
DIGEST

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HB 473 Reengrossed

2017 Regular Session

Gaines

Abstract: Provides for annual training requirements to maintain P.O.S.T. certification and provides grounds and procedures for revocation of P.O.S.T. certification for peace officers.

Present law establishes the Council on Peace Officer Standards and Training and authorizes the council to develop curriculum requirements for training of peace officers and accredit law enforcement training centers. Present law further provides for the training requirements for peace officers.

Proposed law requires annual training required by the council to maintain P.O.S.T. certification.

Present law provides for the removal of P.O.S.T. certification of any full-time, part-time, or reserve peace officer upon a conviction of malfeasance in office.

Proposed law retains present law and adds the conviction of any offense that results in the restriction of a peace officer's right to bear arms as grounds for revocation of P.O.S.T. certification.

Proposed law allows the council to conduct a revocation hearing to revoke P.O.S.T. certification when any of the following occur:

- (1) The officer has been involuntarily terminated by a law enforcement agency for disciplinary reasons involving criminal misconduct or civil rights violations.
- (2) The officer has been convicted of a misdemeanor involving the crime of domestic abuse battery or a felony.
- (3) The officer has failed to complete additional training requirements as required and prescribed by the council.
- (4) The officer voluntarily surrenders his P.O.S.T. certification.
- (5) A judicial disposition in a criminal case results in revocation of certification.

Proposed law requires the council to promulgate rules governing revocation hearings in accordance with the provisions of the Administrative Procedure Act.

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

(Amends R.S. 40:2405(H)(2)(a), (I)(2), and (J))

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Judiciary to the original bill:

1. Add a conviction of a misdemeanor involving domestic abuse battery as grounds for potential P.O.S.T. revocation.
2. Require the P.O.S.T. Council to promulgate administrative rules regarding revocation hearings no later than Jan. 1, 2018.
3. Allow appeals of P.O.S.T. Council revocation rulings in accordance with the Administrative Procedure Act.

The House Floor Amendments to the engrossed bill:

1. Change a ground for potential revocation of a peace officer's P.O.S.T. certification from being discharged by a law enforcement agency for disciplinary reasons to being involuntarily terminated by a law enforcement agency for disciplinary reasons involving criminal misconduct or civil rights violations.
2. Make technical amendments.