

SENATE BILL NO. 227

BY SENATOR HODGES AND REPRESENTATIVES EDMONSTON, GALLE,
HEBERT, LAFLEUR, ORGERON, VENTRELLA AND WILEY

1 AN ACT

2 To amend and reenact R.S. 40:2401 and 2405(A)(1) and (2), (D), and (E), relative to peace
3 officer standards and training; to provide for minimum training requirements; and
4 to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 40:2401 and 2405(A)(1), and (2), (D), and (E) are hereby amended
7 and reenacted to read as follows:

8 §2401. Findings and policy

9 The legislature finds all of the following:

10 ~~A. that law~~ **Law** enforcement work is of such importance to the health, safety
11 and welfare of the people of this state and is of such a nature as to require education
12 and training of a professional character. The needs of such education and training can
13 be met only by programs adequate in quality and scope and made available to those
14 persons who are serving as such officers including those in a temporary or
15 probationary capacity. Education should also be made available to persons who seek
16 to become peace officers, and this education should be supervised by a special
17 council composed of persons experienced in law enforcement work and the training
18 thereof rather than any other general board composed of nonlaw enforcement
19 members.

20 **B. Part-time, volunteer, and reserve peace officers have been utilized for**

1 decades by many police departments around the state and nation and have
 2 traditionally served as a valuable remedy to combat staffing shortages and to
 3 provide additional security during natural disasters and at events attracting
 4 large groups of people. These reserve, volunteer, and part-time peace officers
 5 have routinely been men and women who volunteered to serve their
 6 communities by freely giving their time and talent to assist their local law
 7 enforcement agencies and often received no monetary compensation whatsoever
 8 for their considerable past law enforcement experience.

9 * * *

10 §2405. Peace officer training requirements; reimbursement by peace officer

11 A.(1) Except as otherwise provided in Paragraph (2) of this Subsection, any
 12 person who begins employment as a **full-time** peace officer in Louisiana subsequent
 13 to January 1, 1986, must successfully complete a certified training program approved
 14 by the council and successfully pass a council-approved comprehensive examination
 15 within one calendar year from the date of initial employment. The one-year period
 16 in which a **full-time** peace officer is required to complete a certified training
 17 program approved by the council and successfully pass a council-approved
 18 comprehensive examination is not interrupted if the peace officer leaves the
 19 employing agency to be employed as a **full-time** peace officer in another agency in
 20 Louisiana. Any person who fails to comply with this requirement shall be prohibited
 21 from exercising the authority of a peace officer; however, such persons shall not be
 22 prohibited from performing administrative duties.

23 ~~(2)(a) The council shall promulgate administrative rules for the certification~~
 24 ~~requirements of part-time and reserve peace officers employed on or after the~~
 25 ~~effective date of this Act and prior to January 1, 2022 subject to oversight by the~~
 26 ~~House Committee on Judiciary and Senate Committee on Judiciary B.~~

27 ~~(b)~~ Any person who begins employment as a part-time or reserve peace
 28 officer in Louisiana on or after January 1, 2022, shall be subject to the requirements
 29 of Paragraph (1) of this Subsection: **shall successfully complete a certified training**
 30 **program approved by the council and successfully pass a council-approved**

1 comprehensive examination within three calendar years from the date of initial
 2 employment. The three-year period in which a part-time or reserve peace
 3 officer is required to complete a certified training program approved by the
 4 council and successfully pass a council-approved comprehensive examination
 5 is not interrupted if the peace officer leaves the employing agency to be
 6 employed as a part-time or reserve peace officer at another agency in Louisiana.
 7 Any person who fails to comply with this requirement shall be prohibited from
 8 exercising the authority of a peace officer; however, the person shall not be
 9 prohibited from performing administrative duties. In no case shall a part-time
 10 or reserve peace officer be prevented from continuing his duties if the
 11 employing agency is unable to provide the requisite training because of a
 12 shortage of funds.

13 * * *

14 D. In no case shall the failure of a peace officer to obtain the required training
 15 before the passage of one calendar year from the date of initial employment within
 16 the timeline required by this Section be grounds to suppress any evidence,
 17 testimony, or law enforcement action whatsoever in a court of law.

18 E. Peace **Full-time peace** officers employed after January 1, 1986, in villages
 19 of one thousand or less, according to the last decennial census, shall have a period
 20 of two calendar years to comply with the provisions of this Section. In addition,
 21 full-time peace officers employed in such a village which adopts a home rule charter
 22 after July 1, 1998, and who was employed as such at the time of adoption of the
 23 charter, shall have a period of two calendar years from the date of adoption of the
 24 charter to comply with the provisions of this Section. In no case shall a peace officer
 25 of such a village be prevented from continuing his duties or receiving regular or
 26 supplemental pay if the village is unable to provide the requisite training because of
 27 a shortage of funds.

28 * * *

29 Section 2. This Act shall become effective upon signature by the governor or, if not
 30 signed by the governor, upon expiration of the time for bills to become law without signature

1 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
2 vetoed by the governor and subsequently approved by the legislature, this Act shall become
3 effective on the day following such approval.

PRESIDENT OF THE SENATE

SPEAKER OF THE HOUSE OF REPRESENTATIVES

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____