

SENATE BILL NO. 473

BY SENATOR JOHNS

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AN ACT

To amend and reenact R.S. 40:2405.1(B), relative to the issuance of bulletproof vests to peace officers; to make surplus bulletproof vests available for purchase to certain part-time and reserve peace officers, constables, and deputy constables; to provide for conditions; to provide for notice; to provide for definitions; to provide for liability; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 40:2405.1(B) is hereby amended and reenacted to read as follows:

§2405.1. Special equipment provided by Department of Public Safety and
Corrections

* * *

B.(1) To the extent that funds are not appropriated to the Department of Public Safety and Corrections for the purposes provided in Subsection A of this Section, the department may make available for purchase to law enforcement agencies for use by their peace officers bulletproof vests no longer utilized by the department for which the manufacturer warranty has expired.

(2) Any purchase **pursuant to this Section** shall be conducted pursuant to rules or regulations adopted by the Louisiana Property Assistance Agency.

(3)The state of Louisiana, its agencies and assigns, including but not limited to the Department of Public Safety and Corrections shall be immune from any liability relating to or resulting from the purchase, issuance, or failure of bulletproof vests transferred pursuant to the provisions of this Section.

(4)(a) Not later than ninety days prior to the destruction of any bulletproof vest, the department shall give notice to law enforcement agencies and constables that bulletproof vests no longer utilized by the department for

1 which the manufacturer warranty has expired are available for purchase for
2 use by part-time and reserve peace officers, constables, and deputy constables.

3 (b) As used in this Paragraph, "part-time and reserve peace officer"
4 means any part-time peace officer and any reserve peace officer employed by
5 the state, a municipality, a sheriff, or other public agency whose principal duties
6 primarily involve the prevention or detection of crime or the enforcement of
7 penal and traffic laws and actually include the making of arrests and the
8 performing of searches and seizures.

9 (c) As used in this Paragraph, "constables and deputy constables" means
10 any elected constable as provided in R.S. 13:2583 and any deputy constable
11 appointed by a constable.

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PRESIDENT OF THE SENATE

SPEAKER OF THE HOUSE OF REPRESENTATIVES

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____