Richardson (HB 374) **Act No. 282**

Existing law provides that in a municipality governed by the Lawrason Act, the marshal shall be chief of police and shall be an ex officio constable. Provides that the police chief has the general responsibility for law enforcement in the municipality and is charged with the enforcement of all ordinances within the municipality and all applicable state laws. Requires the police chief to perform all other duties required of him by ordinance.

Existing law requires the elected police chief in municipalities governed by the Lawrason Act to make recommendations to the mayor and board of aldermen for the appointment of police personnel, promotion of officers, to effect disciplinary action, and for dismissal of police personnel.

New law authorizes elected police chiefs to immediately effect disciplinary action and to dismiss police personnel subject to the approval of the municipal governing authority. Requires the governing authority to deliberate any action or dismissal at its first meeting after a determination is made by the police chief. New law additionally authorizes the elected police chief to make provisional appointments to immediately fill vacancies in the police department subject to the approval of the mayor of the municipality. Requires the municipal governing authority to deliberate any action taken by the police chief at its first meeting after the provisional appointment is approved by the mayor. Provisional appointments remain in effect unless rejected by the governing authority.

New law, relative to any municipality with a population of not less than 1,000 persons and not more than 1,005 persons, authorizes the elected police chief to effect disciplinary action on police personnel without the approval of the municipal governing authority. Additionally authorizes the chief to appoint police personnel subject to budgetary limitations. All appointments are subject to the concurrence of the mayor.

Effective upon signature of governor (June 28, 2011).

(Adds R.S. 33:423(C))