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## DIGEST

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HB 346 Reengrossed

2019 Regular Session

Horton

**Abstract:** Specifies types of political activities allowable for an employee in the classified fire and police civil service system.

Present constitution (Art. X, §20) provides that Article XIV, Section 15.1, Paragraph 34 of the Constitution of 1921 is retained and continued in force and effect.

Art. XIV, §15.1, Paragraph 34 of the Constitution of 1921 provides that employees in the classified fire and police civil service in certain municipalities, parishes, and fire protection districts are prohibited from participating in certain political activities. Provides for prohibitions pertaining to endorsements; membership in political parties, clubs, or organizations; contributions to political organizations or for political purposes; and political speeches or public political statements on behalf of any candidate seeking to be elected to public office. Specifically allows a classified employee to privately express his opinion and cast his vote.

Proposed constitutional amendment removes the provisions of the present constitution and provides for prohibited and permissible political activities as follows:

- (1) Prohibits an employee in the classified service of a fire and police civil service system from:
  - (a) Being a candidate for nomination or election to public office except to seek to be the classified employee member on the civil service board.
  - (b) Using official authority to interfere with an election or while engaged in political activity.
  - (c) Inviting subordinate employees to political events or otherwise suggest that a subordinate employee engage in political activity.
  - (d) Soliciting or discouraging the political activity of any person with business before his agency.
  - (e) Soliciting, accepting, or receiving contributions for political purposes.
  - (f) Engaging in political activity while on duty, in the workplace, wearing a uniform or official insignia, in a public vehicle, or using public resources.

- (2) Allows an employee in the classified service of a fire and police civil service system to:
- (a) Register and vote as he chooses.
  - (b) Assist in voter registration drives when off duty, when out of uniform, and only using private resources.
  - (c) Make contributions for political purposes.
  - (d) Attend political rallies, meetings, and fundraisers when off duty and out of uniform.
  - (e) Join political groups.
  - (f) Sign nominating petitions.
  - (g) Participate in political campaigns when off duty, when out of uniform, and only using private resources.
  - (h) Express opinions about political groups and candidates while not at work or on duty or using official authority.

Proposed constitutional amendment provides that in accordance with the laws, rules, and regulations of the civil service system, an appointing authority may dismiss from service, demote, or reduce the compensation of any employee found to be in violation of the prohibitions against political activity.

Proposed constitutional amendment further prohibits an appointing authority or agent or deputy thereof from demoting, suspending, dismissing from service, or otherwise disciplining or threatening to do such things, or discriminating against any person in the classified service for the purpose of influencing his vote, support, or other political activity in any election. Prohibits an appointing authority or agent or deputy thereof from using his official authority or influence to directly or indirectly coerce the political action of any employee in the classified service.

Proposed constitutional amendment further specifies that any provision of law which is in conflict with the provisions of the proposed constitutional amendment shall expire upon the effective date of the proposed constitutional amendment.

Provides for submission of the proposed amendment to the voters at the statewide election to be held Oct. 12, 2019.

(Amends Const. Art. X, §20)

#### Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on House and Governmental Affairs to the original bill:

1. Change the term "discharge" to the phrase "dismiss from service".

The Committee Amendments Proposed by House Committee on Civil Law and Procedure to the engrossed bill:

1. Make a technical amendment to the ballot language.