



§1170. Ethics education; mandatory requirements; ethics designee

A.(1) Commencing with terms of office beginning January 1, 2008, and thereafter, each statewide elected official, legislator, and public service commissioner shall receive a minimum of one hour of education and training on the Code of Governmental Ethics during each year of his term of office. All newly elected officials shall receive the required one hour of education training on the Code of Governmental Ethics within the first ninety days after taking the oath of office. In addition, each statewide elected official, legislator, and public service commissioner shall receive a minimum of one hour of education and training on the Campaign Finance Disclosure Act during his term of office.

(2) Commencing with the terms of office beginning January 1, 2010, and thereafter, each elected official who was not required to complete education and training on the Code of Governmental Ethics pursuant to Paragraph (1) of this Subsection shall receive a minimum of one hour of education and training during each year of his term of office. All newly elected officials shall receive the required one hour of education training on the Code of Governmental Ethics within the first ninety days after taking the oath of office. In addition, each such elected official who was not required to complete education and training pursuant to Paragraph (1) of this Subsection shall receive a minimum of one hour of education and training on the Campaign Finance Disclosure Act during his term of office.

(3)(a)(i) Commencing on January 1, 2012, each public servant who was not required to complete education and training pursuant to Paragraph (1) or (2) of this Subsection shall receive a minimum of one hour of education and training on the Code of Governmental Ethics during each year of his public employment or term of office, as the case may be.

(ii) Commencing on January 1, 2014, each head of a department, except statewide elected officials, of the executive branch enumerated in R.S. 36:4(A), shall be required to receive an additional one hour of education and training on the Code of Governmental Ethics during each year of his public employment or term of office, as the case may be. The additional topic to be addressed shall be contract ethics.

(b) The provisions of Subparagraph (a) of this Paragraph shall not apply to any person who is a public servant solely because he serves as an uncompensated volunteer fireman or an uncompensated auxiliary or reserve law enforcement officer.

(c) The provisions of Subparagraph (a) of this Paragraph shall not apply to a nonsalaried employee of a hospital owned or operated by a hospital service district as defined in R.S. 46:1072 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.

(4)(a) Commencing on January 1, 2009, each lobbyist registered pursuant to the provisions of Part III of Chapter 1 of Title 24 of the Louisiana Revised Statutes of 1950 relative to lobbying of the legislature shall receive a minimum of one hour of education and training on such provisions and on the provisions of the Code of Governmental Ethics which the Board of Ethics determines are relevant to such a lobbyist during each year the lobbyist is registered.

(b) Commencing on January 1, 2009, each lobbyist registered pursuant to the provisions of Part IV of Chapter 1 of Title 49 of the Louisiana Revised Statutes of 1950 relative to lobbying of executive branch agencies shall receive a minimum of one hour of education and training on such provisions and on the provisions of the Code of Governmental Ethics which the Board of Ethics determines are relevant to such a lobbyist during each year such lobbyist is registered.

(5) A former public servant whose public service in a calendar year lasted less than ninety days shall not be required to receive education and training on the Code of Governmental Ethics pursuant to Paragraph (1), (2), or (3) of this Subsection during that year.

B. The education and training required pursuant to this Section may be received either in person or via the Internet through the training and education materials designed by the board pursuant to R.S. 42:1134.

C.(1) Each agency head of a state agency shall designate at least one person who shall, with the assistance of the board, provide all public servants of that agency information and instruction relative to ethics and conflicts of interest concerning the following provisions: the Code of Governmental Ethics and, if appropriate or applicable to the functions of the agency or the public servants within the agency, information concerning the Campaign Finance Disclosure Act, the provisions of Part III of Chapter 1 of Title 24 relative to lobbying of the legislature, the provisions of Part IV of Chapter 1 of Title 49 of the Louisiana Revised Statutes of 1950 relative to lobbying of executive branch agencies, the Louisiana Riverboat Economic Development and Gaming Control Act, the Louisiana Economic Development and Gaming Corporation Act, the Louisiana Lottery Corporation Law, and the Video Draw Poker Devices Control Law. The agency shall also provide instruction and information to such public servants intended to educate them about the particular ethics laws to which they are subject and the procedures by which such laws are enforced. On and after January 1, 2009, no agency head shall designate a person to provide information and instruction relative to ethics and conflicts of interest pursuant to this Subsection unless the person has received a minimum of two hours of education and training regarding the provisions of the Code of Governmental Ethics and, if appropriate or applicable to the functions of the agency or the public servants within the agency, any other provision of law within the jurisdiction of the Board of Ethics. In addition, on and after January 1, 2009, each designee shall be required to have at least two hours of ethics education and training annually.

(2) Each agency head of a state agency shall ensure that each public servant in the agency is notified of the current name and contact information of each designee and that the current name and contact information of each designee is posted and maintained in a convenient and conspicuous manner which makes the information easily accessible to each public servant in the agency. He shall also submit the name and contact information of each such designee to the Board of Ethics no later than July first of each year and shall notify the Board of Ethics within ten days of any change in the name or contact information of a designee.

(3) The agency head of each department in the executive branch of state government shall select at least one person licensed to practice law in this state to be a designee.

(4) Each political subdivision shall designate at least one person who shall, with the assistance of the board, provide information, notices, and updates to employees and officials of the political subdivision and assist the board in any way necessary to fulfill the requirements set out in this Section and R.S. 42:1134(N)(1).

D. All agencies shall provide information about governmental ethics to those with whom they do business.

E.(1) The Board of Ethics shall keep records of the compliance with the requirements of this Section by each registered lobbyist and public servant and by state agencies.

(2) If the board discovers that a public servant or lobbyist has failed to complete the training required by this Section, the board shall mail by certified mail a notice of noncompliance informing the person that the training required by this Section shall be completed within forty-five business days from the mailing of the notice of noncompliance. The notice of noncompliance shall include the deadline for completion of the training required by this Section. If the person completes the training prior to the deadline contained in the notice of noncompliance, no penalties shall be assessed against the person.

(3) The Board of Ethics shall submit the required education and training on the Code of Governmental Ethics for approval by the Louisiana Supreme Court, Mandatory Continuing Legal Education Committee as an approved continuing legal education activity.

Acts 1996, 1st Ex. Sess., No. 64, §6, eff. Jan. 1, 1997; Acts 2007, No. 315, §1, eff. Jan. 1, 2008; Acts 2008, 1st Ex. Sess., No. 3, §1, eff. April 26, 2008; Acts 2008, 1st Ex. Sess., No. 11, §1, eff. April 26, 2008; Acts 2012, No. 488, §1, eff. June 5, 2012; Acts 2013, No. 415, §1; Acts 2013, No. 422, §1; Acts 2014, No. 745, §1.

NOTE: See Acts 2007, No. 315, §2, relative to implementation.