

SENATE BILL NO. 192

BY SENATOR SEABAUGH

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

AN ACT

To amend and reenact R.S.40:2405(A)(3), (H)(1)(a), the introductory paragraph of (J)(1), and the introductory paragraph of (J)(2) and to enact R.S. 40:1379.1.6, 2404.3, and 2405(A)(4), relative to law enforcement; to provide for the use of tactical medical professionals by law enforcement; to provide for qualifications of tactical medical professionals; to authorize tactical medical professionals to possess a firearm in certain situations; to provide for requirements for the law enforcement agency appointing a tactical medical professional; to provide for immunity for tactical medical professionals; to provide for auxiliary peace officer training requirements; to provide for the number of hours of training required; to provide for separate training requirements for auxiliary peace officers; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S.40:2405(A)(3), (H)(1)(a), the introductory paragraph of (J)(1), and the introductory paragraph of (J)(2) are hereby amended and reenacted and R.S. 40:1379.1.6, 2404.3, and 2405(A)(4) are hereby enacted to read as follows:

§1379.1.6. Tactical medical professionals

A. As used in this Section, "tactical medical professional" means a licensed paramedic or physician as defined in R.S. 37:1262, who is employed or contracted by a law enforcement agency to provide direct support to a tactical law enforcement unit by providing medical services at high-risk incidents, including but not limited to hostage incidents, narcotics raids, hazardous surveillance, sniper incidents, armed suicidal persons, barricaded suspects, high-risk felony warrant services, fugitives refusing to surrender, and active

1 shooter incidents.

2 B. While actively operating in direct support of a tactical operation by
3 a tactical law enforcement unit, a tactical medical professional may carry a
4 firearm in the same manner as a law enforcement officer at any place a tactical
5 law enforcement operation occurs if all of the following conditions are met:

6 (1) The tactical medical professional is lawfully able to possess firearms
7 and has an active concealed weapons permit issued pursuant to R.S. 40:1379.3.

8 (2) The tactical medical professional is appointed to a tactical law
9 enforcement unit of a law enforcement agency by the head of the law
10 enforcement agency.

11 (3) The law enforcement agency has an established policy providing for
12 the appointment, training, and deployment of the tactical medical professional.

13 (4) The tactical medical professional has successfully completed firearm
14 safety training and tactical training as established or designated by the
15 appointing law enforcement agency.

16 (5) The law enforcement agency provides, and the tactical medical
17 professional participates in, annual firearm training and tactical training.

18 C. While actively operating in direct support of a tactical operation by
19 a tactical law enforcement unit, a tactical medical professional:

20 (1) Has no duty to retreat and is justified in the use of any force which
21 he reasonably believes is necessary to defend himself or another from bodily
22 harm.

23 (2) Has the same immunities and privileges as a law enforcement officer
24 in any civil or criminal action arising out of a tactical law enforcement unit
25 operation when acting within the scope of his official duties.

26 D. The provisions of this Section shall not be construed to authorize a
27 tactical medical professional to carry, transport, or store any firearm or
28 ammunition on any fire apparatus or EMS vehicle.

29 E. The appointing law enforcement agency shall issue any firearm or
30 ammunition that the tactical medical professional carries in accordance with

1 this Section.

2 * * *

3 §2404.3. Minimum training requirements for auxiliary officers; basic
4 curriculum; annual training

5 A.(1) In order to be certified as an auxiliary officer, a person shall
6 successfully complete a minimum of one hundred hours of core curriculum for
7 basic peace officers as prescribed by the council. The maximum number of
8 hours required for auxiliary officer training under this Section shall not exceed
9 one hundred twenty hours. The auxiliary officer shall pass an examination
10 approved by the council within one calendar year of initial volunteer service
11 with a sheriff's department.

12 (2) This curriculum shall be created by the council with courses
13 including but not limited to legal definitions, stop and frisk, Miranda rights,
14 arrests, elements of probable cause determinations, firearm training, officer
15 survival skills, de-escalation strategies, use of force, cardiopulmonary
16 resuscitation, and first aid. This curriculum may be taught at the auxiliary
17 officer's affiliated sheriff's department by a P.O.S.T. certified trainer.

18 (3) For the purpose of this Chapter, "auxiliary officer" means an
19 individual who has volunteered his service to a sheriff's department to assist in
20 preserving public safety and has been certified as an auxiliary officer by the
21 council. An auxiliary officer shall serve under the supervision of a P.O.S.T.
22 certified deputy sheriff.

23 (4) The responsibilities of an auxiliary officer may include duties such as
24 event security and traffic direction, including but not limited to funeral
25 processions, athletic contests and sporting events, parades, festivals, or other
26 similar activities, as supplemental or additional personnel. An auxiliary officer
27 may not effect an arrest, issue citations, or conduct searches and seizures unless
28 he is under the direct supervision of a P.O.S.T. certified deputy sheriff.

29 B. All reserve and auxiliary peace officers shall successfully complete a
30 minimum of twenty hours of in-service training requirements prescribed by the

council on an annual basis. All initial training requirements shall be completed within the first calendar year after receiving P.O.S.T. certification and annually thereafter.

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

A. * * *

(3) No later than January 1, 2026, the council shall develop an updated training program for auxiliary peace officers that complies with the provisions of R.S. 40:2404.3.

~~(3)(4)~~ Notwithstanding any provision of law to the contrary and subject to the policy and procedures of the law enforcement agency with which he is employed, a ~~reserve or part-time, reserve, or auxiliary~~ peace officer may be permitted to carry a concealed weapon if he has completed the Council on Peace Officer Standards and Training basic firearms course.

* * *

H.(1) Notwithstanding any law to the contrary, the qualification to serve as a peace officer pursuant to the requirements of this Chapter of a person who is not serving as a peace officer in any capacity shall be retained without further training being required for a period of five years from the date on which such person ceased to serve as a peace officer, provided the person meets all of the following requirements:

(a) Served as a full-time, part-time, ~~or reserve,~~ or auxiliary peace officer who met all requirements of this Chapter for a continuous period of not less than two years immediately preceding the date on which he ceased to serve as a peace officer.

* * *

J.(1) Notwithstanding any provision of law to the contrary, the P.O.S.T. certification of any qualified peace officer, whether employed full-time, part-time, ~~or reserve,~~ or auxiliary shall be revoked upon the occurrence of any of the following conditions:

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GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____