

2019 Regular Session

HOUSE BILL NO. 400

BY REPRESENTATIVE MCMAHEN

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

CIVIL SERVICE/FIRE & POL: Provides relative to employment lists and tests for positions in the municipal fire and police civil service

1 AN ACT

2 To amend and reenact R.S. 33:2491(I), 2492(2) and (7), 2493(C), 2551(9), 2552(2) and (7),
3 and 2553(C), relative to the municipal fire and police civil service system; to provide
4 relative to tests administered by the state examiner; to authorize the state examiner
5 to administer tests for additional classes; to provide relative to the eligibility of
6 applicants for certain tests; to provide relative to employment lists established and
7 maintained by civil service boards; to provide relative to the placement of certain
8 names on such lists; and to provide for related matters.

9 Be it enacted by the Legislature of Louisiana:

10 Section 1. R.S. 33:2491(I), 2492(2) and (7), 2493(C), 2551(9), 2552(2) and (7), and
11 2553(C) are hereby amended and reenacted to read as follows:

12 §2491. Establishment and maintenance of employment lists

13 * * *

14 I.(1) A person who has attained a passing score on an examination
15 administered by the state examiner for entrance police officer, entrance firefighter,
16 entrance jailer, or for the entrance classes for which the operation and maintenance
17 of radio, alarm, or signal systems for the respective fire or police services is the
18 primary duty may have his name placed on the employment list of any municipality,
19 parish, or fire protection district under the Municipal Fire and Police Civil Service
20 System, provided the person's application and score are accepted by the board of the

1 municipality, parish, or fire protection district in which he seeks employment. In
2 order that his name may be placed upon the employment eligibility list, a person
3 shall be required to meet the minimum qualifications adopted as rules of the
4 respective civil service board, as if making original application for admission to the
5 test. The eligibility of such an applicant shall not continue past the date on which his
6 original eligibility expired.

7 (2) Notwithstanding the provisions of Paragraph (1) of this Subsection, a
8 person who has attained a passing score on an examination administered by the state
9 examiner for clerical classes encompassing secretary to the chief and departmental
10 records clerk may have his name placed on the employment list of either clerical
11 class in the fire or police services in any municipality under the Municipal Fire and
12 Police Civil Service System, provided the person's application and score are accepted
13 by the board of the municipality, parish, or fire protection district in which he seeks
14 employment. In order that his name may be placed upon the employment eligibility
15 list, a person shall be required to meet the minimum qualifications adopted as rules
16 of the respective civil service board, as if making original application for admission
17 to the test. The eligibility of such an applicant shall not continue past the date on
18 which his original eligibility expired.

19 * * *

20 §2492. Tests

21 Tests to determine the eligibility of applicants for entry upon the promotional
22 and competitive employment lists shall be provided, as follows:

23 * * *

24 (2) As may be necessary from time to time, the state examiner may call for
25 and administer examinations for the entrance classifications of firefighter, police
26 officer, jailer, clerical classes encompassing secretary to the chief and departmental
27 records clerk, and for the entrance classes for positions of which the operation and
28 maintenance of a radio, alarm, or signal system for the fire or police service is the
29 primary duty. Tests may be administered at the discretion of the state examiner in

1 any municipality, parish, or fire protection district to which this Part applies.
 2 Official notification shall not be made to the extent required under Paragraph (1) of
 3 this Section; however, public notice shall be published at least four times during a
 4 thirty-day period in the official journal of the state of Louisiana and may be posted
 5 on the bulletin board in each station of the respective department. This notice of
 6 examination need not state the exact date on which tests shall be administered, but
 7 all applicants shall be advised of the date, place, and time to report for an announced
 8 test at least five days in advance thereof in any manner the state examiner may
 9 prescribe.

10 * * *

11 (7) Competitive tests shall be held only as the needs of the service require
 12 and shall be given for classes comprising only the following duties or positions:

- 13 (a) Chief of the departmental service.
- 14 (b) The entrance or lowest ranking class in the classified service.
- 15 (c) The entrance or lowest ranking class in any group of classes where the
 16 various classes have been divided into groups by the classification plan.
- 17 (d) Operation, maintenance, and supervision of radio, fire alarm, police
 18 alarm, and other signal systems.
- 19 (e) Automotive or fire apparatus mechanics and repairmen.
- 20 ~~(f) Secretary to the chief.~~
- 21 ~~(g) Departmental records clerk.~~

22 (f) Clerical classes encompassing secretary to the chief and departmental
 23 records clerk.

24 ~~(h)~~(g) For a position in any class in the classified service after reasonable
 25 efforts by preceding methods provided by this Part have failed to produce names of
 26 persons eligible for regular appointment thereto.

