

## RÉSUMÉ DIGEST

ACT 332 (SB 84)

2016 Regular Session

Gatti

Prior law provided for fire and police civil service systems for municipalities with populations between 13,000 and 250,000 and prohibited certain political activities by classified employees. Required that the appointing authority discharge an employee who violates the political activity prohibition.

New law requires that the appointing authority investigate any alleged violation unless the appointing authority requests the municipal fire and police civil service board (board) to conduct the investigation. Requires that if it is determined that the employee is guilty of violating the prohibition, then the employee is to be suspended for 30 work days without pay for a first violation or discharged for a second violation. Requires that if the violation is due to the employee becoming a candidate for nomination or election to a public office, then the employee is terminated upon determination of the violation.

Prior law authorized the board, on its own initiative, to investigate a classified employee believed to be engaged in prohibited political activities. New law retains these provisions.

Prior law required the board, within 30 days after receiving detailed charges of a violation filed by a citizen, taxpayer, municipal officer or employee, to hold a public hearing investigating the violation and upon a finding of a violation, the board shall order the appointing authority to discharge the employee.

New law retains these provisions but provides that if, after investigating, the board finds a violation, it shall order the appointing authority to suspend the employee for 30 work days for a first violation and mandate educational training on prohibited political activities. Requires that upon a board finding of a violation for a second time, the board is to order the appointing authority to discharge the employee.

New law also applies to fire and police civil service systems for small municipalities and for parish and fire protection districts. Applies in municipalities having a population of not less than 7,000 and not more than 13,000 and in parish and fire protection districts. Provides that the board involved is the municipal, parish, or fire protection district fire and police civil service board and provides the same provisions as applicable to the municipal fire and police civil service board.

New law retains provisions that violators not be eligible for employment or public office in the classified service for a period of six years from the time of discharge.

New law makes the same changes as to prohibited political activities in fire and police civil service in municipalities with a population between 13,000 and 250,000 as contained in the La. Constitution of 1921 which is retained and continued in force and effect under the La. Constitution of 1974.

Effective August 1, 2016.

(Amends R.S. 33:2504(B) and (C), 2564(B) and (C), and Const. 1921, Art. XIV, Sec. 15.1(34))