
The original instrument was prepared by Michael Bell. The following digest, which does not constitute a part of the legislative instrument, was prepared by Ann S. Brown.

SB 365 Engrossed

DIGEST
2016 Regular Session

Mizell

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.

Proposed law retains present law.

Present law, relative to both systems, provides that the classified service shall comprise every position, except those in the unclassified service, to which the right of employee selection, appointment, supervision, and discharge is vested in the municipal government. Provides that the positions of fire chief and police chief shall be in the classified service. Provides further with respect to which positions are in the classified and unclassified service.

Proposed law retains present law but provides an exception for the position of police chief for the city of Bogalusa.

Proposed law, relative to Bogalusa chief of police, provides that such position is in the unclassified service, and provides that the right of selection, appointment, supervision, and discharge for such position is vested in the mayor of the city. Further provides that the appointment of the police chief shall be subject to the approval of the municipal governing authority.

Proposed law requires that the chief of police meet the following requirements:

- (1) Have at least 8 years of progressively responsible experience in law enforcement positions, at least 2 years of which must have been in positions that included administrative or supervisory responsibilities.
- (2) Have law enforcement experience in patrol operations, criminal investigations, public training, and related areas of police department operations and management.
- (3) Pass a medical examination designed to demonstrate good mental and physical health sufficient to perform any required duties of the position.

- (4) Be a resident of Washington Parish or willing to become a resident of Washington Parish within 90 days of employment.

Proposed law provides further that any person who resigns from a position in the classified service to accept an appointment as police chief shall not forfeit his seniority accumulated to the date of his resignation. Provides that no such person shall accumulate seniority during the time he is not in the classified service. Further provides that if any such person resigns from such position or is terminated for any reason other than malfeasance in office, he shall be eligible to be reemployed to the same position in the classified service in which he was employed immediately preceding his resignation from the classified service. Provides that if the position has been filled or no longer exists, then his employer shall employ him in a comparable position.

Proposed law provides that the provisions of proposed law are prospective only and shall not apply to the individual occupying the position of chief of police for the city of Bogalusa on the effective date of proposed law.

Effective upon signature of governor or lapse of time for gubernatorial action.

(Adds R.S. 33:2541.5)

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Local and Municipal Affairs to the original bill

1. The amendments affected the chief of police position as follows:
 - (i) Changes the law enforcement experience requirement from not less than five years to a specific listing of the types and number of years required.
 - (ii) Removes requirement that the person have POST certification and meets the qualifications and requirements of the municipal compensation plan.
 - (iii) Requires the passage of a medical examination designed to demonstrate good mental and physical health sufficient to perform all required duties.
 - (iv) Adds a residency requirement.