27 * * *

28 §2493. Admission to tests

29 * * *

1 either clerical class in the fire or police services in any municipality, parish, or fire
 2 protection district under the Municipal Fire and Police Civil Service System,
 3 provided the person's application and score are accepted by the board of the
 4 municipality, parish, or fire protection district in which he seeks employment. In
 5 order that his name may be placed upon the employment eligibility list, a person
 6 shall be required to meet the minimum qualifications adopted as rules of the
 7 respective civil service board, as if making original application for admission to the
 8 test. The eligibility of such an applicant shall not continue past the date on which his
 9 original eligibility expired.

* * *

§2552. Tests

Tests to determine the eligibility of applicants for entry upon the promotional and competitive employment lists shall be provided, as follows:

* * *

(2) As may be necessary from time to time, the state examiner may call for and administer examinations for the entrance classifications of firefighter, police officer, jailer, clerical classes encompassing departmental records clerk and secretary to the chief, and for the entrance classes for positions of which the operation and maintenance of a radio, alarm, or signal system for the fire or police service is the primary duty. Tests may be administered at the discretion of the state examiner in any municipality, parish, or fire protection district to which this Part applies. Official notification shall not be made to the extent required under Paragraph (1) of this Section; however, public notice shall be published at least four times during a thirty-day period in the official journal of the state of Louisiana and may be posted on the bulletin board in each station of the respective department. This notice of examination need not state the exact date on which tests shall be administered, but

1 all applicants shall be advised of the date, place, and time to report for an announced
2 test at least five days in advance thereof in any manner the state examiner may
3 prescribe.

4 * * *

5 (7) Competitive tests shall be held only as the needs of the service require
6 and shall be given for classes comprising only the following duties or positions:

7 (a) Chief of the departmental service.

8 (b) The entrance or lowest ranking class in the classified service.

9 (c) The entrance or lowest ranking class in any group of classes where the
10 various classes have been divided into groups by the classification plan.

11 (d) Operation, maintenance, and supervision of radio, fire alarm, and other
12 signal systems.

13 (e) Automotive or fire apparatus mechanics and repairmen.

14 ~~(f) Secretary to the chief.~~

15 ~~(g) Departmental records clerk.~~

16 (f) Clerical classes encompassing departmental records clerk and secretary
17 to the chief.

18 ~~(h)~~(g) For a position in any class in the classified service after reasonable
19 efforts by preceding methods provided by this Part have failed to produce names of
20 persons eligible for regular appointment thereto.

21 * * *

22 §2553. Admission to tests

23 * * *

24 C. Any applicant admitted to the competitive examinations which may be
25 called for by the state examiner pursuant to ~~R.S. 33:2552, for the classifications of~~
26 ~~entrance police officer, entrance firefighter, or for the entrance classifications~~
27 ~~comprising the duties of the operation and maintenance of radio, alarm, or signal~~
28 ~~systems for the respective department~~ R.S. 33:2552(2), shall be a citizen of the
29 United States and of legal age.

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 400 Original

2019 Regular Session

McMahon

Abstract: Provides relative to employment lists maintained by municipal fire and police civil service boards and tests given by the state examiner.

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 a municipal fire and police civil service board is created in the municipal, parish, and fire protection government. Provides that admission to tests for promotional and competitive positions is provided by the board through the state examiner. Requires that applicants admitted to tests be U.S. citizens and of legal age.

Proposed law retains present law.

Present law authorizes the state examiner to call for and administer competitive examinations for the entrance classifications of firefighter, police officer, and for the entrance classes for which the operation and maintenance of a radio, alarm, or signal system for the fire or police service is the primary duty.

Proposed law retains present law and additionally authorizes the state examiner to call for and administer competitive examinations for entrance jailer and clerical classes encompassing secretary to the chief and departmental records clerk.

Present law 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. Provides that the name of a person who has attained a passing score on an examination administered by the state examiner for entrance police officer, entrance firefighter or for the entrance classes for which the operation and maintenance of radio, alarm, or signal systems is the primary duty may be placed on the employment list of any municipality, parish, or fire protection district, provided the person's application and score are accepted by the board of the respective jurisdiction.

Proposed law retains present law and adds entrance jailer and clerical classes encompassing secretary to the chief and departmental records clerk to the list of names that may be placed on an employment list in any jurisdiction, subject to present law limitations. Provides that the names of applicants for secretary to the chief and departmental records clerk may be placed on the list for either class.

(Amends R.S. 33:2491(I), 2492(2) and (7), 2493(C), 2551(9), 2552(2) and (7), and 2553(C))