

2017 Regular Session

HOUSE BILL NO. 277

BY REPRESENTATIVE JAMES

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

LAW ENFORCE/OFFICERS: Provides relative to training of peace officers

1 AN ACT

2 To amend and reenact R.S. 40:2405(A)(2), (E), (H)(2)(a), and (I)(2), to enact R.S.

3 40:2404.2, and to repeal R.S. 40:2405.5(F), relative to peace officers; to provide for

4 training of peace officers; to provide for minimum training requirements; to provide

5 for annual training; to provide for certain mandatory basic and annual certification

6 hours for peace officers; to provide for certain time periods in which to obtain

7 training and certification; to provide for an emergency effective date; and to provide

8 for related matters.

9 Be it enacted by the Legislature of Louisiana:

10 Section 1. R.S. 40:2405(A)(2), (E), (H)(2)(a), and (I)(2) are hereby amended and
11 reenacted and R.S. 40:2404.2 is hereby enacted to read as follows:

12 §2404.2. Minimum training requirements; basic curriculum; annual training

13 A. In addition to all training requirements provided for in this Chapter, in

14 order to be certified as a level one basic law enforcement peace officer, all persons

15 shall successfully complete a minimum of four hundred hours of core curriculum for

16 basic peace officers as prescribed by the council.

17 B. All full-time, part-time, or reserve peace officers shall successfully

18 complete a minimum of twenty hours of in-service training requirements prescribed

19 by the council on an annual basis. All initial training requirements must be

1 completed within the first calendar year after receiving P.O.S.T. certification and
2 annually thereafter.

3 C. No later than January 1, 2018, the council shall develop and implement
4 curriculum for de-escalation, bias policing recognition, sudden in-custody death, and
5 crisis intervention training for peace officers that consists of classroom or internet
6 instruction, or both.

7 * * *

8 §2405. Peace officer training requirements; reimbursement by peace officer

9 A.

10 * * *

11 ~~(2) In addition, any person employed or commissioned as a peace officer,~~
12 ~~reserve peace officer, or part-time peace officer prior to July 1, 1998, including those~~
13 ~~persons employed as such prior to January 1, 1986, who has not satisfactorily~~
14 ~~completed a basic firearms training program, shall do so no later than August 1,~~
15 ~~1999. All other such persons who begin employment subsequent to July 1, 1998,~~
16 ~~shall satisfactorily complete a basic firearms training program prescribed by the~~
17 ~~council within one calendar year from the date of initial employment. Any person~~
18 ~~who does not comply with the provisions of this Paragraph shall be prohibited from~~
19 ~~exercising the authority of a peace officer, reserve peace officer, or part-time peace~~
20 ~~officer; however, such persons shall not be prohibited from performing~~
21 ~~administrative duties~~ Notwithstanding any other provision of law to the contrary,
22 any person who begins employment as a part-time or reserve peace officer in
23 Louisiana subsequent to January 1, 2020, must successfully complete a certified
24 training program approved by the council and successfully pass a council-approved
25 comprehensive examination within one calendar year from the date of initial
26 employment. Any person who fails to comply with the requirements of this
27 Paragraph shall be prohibited from exercising the authority of a peace officer;
28 however, such person shall not be prohibited from performing administrative duties.

29 * * *

1 qualification status for a period of two years provided they meet the following
2 requirements:

3 * * *

4 (2) Satisfactorily fulfill all requirements for annual basic firearms training
5 and any additional training required by the council.

6 * * *

7 Section 2. R.S. 40:2405.5(F) is hereby repealed in its entirety.

8 Section 3. This Act shall become effective upon signature by the governor or, if not
9 signed by the governor, upon expiration of the time for bills to become law without signature
10 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
11 vetoed by the governor and subsequently approved by the legislature, this Act shall become
12 effective on the day following such approval.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 277 Original

2017 Regular Session

James

Abstract: Requires certain mandatory basic and annual certification hours for peace officers and establishes the time periods for all peace officers to obtain P.O.S.T. training and certification.

Present law establishes the Council on Peace Officer Standards and Training and authorizes the council to develop curriculum requirements for training of peace officers and to accredit law enforcement training centers. Present law further provides for the training requirements for peace officers.

Proposed law requires all peace officers to successfully complete a minimum of 400 hours of basic core curriculum training and a minimum of 20 hours of in service training on an annual basis to maintain P.O.S.T. certification, to be prescribed by the council.

Proposed law requires the council to develop and implement curriculum for de-escalation, bias policing recognition, sudden in-custody death, and crisis intervention training for peace officers no later than Jan. 1, 2018.

Present law requires all peace officers to be certified by the Council on Peace Officer Standards and Training by completing a certified training program prescribed by the council and to successfully pass a council approved comprehensive examination within one calendar year from the date of initial employment.

Proposed law retains present law but requires part-time or reserve peace officers hired after Jan. 1, 2020, to successfully complete a certified training program approved by the council

and successfully pass a council-approved comprehensive examination within one calendar year from initial date of employment.

Present law also requires peace officers hired after Jan. 1, 1986, in a village with a population of less than 1,000 to obtain P.O.S.T. certification within 2 calendar years and exempts part-time and reserve peace officers from this requirement.

Proposed law retains present law but requires part-time or reserve peace officers hired after Jan. 1, 2022, to successfully complete a certified training program approved by the council and to successfully pass a council-approved comprehensive examination within one calendar year from initial date of employment.

Present law further provides that any person who fails to comply with training requirements shall not be prohibited from performing administrative duties.

Present law requires the Council on Peace Officer Standards and Training to develop and implement by Aug. 1, 2006, a training course on law enforcement interaction with mentally ill or developmentally disabled persons with assistance from community, local, and state organizations specialized in the area of working with such population.

Present law further provides that the training course on law enforcement interaction with mentally ill and developmentally disabled persons will be implemented when funding is made available for such program. Proposed law retains present law but removes the funding contingency language provided in present law.

(Amends R.S. 40:2405(A)(2), (E), (H)(2)(a), and (I)(2); Adds R.S. 40:2404.2; Repeals R.S. 40:2405.5(F))