

2016 Regular Session

SENATE BILL NO. 84

BY SENATOR GATTI

CIVIL SERVICE. Allows civil service employees to engage in political activities. (See Act)

1 AN ACT

2 To amend and reenact R.S. 33:2454(A), 2504(A) and 2564(A), and to repeal R.S.  
3 33:2452(3)(h), and R.S. 42:1382, relative to civil service; to provide permissible  
4 political activity for civil service employees; to end the prohibition on certain  
5 prohibited political activities; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 33:2454(A), 2504(A) and 2564(A) are hereby amended and  
8 reenacted to read as follows:

9 §2454. Political activities; other provisions

10 A.(1) No member of the civil service board or employee covered under this  
11 Part shall:

12 (a) ~~Participate or engage in political activity.~~

13 (b) Be a candidate for nomination or election to public office, except for the  
14 position of elected employee member of the civil service board, or be a member of  
15 any national, state, or local committee of a political party or faction.

16 (c) ~~Make or solicit contributions for any political party, faction, or candidate.~~

17 (d)(b) Take active part in the management of the affairs of a political party,

1 faction, candidate, or any political campaign, except to exercise his right as a citizen  
2 to express his opinion privately, to serve as a commissioner or official watcher at the  
3 polls, and to cast his vote as he desires.

4 (2) No person shall ~~solicit contributions for political purposes from a~~  
5 ~~classified employee~~ or use or attempt to use his position in the parish service to  
6 punish or coerce the political action of a classified employee.

7 (3) ~~As used in this Part, "political activity" means an effort to support or~~  
8 ~~oppose the election of a candidate for political office or to support a particular~~  
9 ~~political party in an election.~~

10 \* \* \*

11 §2504. Political activities prohibited

12 A. Political activities by and extending to employees of the classified service  
13 are hereby prohibited as follows:

14 (1) No person shall seek or attempt to use any political endorsement in  
15 connection with any appointment to a position in the classified service.

16 (2) No person shall use or promise to use, directly or indirectly, any official  
17 authority or influence, whether possessed or anticipated, to secure or attempt to  
18 secure for any person an appointment or advantage in appointment to a position in  
19 the classified service, or an increase in pay or other advantage in employment in any  
20 such position, for the purpose of influencing the vote or political action of any  
21 person, or for any consideration.

22 (3) ~~No employee in the classified service shall, directly or indirectly, pay,~~  
23 ~~or promise to pay, any assessment, subscription, or contribution for any political~~  
24 ~~organization or purpose, or solicit or take part in soliciting any such assessment,~~  
25 ~~subscription, or contribution. No person shall solicit any such assessment,~~  
26 ~~subscription, or contribution of any employee in classified service. The prohibitions~~  
27 ~~of this Sub-section shall not be construed as applying to membership dues paid, or~~  
28 ~~contributions made, to non-political employee organizations, pension funds, civic~~  
29 ~~enterprises, the Louisiana Civil Service League or any similar non-political and non-~~

1 ~~partisan organization.~~

2 (4) No employee in the classified service shall (a) be a member of any  
3 national, state, or local committee of a political party, (b) be an officer or member  
4 of a committee of any factional, political club or organization, (c) be a candidate for  
5 nomination or election to public office, (d) make any political speech or public  
6 political statement in behalf of any candidate seeking to be elected to public office;  
7 ~~or (e) take any part in the management or affairs of any political party or in the~~  
8 ~~political campaign of any candidate for public office, except to privately express his~~  
9 ~~opinion and to cast his vote.~~

10 (5)(4) No person elected to public office shall, while serving in the elective  
11 office, be appointed to or hold any position in the classified service.

12 (6)(5) No appointing authority, or agent or deputy thereof, shall directly or  
13 indirectly, demote, suspend, discharge, or otherwise discipline, or threaten to demote,  
14 suspend, discharge or otherwise discipline, or discriminate against any person in the  
15 classified service for the purpose of influencing his vote, support, or other political  
16 activity in any election or primary election. No appointing authority, or agent or  
17 deputy thereof, shall use his official authority or influence, by threats, promises or  
18 other means, directly or indirectly, to coerce the political action of any employee in  
19 the classified service.

