

2017 Regular Session

HOUSE BILL NO. 70

BY REPRESENTATIVE HORTON

CIVIL SERVICE/FIRE & POL: Provides relative to the classified fire service in the cities of Baton Rouge, Bossier City, and Lafayette and Fire Protection District No. 2 of Ward 4 of Calcasieu Parish

1 AN ACT

2 To amend and reenact R.S. 33:2495.3(A) and to enact R.S. 33:2555.2, relative to the cities  
3 of Baton Rouge, Bossier City, and Lafayette and Fire Protection District No. 2 of  
4 Ward 4 of Calcasieu Parish; to provide relative to the classified fire service; to  
5 provide relative to persons selected for appointment to entry-level positions; to  
6 provide relative to the formal training of such persons; and to provide for related  
7 matters.

8 Notice of intention to introduce this Act has been published  
9 as provided by Article III, Section 13 of the Constitution of  
10 Louisiana.

11 Be it enacted by the Legislature of Louisiana:

12 Section 1. R.S. 33:2495.3(A) is hereby amended and reenacted and R.S. 33:2555.2  
13 is hereby enacted to read as follows:

14 §2495.3. Recruit and recruit period; certain municipalities

15 A. Notwithstanding any other provision of law to the contrary, in  
16 ~~municipalities with a population of not less than two hundred thousand persons and~~  
17 ~~not more than two hundred forty thousand persons as of the most recent federal~~  
18 ~~decennial census~~ the cities of Baton Rouge, Bossier City, and Lafayette no person  
19 selected for appointment to an entry-level position in the classified service from the

1 competitive firefighter employment list who has not successfully completed formal  
2 training as required by Subsection B of this Section shall begin the working test  
3 period. However, such person shall be employed by the appointing authority and  
4 reported as a recruit and shall immediately begin his formal training.

5 \* \* \*

6 §2555.2. Recruit and recruit period; Fire Protection District No. 2 of Ward 4 of  
7 Calcasieu Parish

8 A. Notwithstanding any other provision of law to the contrary, in Fire  
9 Protection District No. 2 of Ward 4 of Calcasieu Parish no person selected for  
10 appointment to an entry-level position in the classified service from the competitive  
11 firefighter employment list who has not successfully completed formal training as  
12 required by Subsection B of this Section shall begin the working test period.  
13 However, such person shall be employed by the appointing authority and reported  
14 as a recruit and shall immediately begin his formal training.

15 B. Formal training for a person selected for appointment to an entry-level  
16 position as a firefighter in the classified service shall mean the enrollment in and  
17 successful completion of a fire training academy provided for through the appointing  
18 authority. All persons selected for appointment to an entry-level position as a  
19 firefighter in the classified service shall successfully complete the fire training  
20 academy whether or not such person was certified as a Firefighter I in accordance  
21 with National Fire Protection Association Standard 1001 prior to his selection for  
22 appointment.

23 C. The fire training academy provided for in Subsection B of this Section  
24 shall be for a duration as determined by the appointing authority. Upon the  
25 successful completion of the fire training academy, the recruit shall immediately  
26 begin the working test period.

27 D. The appointing authority shall, within fifteen days, advise the board that  
28 the recruit has successfully completed the fire training academy and has begun the  
29 working test period as a probational firefighter.

1           E. Nothing in this Section shall be construed to require that a person selected  
 2           for appointment to an entry-level position as a firefighter in the classified service be  
 3           terminated if he fails to enroll in or successfully complete the fire training academy  
 4           as required by Subsection B of this Section.

#### 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 70 Engrossed

2017 Regular Session

Horton

**Abstract:** Relative to the classified fire service, requires persons selected for appointment to an entry-level position as a firefighter in certain municipalities and in Fire Protection District No. 2 of Ward 4 of Calcasieu Parish to complete a fire training academy prior to the start of the working test period.

Present constitution creates a fire and police civil service system applicable to municipalities of over 13,000 in population and parishes and fire protection districts. Provides that the system is subject to Art. XIV, §15.1 of the 1921 constitution made statutory by the 1974 constitution.

Present law creates and provides for two fire and police civil service systems: (1) one applicable to any municipality which operates paid police and fire departments and which has a population of not fewer than 13,000 persons; and (2) one applicable to any parish, fire protection district, or municipality with a population of fewer than 13,000, but not fewer than 7,000 persons. Present constitution authorizes modifications to such systems (by law adopted by 2/3 of each house of the legislature in the case of provisions of Art. XIV, §15.1 of the 1921 constitution made statutory by the constitution of 1974) but prohibits the legislature from abolishing the system or making it inapplicable to covered jurisdictions.

Present law, relative to both systems, provides that a municipal fire and police civil service board is created in the municipal government. Requires the board to establish and maintain employment lists containing the names of persons eligible for appointment to various classes of positions in the classified service.

Proposed law retains present constitution and present law.

Present law requires that each person selected for appointment to an entry level position in the classified service from the competitive firefighter, firefighter/operator, or police officer employment list who has demonstrated successful completion of formal training as provided in present law prior to appointment to immediately begin the working test. Requires any person selected for appointment to any such position who has not demonstrated successful completion of formal training prior to appointment to be employed by the appointing authority and reported to the board as a recruit and to immediately begin formal training.

Present law requires that the formal training be provided for through the appointing authority for a period of not more than six months from the date of appointment. Requires that the formal training period conclude six months from the date of original appointment or upon the successful completion of the formal training, whichever occurs first, at which time the working test shall commence.

Present law requires that successful completion of formal training as required by present law for a position in the classification of firefighter or firefighter/operator be demonstrated by certification as Firefighter I in accordance with National Fire Protection Association Standard 1001 and for a position in the classification of police be demonstrated by certification from a peace officer standards and training accredited training program as provided by present law (R.S. 40:2405(A)).

Proposed law retains present law.

Present law includes an exception for persons selected for appointment to an entry-level position as a firefighter in certain municipalities. Prohibits any such person from starting the working test period until the person successfully completes formal training as required by present law. Provides that formal training means the enrollment in and successful completion of a fire training academy provided by the appointing authority. Requires all persons to successfully complete the fire training academy whether or not the person was certified as Firefighter I in accordance with National Fire Protection Association Standard 1001 prior to appointment.

Present law authorizes the appointing authority to provide for the duration of the fire training academy provided for in present law. Requires a recruit to immediately begin the working test period upon successful completion of the fire training academy.

Proposed law makes present law exception applicable in the cities of Baton Rouge, Bossier City, and Lafayette and Fire Protection District No. 2 of Ward 4 of Calcasieu Parish rather than in municipalities with a population of not less than 200,000 persons and not more than 240,000 persons.

(Amends R.S. 33:2495.3(A); Adds R.S. 33:2555.2)