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The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Senate Legislative Services. The keyword, summary, 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)]

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DIGEST

SB 142 Engrossed

2025 Regular Session

Myers

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 services 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 constitution and present law.

Present law, relative to municipal fire and police civil service for municipalities with a population between 13,000 and 250,000, provides for the promotion, reinstatement and layoff of employees to be based upon "departmental seniority". Present law provides that a municipal fire and police civil service board is created in the municipal, parish, and fire protection 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 services. Requires the names of persons attaining a passing score on a promotion test to be placed on the promotion employment list for the tested class, from highest to lowest, according to "departmental seniority". The rank progression of police officers is: police officer, to corporal, to sergeant, to lieutenant, to captain, to major, to chief of police.

Present law provides as an exception to ranking based on departmental seniority for the promotion, reinstatement and layoff of employees in the Lafayette Police Department for the rank of Lieutenant or above and in the Lake Charles Police Department to a ranking based on "promotional seniority".

Present law refers to "departmental seniority" as the period of continuous employment with the department.

Present law refers to "promotional seniority" as the total cumulative employment in a class of positions of the next lower class from which a promotion is to be made.

Proposed law retains present law but limits application of promotional seniority in the Lafayette Police Department to the ranks of lieutenant and captain.

Present law provides that, regarding the Lafayette Police Department for the ranks of lieutenant and above, whenever an entire class is abolished in the classified service, the regular employees of the class shall be demoted to lower classes and priority to positions shall be governed by total

promotional seniority earned in the class in the order of highest to lowest. Provides that if two or more persons possess an equivalent amount of promotional seniority, the names of such persons shall be placed on the reinstatement list in the order of departmental seniority, from highest to lowest.

Proposed law retains present law for the Lafayette Police Department but limits its application to the ranks of lieutenant and captain.

Proposed law provides special provisions for the filling of a vacancy in the rank of major that occurs in the Lafayette Police Department on and after July 1, 2025. Provides that a vacant position in the police department at the rank of major shall be filled in the following manner:

- (1) Any employee who holds the rank of sergeant or above shall be eligible to take the competitive examination for the rank of major.
- (2) All employees who achieve a passing score on the competitive examination shall be eligible for selection and appointment to the position of major and shall be placed on an eligibility list presented to the chief of police.
- (3) The chief of police shall make his selection and appointment from the eligibility list to fill the vacant position of major.
- (4) Eligibility for admission to the competitive examination for the position of major shall be limited to members of the Lafayette police department at the time of appointment.

Proposed law provides that the appointment to the position of major shall be for a term of one year, and shall be subject to annual review by the chief of police. Provides that after each annual review, the chief may reconfirm the major for another one-year period or may, at his discretion, demote the major to his former class of position. Provides that the employee may be reconfirmed without having to retest and that if demoted, the demotion shall not constitute corrective or disciplinary action and the employee shall not have appeal rights.

Proposed law authorizes any employee holding the position of major to apply for admission to the promotional examination for the class next higher than that from which he was appointed as major. Provides that in these instances, the name and score of the employee serving as major shall not be certified to the appointing authority by the civil service board as eligible for appointment to a position of the promotional class. Provides however that his name and score is eligible for certification, in accordance with the maximum period for which a name may remain on the eligibility list in present law, in the event of a demotion.

Proposed law provides that any employee who is appointed from a position in the classified police service to serve as major shall not forfeit his departmental or promotional seniority accumulated to the date of his appointment and shall continue to accumulate departmental or promotional seniority during the time he holds the position of major.

Proposed law provides that it shall only apply to an appointment to fill a vacancy in the rank of major

on and after July 1, 2025, and employees who have not completed the working test period or are otherwise occupying a position at the rank of major with probationary status on July 1, 2025. Specifically provides that it shall not apply to an employee with permanent status to a position at the rank of major on July 1, 2025.

Effective July 1, 2025.

(Amends R.S. 33:2491(D)(2)(a) and (H)(2), 2494(C)(2)(intro para) and 2498(C); adds R.S. 33:2494.1)