

Regular Session, 2014

HOUSE BILL NO. 238

BY REPRESENTATIVE ST. GERMAIN

POLICE/MUNICIPAL: Provides that the position of assistant chief of police in Plaquemine shall be in the unclassified service

1 AN ACT

2 To enact R.S. 33:2572, relative to the city of Plaquemine; to provide relative to the police
3 civil service; to provide that the position of assistant chief of police for the city of
4 Plaquemine shall be in the unclassified service; and to provide for related matters.

5 Notice of intention to introduce this Act has been published
6 as provided by Article III, Section 13 of the Constitution of
7 Louisiana.

8 Be it enacted by the Legislature of Louisiana:

9 Section 1. R.S. 33:2572 is hereby enacted to read as follows:

10 §2572. Assistant chief of police in the city of Plaquemine

11 A. Notwithstanding any provision of law to the contrary, the position of
12 assistant chief of police in the city of Plaquemine is in the unclassified service. The
13 right of selection, appointment, supervision, and discharge for the position shall be
14 vested in the chief of police of the city.

15 B. Any person who is appointed from a position in the classified police
16 service to serve as assistant chief of police shall not forfeit his seniority accumulated
17 to the date of his appointment and shall continue to accumulate seniority during the
18 time he holds the position of assistant chief of police.

19 C. If any such person resigns from the position of assistant chief of police
20 or is terminated for any reason other than malfeasance in office, he shall be eligible

1 to be reemployed to the same position in the classified service in which he was
2 employed immediately preceding his appointment as assistant chief of police. If the
3 position has been filled or no longer exists, the department shall employ him in a
4 comparable position.

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)]

St. Germain

HB No. 238

Abstract: Provides that the position of assistant chief of police for the city of Plaquemine shall be in the unclassified position.

Present law (R.S. 33:2531) establishes a civil service system applicable to police departments in cities with a population of 7,000 to 13,000 persons (which as of the 2010 federal decennial census includes the city of Plaquemine). Present law specifies which positions in a police department are part of the unclassified service; generally, any position which includes law enforcement responsibilities, except an elected police chief, is in the classified service.

Proposed law retains present law except provides that the position of assistant police chief in the city of Plaquemine shall be in the unclassified service.

Proposed law provides that if a person is appointed from a position in the classified police service to serve as assistant chief of police, he shall not forfeit his seniority and shall continue to accumulate seniority during the time he holds the position of assistant chief of police.

Proposed law further provides that if a person resigns from the position of assistant chief of police or is terminated for any reason other than malfeasance in office, he shall be eligible to return to the same position in the classified service in which he was employed immediately preceding his appointment as assistant chief. If the position has been filled or no longer exists, the department shall employ him in a comparable position.

(Adds R.S. 33:2572)