



OFFICE OF LEGISLATIVE AUDITOR
Fiscal Note

Fiscal Note On: SB 158 SLS 20RS 341
Bill Text Version: ORIGINAL
Opp. Chamb. Action:
Proposed Amd.:
Sub. Bill For.:

Date: March 19, 2020 4:37 PM
Author: LUNEAU
Dept./Agy.: Municipal Fire & Police Civil Service Boards
Subject: Attorney Fees
Analyst: Benjamin LeBlanc

CIVIL SERVICE OR INCREASE LF EX See Note Page 1 of 1
Provides for an increase in allowable attorney fees in cases of appeal taken by an employee in the municipal fire and police classified civil service. (gov siq)

Purpose of the Bill: This bill increases the maximum amount an attorney representing an appealing fire or police civil service employee can be awarded from \$1,000 to \$5,000 in instances where the civil service board overturns an appointing authority's disciplinary action based on the lack of just cause. This bill only affects municipalities with populations between 13,000 and 250,000 according to the latest regular federal decennial census of 2010, thereby possibly affecting 21 cities.

Table with 7 columns: EXPENDITURES/REVENUES, 2020-21, 2021-22, 2022-23, 2023-24, 2024-25, 5-YEAR TOTAL. Rows include State Gen. Fd., Agy. Self-Gen., Ded./Other, Federal Funds, Local Funds, and Annual Total.

EXPENDITURE EXPLANATION

This bill may increase local government expenditures by an indeterminable amount. Expenditure increases are indeterminable due to the unpredictable nature of how many appeals will result in board hearings where the board overturns the decisions of the appointing authorities (based on no just cause), and the amount of attorney fees awarded. In an effort to provide information on the possible number of applicable appeals and fiscal impact, we contacted officials from several municipal fire and police civil service boards and obtained the following information:

City of Baton Rouge had 11 appeal hearings in the past 3 years where the Board overturned 4. If this pattern remains constant, this bill could result in a potential increase of \$16,000 over a 3 year period for the City of Baton Rouge.

City of Shreveport had 23 appeal hearings in the past 3 years where the Board overturned 19 disciplinary actions taken by the appointing authority (a potential increase of \$76,000 over a 3 year period for the City of Shreveport).

City of Alexandria had 9 appeal hearings in the past 3 years where the Board overturned 3 disciplinary actions taken by the appointing authority (a potential increase of \$12,000 over a 3 year period for the City of Alexandria).

City of Monroe had 13 appeal hearings in the past 3 years where the Board overturned 1 disciplinary action taken by the appointing authority (a potential increase of \$4,000 over a 3 year period for the City of Monroe).

Cities of Ruston & Sulphur have not had an appeals hearing in 3 years. If the hearing results of the past 3 years remain constant, this bill would have no fiscal impact on the expenditures for the Cities of Ruston & Sulphur.

City of Crowley has had 2 appeals hearing in the past 3 years where the Board overturned 1 disciplinary action taken by the appointing authority (a potential increase of \$4,000 over a 3 year period for the City of Crowley).

City of West Monroe has had 1 appeals hearing in the past 3 years and in that hearing the Board overturned the appointing authority's disciplinary action (a potential increase of \$4,000 over a 3 year period for the City of West Monroe).

REVENUE EXPLANATION

There is no anticipated direct material effect on governmental revenues as a result of this measure.

Senate Dual Referral Rules
13.5.1 >= \$100,000 Annual Fiscal Cost {S & H}
13.5.2 >= \$500,000 Annual Tax or Fee Change {S & H}

House
6.8(F)(1) >= \$100,000 SGF Fiscal Cost {H & S}
6.8(G) >= \$500,000 Tax or Fee Increase or a Net Fee Decrease {S}

Signature of Michael G. Battle
Michael G. Battle
Manager, Advisory Services