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21 §2564. Political activities prohibited

22 A. Political activities by and extending to employees of the classified service  
23 are hereby prohibited as follows:

24 (1) No person shall seek or attempt to use any political endorsement, in  
25 connection with any appointment to a position in the classified service.

26 (2) No person shall use or promise to use directly or indirectly, any official  
27 authority or influence, whether possessed or anticipated, to secure or attempt to  
28 secure for any person an appointment or advantage in appointment to a position in  
29 the classified service, or an increase in pay or other advantage in employment in any

1 such position, for the purpose of influencing the vote or political action of any  
2 person, or for any consideration.

3 ~~(3) No employee in the classified service shall, directly or indirectly, pay or~~  
4 ~~promise to pay any assessment, subscription, or contribution for any political~~  
5 ~~organization or purpose, or solicit or take part in soliciting any such assessment,~~  
6 ~~subscription, or contribution. No person shall solicit any such assessment,~~  
7 ~~subscription or contribution of any employee in the classified service. The~~  
8 ~~prohibitions of this paragraph (3) shall not be construed as applying to membership~~  
9 ~~dues paid or contributions made to non-political employee organizations, pension~~  
10 ~~funds, civic enterprises, the Louisiana Civil Service League or any similar non-~~  
11 ~~political and non-partisan organization.~~

12 ~~(4)~~ No employee in the classified service shall (a) be a member of any  
13 national, state, or local committee of a political party, (b) be an officer or member  
14 of a committee of any factional or political club or organization, (c) be a candidate  
15 for nomination or election to public office, (d) make any political speech or public  
16 political statement in behalf of any candidate seeking to be elected to public office;  
17 ~~or (e) take any part in the management or affairs of any political party or in the~~  
18 ~~political campaign of any candidate for public office, except to privately express his~~  
19 ~~opinion and to cast his vote.~~

20 ~~(5)~~**(4)** No person elected to public office shall, while serving in the elective  
21 office, be appointed to or hold any position in the classified service.

22 ~~(6)~~**(5)** No appointing authority, or agent or deputy thereof, shall directly or  
23 indirectly, demote, suspend, discharge or otherwise discipline or discriminate against  
24 any person in the classified service for the purpose of influencing his vote, support,  
25 or other political activity in any election or primary election. No appointing  
26 authority, or agent or deputy thereof, shall use his official authority or influence, by  
27 threats, promises or other means, directly or indirectly to coerce the political action  
28 of any employee in the classified service.

29 \* \* \*

1 Section 2. R.S. 33:2452 (3)(h) and R.S. 42:1382 are hereby repealed.

2 Section 3. The Louisiana State Law Institute is hereby authorized and directed to  
3 change any and all references relative to the prohibition from political activity by an  
4 employee in the classified service in current law, not already amended by Section 1 of this  
5 Act, in the manner it deems appropriate in order to make those provisions consistent with  
6 the provisions of Section 1 of this Act.

7 Section 4. This Act shall take effect and become operative if and when the proposed  
8 amendment of Article X, Section 9 and 47, and the repeal of Article X, Section 20 of the  
9 Constitution of Louisiana contained in the Act which originated as Senate Bill No. \_\_\_\_\_  
10 of this 2016 Regular Session of the Legislature is adopted at the statewide election to be held  
11 on November 8, 2016, and becomes effective.

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The original instrument and the following digest, which constitutes no part  
of the legislative instrument, were prepared by J. Ashley Mitchell Carter.

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DIGEST

SB 84 Original 2016 Regular Session Gatti

Present law provides that members of the civil service board or civil service employees cannot participate in political activity, be a candidate for public office, make or solicit contributions or take an active role in a campaign.

Proposed law provides that civil service employees can participate in permissible political activity as defined by present law.

(Amends R.S. 33:2454(A), 2504(A), and 2564(A); repeals R.S. 33:2452(3)(h) and R.S. 42:1382)