1124.3

48 R.S. 42:1124.4C(4) & 1157A(4)(a)

49 R.S. 42:1170

- (2) Non-salaried employees of hospitals operated by a hospital service district are exempt unless the employee is authorized to enter into contracts on behalf of the hospital for goods or services or the duties of the employee include the supervision of another public employee.
- (3) A former public servant whose public service in a calendar year lasted less than 90 days.

NOTE: An **elected official** must receive at least one hour of Campaign Finance training during his term of office. See R.S. 42:1170A(1).

VII. Miscellaneous Provisions

It is a violation of the Code to have one or more employees on the payroll who are not rendering services for which they are being paid or having one or more employees on the payroll whose employment is prohibited by the nepotism section of the Code.⁵⁰

No action to enforce a violation of the Code may be commenced more than 2 years after the discovery of the occurrence of the violation, or more than 4 years after the occurrence of the violation, whichever is shorter.⁵¹

Judges, as defined in the Code of Judicial Conduct, are exempt from the provisions of the Code, although employees of the judge are subject to the Code.⁵²

Attorneys who are also public servants are subject to the provisions of the Code in that capacity, notwithstanding any conflicting provisions in the Code of Professional Responsibility that might otherwise allow an attorney to engage in conduct which is prohibited by the Code.

For additional information, contact the Ethics Administration Program at 225-219-5600 or visit our web site at ethics.la.gov.

⁵⁰ R.S. 42:1161F

⁵¹ R.S. 42:1163

⁵² R.S. 42:1167