

2024 Regular Session

SENATE BILL NO. 15

BY SENATOR EDMONDS

FIRE PROTECTION. Provides for the governing authority of the St. George Fire Protection District to create the competitive position of deputy fire chief. (gov sig)

1 AN ACT

2 To enact R.S. 33:2541.7, relative to the municipal fire and police civil service; to provide
3 for the St. George Fire Protection District; to provide with respect to the position of
4 deputy fire chief; to authorize the governing authority of the St. George Fire
5 Protection District to create the position of deputy fire chief; to provide that the
6 position is appointed on a competitive basis; to provide relative to the appointment,
7 supervision, and discharge of any person in any such position; to provide relative to
8 the qualifications, duties, and responsibilities for such position; to provide for an
9 effective date; and to provide for related matters.

10 Notice of intention to introduce this Act has been published.

11 Be it enacted by the Legislature of Louisiana:

12 Section 1. R.S. 33:2541.7 is hereby enacted to read as follows:

13 §2541.7. Deputy fire chief; St. George Fire Protection District; competitive
14 appointment

15 A.(1) Notwithstanding any other provision of law to the contrary, the
16 governing authority of the St. George Fire Protection District may create, by
17 resolution, the position of deputy fire chief in accordance with the provisions of

1 this Section. The position shall be filled on a competitive basis from a list of
2 eligibles as provided for in R.S. 33:2551, and the right of selection, appointment,
3 supervision, and discharge for such position shall be vested in the fire chief,
4 subject to approval of the appointing authority. The position of deputy fire chief
5 is not the same as the position of assistant fire chief.

6 (2) The governing authority shall establish the duties and responsibilities
7 of the deputy fire chief in the resolution creating the position. Such duties and
8 responsibilities may include direct supervision over all positions in the classified
9 service below the rank of fire chief.

10 B.(1) The deputy fire chief shall not have less than fifteen years of full-
11 time fire service experience with the St. George Fire Protection District.

12 (2) Any person who holds the position of deputy fire chief may, while
13 holding such position, apply for admission to the promotional examination for
14 the class next higher than that from which he was appointed as deputy fire
15 chief. However, the name and score of any deputy fire chief shall not be certified
16 to the appointing authority by the civil service board as eligible for appointment
17 to a position of the promotional class; his name and score shall be eligible for
18 certification, in accordance with the maximum period for which a name may
19 remain on the eligibility list in accordance with the provisions of this Part, only
20 upon demotion to a position of the class from which he was appointed as deputy
21 fire chief.

22 (3) Eligibility for admission to the competitive test for the position of
23 deputy fire chief shall be limited to members of the St. George Fire Protection
24 District.

25 C. Any person who is appointed from a position in the classified fire
26 service to serve as deputy fire chief shall not forfeit his seniority accumulated
27 to the date of his appointment, and he shall continue to accumulate seniority in
28 accordance with the provisions of this Part during the time he holds the position
29 of deputy fire chief.

1 **D. If a deputy fire chief is subjected to corrective or disciplinary action,**
 2 **he shall have the same rights as any other employee in the municipal fire and**
 3 **police civil service.**

4 Section 2. This Act shall become effective upon signature by the governor or, if not
 5 signed by the governor, upon expiration of the time for bills to become law without signature
 6 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
 7 vetoed by the governor and subsequently approved by the legislature, this Act shall become
 8 effective on the day following such approval.

The original instrument was prepared by James Benton. The following digest, which does not constitute a part of the legislative instrument, was prepared by Dawn Romero Watson.

DIGEST

SB 15 Reengrossed 2024 Regular Session Edmonds

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 assistant fire 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 and additionally authorizes the governing authority of the St. George Fire Protection District to create, by resolution, the classified position of deputy fire chief. Further provides that the right of selection from a competitive list of qualified applicants as well as the appointment, supervision, and discharge for the position is vested in the fire chief, subject to the approval of the appointing authority. Requires the governing authority to provide for the duties and responsibilities of the deputy fire chief in the resolution creating the position. Provides that the deputy fire chief may have direct supervision over all positions in the classified service below the rank of fire chief.

Proposed law requires the deputy fire chief to have at least fifteen years of full-time fire service experience with the St. George Fire Protection District.

Proposed law provides that a person who holds the position of deputy fire chief may apply for admission to the promotional examination for the class next higher than that from which he was appointed as deputy fire chief; however, his name and score cannot be certified to

the appointing authority unless he is demoted to a position of the class from which he was appointed deputy fire chief. Prohibits the fire chief from appointing any person to the position of deputy fire chief who is not a member of the St. George Fire Protection District.

Proposed law provides that a deputy fire chief does not forfeit his seniority in the classified service and continues to accumulate seniority during the time he is serving as deputy fire chief. Further provides that if a deputy fire chief is subjected to corrective or disciplinary action, he has the same rights as any other employee in the municipal fire and police civil service.

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

(Adds R.S. 33:2541.7)

Summary of Amendments Adopted by Senate

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

1. Changes the designation of the appropriate entity from "the city of St. George" to "the St. George Fire Protection District.

Summary of Amendments Adopted by Senate

Senate Floor Amendments to engrossed bill

1. Changes the minimum qualifications of full-time fire service experience for the deputy fire chief from 10 years to 15 years.