

Regular Session, 2012

SENATE BILL NO. 163

BY SENATOR MARTINY

SECURITIES. Provides relative to securities. (gov sig)

1 AN ACT

2 To enact R.S. 51:712(D)(3), relative to securities; to provide for unlawful practices; to
3 provide certain terms and conditions; and to provide for related matters.

4 Be it enacted by the Legislature of Louisiana:

5 Section 1. R.S. 51:712(D)(3) is hereby enacted to read as follows:

6 §712. Unlawful practices

7 * * *

8 D. It shall be unlawful for any person in connection with the offer, sale, or
9 purchase of any security, directly or indirectly:

10 * * *

11 **(3) To engage in dishonest or unethical practices, as the commissioner**
12 **shall define by rule.**

13 * * *

14 Section 2. This Act shall become effective upon signature by the governor or, if not
15 signed by the governor, upon expiration of the time for bills to become law without signature
16 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
17 vetoed by the governor and subsequently approved by the legislature, this Act shall become

1 effective on the day following such approval.

The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Alan Miller.

DIGEST

Present law prohibits any person in connection with the offer, sale, or purchase of any security, to directly or indirectly:

1. Employ any device, scheme, or artifice to defraud.
2. Engage in any transaction, act, practice, or course of business which operates or would operate as a fraud or deceit upon the purchaser or seller.

Proposed law retains present law and further prohibits any person in connection with the offer, sale, or purchase of any security, to directly or indirectly engage in dishonest or unethical practices, as the commissioner of OFI defines by rule.

Effective upon signature of the governor or lapse of time for gubernatorial action.

(Adds R.S. 51:712(D)(3))