ACT No. 348

HOUSE BILL NO. 362

BY REPRESENTATIVE FONTENOT

1	AN ACT
2	To amend and reenact R.S. 33:2345(C) and to enact R.S. 33:381(E) and 385.1(C), relative
3	to municipal police chiefs; to provide relative to the qualifications of elected and
4	appointed chiefs; to provide for certain training requirements prior to reelection or
5	reappointment; and to provide for related matters.
6	Be it enacted by the Legislature of Louisiana:
7	Section 1. R.S. 33:2345(C) is hereby amended and reenacted and R.S. 33:381(E) and
8	385.1(C) are hereby enacted to read as follows:
9	§381. Municipal officers
10	* * *
11	E.(1) Notwithstanding any other provision of law to the contrary, no person
12	who is serving as an appointed chief of police shall be eligible to be reappointed to
13	such position if he has served as an appointed chief of police for at least the one year
14	immediately preceding the effective date of his reappointment and he has not met the
15	requirements of R.S. 33:2345(A) and (B).
16	(2)(a) A person who was appointed to the position of chief of police prior to
17	January 1, 2004, and has been in continuous service since that date is not required
18	to meet the requirements of R.S. 33:2345(A) to be eligible for reappointment to such
19	position.
20	(b) The provisions of Paragraph (1) of this Subsection shall not apply to any
21	person who has served as an appointed chief of police continuously since January 1,
22	<u>1983.</u>

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1	(c) The provisions of Paragraph (1) of this Subsection shall not apply to
2	police chiefs if the training required by R.S. 33:2345 is not funded in accordance
3	with R.S. 33:2345(D).
4	(3) The Law Enforcement Executive Management Institute shall establish a
5	procedure by which any person who is serving as an appointed chief of police and
6	who has failed to meet the requirements of R.S. 33:2345(A) due to emergency
7	circumstances may apply for an exemption from such requirements for the purpose
8	of being eligible for reappointment to such position. If the Law Enforcement
9	Executive Management Institute approves the exemption, the appointed chief of
10	police shall not be ineligible for reappointment for failure to meet the requirements.
11	* * *
12	§385.1. Qualifications of elected chief of police
13	* * *
14	C.(1) Notwithstanding any other provision of law to the contrary, no person
15	who is serving as an elected chief of police shall be eligible to qualify as a candidate
16	for reelection to such office if he has served as an elected chief of police for at least
17	the one year immediately preceding the latest date to qualify for the office and he has
18	not met the requirements of R.S. 33:2345(A) and (B).
19	(2)(a) A person who was elected to the office of chief of police prior to
20	January 1, 2004, and has been in continuous service since that date is not required
21	to meet the requirements of R.S. 33:2345(A) to be eligible to qualify as a candidate
22	for reelection to such office.
23	(b) The provisions of Paragraph (1) of this Subsection shall not apply to any
24	person who has served as an elected chief of police continuously since January 1,
25	<u>1983.</u>
26	(c) The provisions of Paragraph (1) of this Subsection shall not apply to
27	police chiefs if the training required by R.S. 33:2345 is not funded in accordance
28	with R.S. 33:2345(D).
29	(3) The Law Enforcement Executive Management Institute shall establish
30	a procedure by which any person who is serving as an elected chief of police and

1 who has failed to meet the requirements of R.S. 33:2345(A) due to emergency 2 circumstances may apply for an exemption from such requirements for the purpose 3 of being eligible to qualify as a candidate for reelection to such position. If the Law 4 Enforcement Executive Management Institute approves the exemption, the elected chief of police shall not be ineligible to qualify as a candidate for reelection for 5 6 failure to meet the requirements. 7 8 §2345. Training 9 10 C. Failure to comply with this Section shall subject the municipal chief of 11 police to forfeit any benefits provided for in R.S. 40:1667.1 and to the provisions of 12 R.S. 33:381(E) or 385.1(C). 13 SPEAKER OF THE HOUSE OF REPRESENTATIVES PRESIDENT OF THE SENATE GOVERNOR OF THE STATE OF LOUISIANA

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APPROVED: ___