

Regular Session, 2014

HOUSE BILL NO. 1265 (Substitute for House Bill No. 438 by Representative Greene)

BY REPRESENTATIVE GREENE

AN ACT

To enact R.S. 40:1379.1.2, relative to special officer's commissions; to provide for the issuance of a special officer commission to railroad police officers; to provide for the conditions relative to the term and effect of the commission; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 40:1379.1.2 is hereby enacted to read as follows:

§1379.1.2. Special officers commission; rail police officers

A. The superintendent of state police shall be authorized to issue at his discretion a special officer's commission from the division of state police to any person who is employed by a rail carrier as a rail police officer in accordance with 49 U.S.C. 28101.

B. A rail police officer issued a special officer's commission shall maintain current certification pursuant to the Council on Peace Officer Standards and Training.

C. The superintendent of state police shall be authorized to perform any of the following acts:

(1) Determine eligibility to receive a special officer's commission.

(2) Revoke any special officer's commission for cause.

(3) Require those rail police officers holding special officer's commissions to furnish proof of being bonded.

(4) Require submission of any information that is deemed necessary for determining suitability for holding a special officer's commission.

1           D. A special officer's commission issued to a rail police officer pursuant to  
2           the provisions of this Section shall be in effect at all times and to the extent of the  
3           authority of a certified or commissioned police officer pursuant to the laws of this  
4           state for the purpose of enforcing the laws in any jurisdiction in which the rail carrier  
5           owns property and provides protection for the following:

6                     (1) Employees, passengers, or patrons of the rail carrier.

7                     (2) Property, equipment, and facilities owned, leased, operated, or  
8           maintained by the rail carrier.

9                     (3) Property moving in interstate or foreign commerce in the possession of  
10          the rail carrier.

11                    (4) Personnel, equipment, and material moving by rail that are vital to  
12          national defense.

13                    E. Special officer commissions issued pursuant to the provisions of this  
14          Section shall be valid for a period of one year from the date of their issuance.

15                    F. The Department of Public Safety and Corrections may promulgate and  
16          adopt regulations with respect to the issuance of the special officer's commissions  
17          for rail police officers.

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

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PRESIDENT OF THE SENATE

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GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: \_\_\_\_\_