Talbot **HB No. 92**

(KEYWORD, SUMMARY, AND DIGEST as amended by Senate committee amendments)

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

DIGEST

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.

Relative to a person who is appointed from a position in the classified police service to serve as deputy chief of police, proposed law provides as follows:

(1) He shall not forfeit his seniority accumulated to the date of his appointment;

(2) He shall continue to accumulate seniority during the time he holds such position;

(3) He shall serve indefinitely in the position; and

(4) He shall be evaluated every three years by the police chief.

Provides that after each such evaluation, the chief may reconfirm the deputy chief for another three year period, or at his discretion, demote him to his former class of position. Provides that if he is demoted or otherwise vacates the position on the approval of the chief, he shall be demoted to a position in the class he held immediately preceding his appointment as deputy chief. Provides that if he is subjected to corrective or disciplinary action, he shall have the same rights as any other employee in the municipal fire and police civil service.

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

Prepared by James Benton.

Summary of Amendments Adopted by House

House Floor Amendments to the engrossed bill.

1. Adds provisions relative to seniority accumulated by a person prior to and while serving as deputy police chief.

2. Adds that the deputy police chief shall be evaluated every three years and authorizes the chief to reconfirm the deputy chief or demote him.

3. Adds, if the deputy police chief is demoted or otherwise vacates the position on approval of the chief of police, that he shall be demoted to a position in the class he held immediately preceding his appointment as deputy chief of police.

4. Grants the deputy police chief the same rights as any other employee in the municipal fire and police civil service if he is subjected to corrective or disciplinary action.

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Local and Municipal Affairs to the reengrossed bill.

1. Makes technical correction.

Prepared by James Benton.