

RÉSUMÉ DIGEST

ACT 637 (HB 918)

2022 Regular Session

Wheat

Existing law (R.S. 40:1667.1(A)) provides for state supplemental pay of \$500 per month for any full-time police officer employed by any municipality or by the Chitimacha Tribe of La., Coushatta Tribe of La., or the Tunica-Biloxi Tribe of La., who has passed a council-certified training program and who has completed one year of service.

Existing law provides for state supplemental pay of \$500 per month for certain police officers who provide services while patrolling levees, waterways, riverfront areas, and bridges within the city of New Orleans, who have passed a council-certified training program, and who have completed one year of service.

Existing law (R.S. 40:1667.1(B)) provides that in computing the period of service required by existing law (R.S. 40:1667.1(A)), service as a police officer and as chief of police with peace officer standards and training (POST) certification in the municipality or tribe includes prior service for those police officers and chiefs of police who return to such service. Provides that service as a police officer and as chief of police in the municipality or tribe includes prior service as a commissioned deputy sheriff receiving extra compensation under the provisions of existing law (R.S. 40:1667.7), includes prior service as a P.O.S.T.-certified law enforcement officer employed on a full-time basis by the Dept. of Wildlife and Fisheries or the Dept. of Public Safety and Corrections, including the division of probation and parole, and includes prior service of retired state police officers who received extra compensation under the provisions of existing law (R.S. 40:1457).

New law additionally provides that in computing the period of service required by existing law (R.S. 40:1667.1(A)), service as a police officer and as chief of police in the municipality or tribe includes prior service as a police officer certified pursuant to existing law (R.S. 40:2405) employed on a full-time basis by an official law enforcement agency.

Existing law (R.S. 40:1667.3) provides for disbursement of supplemental pay funds upon warrants. Requires the attachment of certain information.

Prior law provided that warrants were drawn by the mayors of the respective municipalities subject to the provisions of existing law. New law provides that warrants are approved and certified instead of being drawn. Adds chiefs of police and marshals as officials who approve and certify warrants.

Prior law required the attachment of a detailed list of the names of officers for whose benefit a particular warrant is drawn. New law requires the list to include the names of individuals for whom warrants are drawn, instead of the names of officers.

Prior law provided for the attachment of additional information required by the secretary of the Dept. of Public Safety and Corrections (DPSC). New law requires the attachment of additional information required by the department, rather than the secretary of the department.

Prior law additionally required warrants to include the completed years of service of the officers for whose benefit warrants are drawn. New law repeals prior law.

New law provides that if a person who is required to sign a warrant fails to sign it, the person shall forward by certified mail to DPSC a letter which includes a justification for the failure to sign the warrant and supporting documentation. Authorizes the board of review to approve a warrant that does not include all required signatures.

Existing law requires the mayor and chief of police or other municipal officer who is charged with the responsibility of preparing the payrolls to include the additional compensation paid by the state in the calculation and deduction from pay the sums required by state or federal law to be withheld by an employer, such as federal income tax and social security tax or contributions to state or local retirement systems. Provides that any officials so charged with withholding sums are further charged with the responsibility of transmitting the sums so withheld in accordance with the law or laws requiring the withholding.

Existing law provides that the additional compensation paid by the state shall be included in the calculation and computation of the total wages in the determination of employer contributions to any retirement system or pension fund as well as in the determination of retirement eligibility and benefits which may accrue under any retirement system or pension fund, as well as in the determination of any other employee benefits, sick leave, or disability pay with the exception of workers' compensation benefits pursuant to existing law (R.S. 23:1021 et seq.).

Prior law applied requirements relative to withholding and retirement and other benefits to police officers. New law replaces the terms "police officer", "officer", and "municipal police officer" with the term "individual".

Prior law required the secretary of DPSC to prepare and sign individual checks representing the amount to be paid out of state funds to each police officer. Required each such check to show the legislative appropriation from which payment was made and to note that it represented additional compensation paid by the state under the provisions of existing law. Required the secretary of DPSC to deliver the checks to the individual officers by mail or by such other means as he determined.

New law repeals prior law. Requires DPSC to issue payments.

Existing law provides for a board of review to make determinations with regard to eligibility for state supplemental pay. Includes the following members:

- (1) The commissioner of administration or a representative of the division of administration selected by him.
- (2) A member of the La. Assoc. of Chiefs of Police.

Prior law provided that the member of the La. Assoc. of Chiefs of Police was selected by the president of the association. New law provides that the member is selected by the director of the association instead of the president.

Prior law provided that the director of the state department of public safety or a representative from the department selected by the director was a member of the board. New law provides that the member is the deputy secretary for public safety services of the DPSC or a representative of the department selected by the deputy secretary is a member.

New law adds the following additional members to the board of review:

- (1) A member of the La. Commission on Law Enforcement and Administration of Criminal Justice selected by the chairman of the commission.
- (2) A representative of the Council on Peace Officer Standards and Training selected by the chairman of the council. Provides that the member is a nonvoting member.
- (3) A member of the La. Municipal Assoc. selected by the director of the association.
- (4) The state examiner of municipal fire and police civil service or a representative of the office of state examiner of municipal fire and police civil service selected by the state examiner. Provides that the member is a nonvoting member.
- (5) A member of the La. City Marshals and City Constables Association selected by the president of the association.
- (6) A member of the Justices of the Peace and Constables Association selected by the president of the association. Provides that the member is a nonvoting member.

New law additionally provides that furlough of an individual due to a state of emergency declared by a federal, state, parish, or municipal official shall not affect the individual's eligibility to receive additional pay out of state funds as provided in existing law.

Effective August 1, 2022.

(Amends R.S. 40:1667.1(B)(1), 1667.3(A)-(D), 1667.4, and 1667.6(A); Adds R.S. 40:1667.11)