

RÉSUMÉ DIGEST

ACT 668 (SB 182)

2022 Regular Session

Fields

Existing law sets forth behavior by public officers and employees that is considered malfeasance in office.

New law adds willfully and knowingly subjecting any person to the deprivation of any right, privilege, or immunity secured or protected by the U. S. Constitution and laws, if serious bodily injury or death results, to the list of conduct that is malfeasance in office.

Prior law allowed the Peace Officer Standards and Training (P.O.S.T.) Council to conduct a revocation hearing to determine if the officer's P.O.S.T. certification should be revoked under certain circumstances including when the officer has been involuntarily terminated by his employing law enforcement agency for disciplinary reasons involving an adjudication of civil rights violations.

New law removes the provision of prior law that provided that an officer's involuntary termination by his employing law enforcement agency for disciplinary reasons involving an adjudication of civil rights violations from the list of revocation offenses over which the P.O.S.T. Council has discretion.

New law adds a condition in which the officer has been terminated by his employing law enforcement agency and has exhausted all administrative remedies, or allowed to retire or resign, as a result of disciplinary action taken against the officer for any conduct during the course and scope of employment that would constitute an unreasonable use of force to the list of revocation offenses over which the P.O.S.T. Council has discretion to conduct a revocation hearing.

Effective June 18, 2022.

(Amends R.S. 14:134(A)(3) and R.S. 40:2405(J)(2)(a); adds R.S. 14:134(A)(4))