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State of Louisiana

DEPARTMENT OF JUSTICE

Baton Rouge

70804-9005

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OPINION 02-0065

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Honorable Rudy Threats
Chief of Police
200 First Street
Lake Providence, LA 71254

90-A-1 Public Funds & Contracts
Vending machines may only be placed on town property if town receives compensation for use of the space.

Dear Chief Threats:

This office is in receipt of your recent correspondence concerning the installation of a snack food vending machine and a coke machine in the police state in the town of Lake Providence. In general, note that the Town of Lake Providence must receive compensation for the use of its space vis-à-vis these vending machines. Without compensation, use of the town's property would constitute a donation of public funds which is prohibited by Article VII, Section 14 (1974) of the Louisiana Constitution.

The separate question of whether an elected official may place vending machines on town property is governed by the Code of Governmental Ethics. We have referred similar questions to the Louisiana Board of Ethics (Attorney General Opinions 00-322 and 01-270) and we suggest you submit your inquiry to the Board for their review.

Very truly yours,

RICHARD P. IEYOUB
ATTORNEY GENERAL

BY: 
KERRY L. KILPATRICK
ASSISTANT ATTORNEY GENERAL

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