Regular Session, 2011

HOUSE BILL NO. 92

BY REPRESENTATIVE TALBOT

CIVIL SERVICE/FIRE & POL: Provides relative to the position of assistant chief of police in the city of Harahan

AN ACT

To amend and reenact R.S. 33:423.2 and to enact R.S. 33:2570, relative to the city of Harahan; to provide that the position of assistant chief of police is in the unclassified service; to provide relative to the duties of the assistant chief of police; and to provide for related matters.

Notice of intention to introduce this Act has been published as provided by Article III, Section 13 of the Constitution of Louisiana.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 33:423.2 is hereby amended and reenacted and R.S. 33:2570 is hereby enacted to read as follows:

§423.2. City of Harahan; appointment and discharge of police personnel by chief of police; assistant chief of police

A. Notwithstanding the provisions of ~~R.S. 33:402(4) or~~ R.S. 33:423 or any other provision of law to the contrary, in and for the city of Harahan, the chief of police shall appoint and discharge police personnel subject to the budgetary limitations of the mayor and board of aldermen pertaining to the number of allotted positions for the police department.

CODING: Words in ~~struck through~~ type are deletions from existing law; words underscored are additions.

B. The duties of the assistant chief of police shall be determined by the chief of police, and the assistant chief of police shall act as chief in the administration of the police department in the absence of the chief.

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§2570. City of Harahan; assistant chief of police

Notwithstanding the provisions of R.S. 33:2541 or any other provision of law to the contrary, the position of assistant chief of police of Harahan is in the unclassified service. The right of selection, appointment, supervision, and discharge for the position is vested in the chief of police of the city.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

Talbot HB No. 92

Abstract: Provides that the position of assistant police chief of Harahan is in the unclassified service and provides that his duties shall be determined by the police chief.

Present law (R.S. 33:423) requires the police chief of a municipality to make recommendations to the mayor and board of aldermen for the appointment, promotion, and dismissal of police personnel and to effect disciplinary action. Present law (R.S. 33:423.2) provides that in Harahan, the police chief appoints and discharges police personnel subject to budgetary limitations of the mayor and board of aldermen.

Proposed law retains present law and further provides that the duties of the assistant chief of police shall be determined by the police chief and that the assistant chief shall act as chief in the administration of the police department in the chief's absence.

Present law (R.S. 33:2531 et seq.) establishes a civil service system applicable to police departments in cities with a population of 7,000-13,000 persons (including Harahan). Specifies which positions in such a department are part of the unclassified service and, therefore, are not subject to system requirements, such as competitive examinations for employment and promotion. Proposed law retains present law.

Present law (R.S. 33:2541) generally provides that any person with law enforcement responsibilities, except an elected police chief, is in the classified service. Proposed law retains present law except provides that the position of assistant police chief of Harahan is in the unclassified service. Further provides that the right of selection, appointment, supervision, and discharge for such position is vested in the police chief.

(Amends R.S. 33:423.2; Adds R.S. 33:2570)

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