

2020 Regular Session

SENATE BILL NO. 209

BY SENATOR MORRIS

LOCAL EMPLOYEES. Requires the office of state examiner to develop online testing for entrance firefighter and entrance police officer applicants. (1/1/21)

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AN ACT

To amend and reenact the introductory paragraph of R.S. 33:2491, (E), and (I), 2492(1), (2), and (11), 2494(A) and (D), the introductory paragraph of 2551, (5), and (9), 2552(1), (2), and (11), 2553(C), and 2554(A) and (D), relative to in-service training for certain public employees; to provide for the development and implementation of an online testing program for prospective police officers and firefighters by the office of state examiner; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. The introductory paragraph of R.S. 33:2491, (E), and (I), 2492(1), (2), and (11), 2494(A) and (D), the introductory paragraph of 2551, (5), and (9), 2552(1), (2), and (11), 2553(C), and 2554(A) and (D) are hereby amended and reenacted to read as follows:

§2491. Establishment and maintenance of employment lists

Except for entrance level firefighter and entrance level police officer,

~~the~~ the board shall establish and maintain employment lists containing names of persons eligible for appointment to the various classes of positions in the classified service, as follows:

* * *

1 (1)(a) The board shall provide through the state examiner for promotional or
2 competitive tests. Official notice of examination shall be posted on the bulletin board
3 in each station of the respective department. The notice shall state (i) class of
4 positions for which tests will be given, (ii) whether the tests will be given on a
5 promotional or competitive basis, and (iii) the final date on which applications for
6 admission to the tests will be received. The notice shall be posted for a continuous
7 period of ~~thirty~~ **ten** days preceding the date for administering the tests.

8 (b) In addition to the posted notice, public notice for all tests to be given on
9 a competitive basis shall be published ~~at least four times during the thirty-day period~~
10 ~~in the official journal of the municipality~~ **on the state examiner's website and the**
11 **municipality's website, if available, during the ten-day period** in which such tests
12 are to be held. This notice of examination need not reveal the exact date on which
13 tests shall be administered, but all applicants shall be advised of the date, place, and
14 time to report for an announced test at least five days in advance thereof in any
15 manner the board may prescribe.

16 **(2)(a) For entrance firefighter and entrance police officer, the state**
17 **examiner shall publish notice on his website for ten-day notice of the location**
18 **for where such tests are to be held and the final date on which applications for**
19 **admission to the test will be received. This notice of examination shall reveal the**
20 **exact date on which the test shall be administered. However, all applicants shall**
21 **be advised of the time and place to report for an announced test at least five**
22 **days in advance in any manner the state examiner may prescribe. The state**
23 **examiner shall provide for online entrance firefighter and entrance police**
24 **testing as provided for in this Section by Fiscal Year 2022.**

25 **(b)** As may be necessary from time to time, the state examiner may call for
26 and administer examinations for the entrance classifications of firefighter, police
27 officer, **secretary to the chief, departmental records clerk**, jailer, and for the
28 entrance classes for positions of which the operation and maintenance of a radio,
29 alarm, or signal system for the fire or police service is the primary duty. Tests may

1 be administered at the discretion of the state examiner in any municipality, parish,
 2 or fire protection district to which this Part applies. Official notification shall not be
 3 made to the extent required under Paragraph (1) of this Section; however, public
 4 notice shall be published at least four times during a thirty-day period in the official
 5 journal of the state of Louisiana and may be posted on the bulletin board in each
 6 station of the respective department. This notice of examination need not state the
 7 exact date on which tests shall be administered, but all applicants shall be advised
 8 of the date, place, and time to report for an announced test at least five days in
 9 advance thereof in any manner the state examiner may prescribe.

10 * * *

11 (11) Each applicant who makes a passing score on a test administered by the
 12 state examiner under the provisions of Paragraph (2) of this Section shall be advised,
 13 in any manner the state examiner prescribes, of his final score. **Except for entrance**
 14 **firefighter and entrance police officer,** Such score may be reported and approved
 15 by the board under the provisions of R.S. 33:2491(I). The original eligibility of an
 16 applicant under the provisions of this Paragraph shall be the period of not more than
 17 eighteen months after the date on which the signature of the state examiner was
 18 affixed to his notification of score.

19 * * *

20 §2494. Certification and appointment

21 **A.(1) Except for entrance firefighter and entrance police officer,**
 22 ~~W~~Whenever the appointing authority proposes to fill a vacancy in the classified
 23 service, except by demotion, transfer, emergency appointment, or by substitute
 24 employment not to exceed thirty days, he shall request the board to certify names of
 25 persons eligible for appointment to the vacant position. The board shall thereupon
 26 certify in writing the names of eligible persons from the appropriate employment list,
 27 and the appointing authority shall, if he fills the vacancy, make the appointment as
 28 provided by this Section.

29 **(2) Whenever the appointing authority proposes to fill a vacancy in**

1 entrance level firefighter and entrance level police officer, he shall request the
 2 state examiner to certify names of persons eligible for appointments to the
 3 vacant position. The state examiner shall certify in writing the names of eligible
 4 persons from the appropriate list, and the appointing authority shall, if he fills
 5 the vacancy, make the appointment as provided by this Section.

6 * * *

7 D. Certification and appointment from the competitive list shall be limited
 8 to those conditions and classifications for which the competitive test may be given
 9 as provided by R.S. 33:2492(E). Upon the appointing authority's request for the
 10 certification of eligible persons from which he may fill a vacancy, and if the
 11 competitive list is the appropriate list from which the names of eligible persons shall
 12 be certified, the board or the state examiner shall certify the names of the persons
 13 upon that list, in the order in which they appear thereon, for the class in which the
 14 vacancy is to be filled. The appointing authority shall select and appoint to the first
 15 vacancy to be filled, any one of the persons so certified to him for the vacancy. In
 16 making appointments to entrance firefighter and entrance police officer, the
 17 appointing authority shall verify the applicant meets the minimum
 18 qualifications as established by the board. Additionally, ~~in~~ making such
 19 appointment to entry-level positions, the appointing authority shall give a preference
 20 to Louisiana residents. If any one or more persons so certified should refuse the
 21 appointment, the appointing authority shall then select and appoint any one of the
 22 remaining persons certified by the board or the state examiner. This procedure shall
 23 be followed until the position has been filled by appointment of one of the persons
 24 certified from the list and willing to accept the appointment, or until each person
 25 whose name appears upon the list has in this manner been certified for the vacancy.

26 * * *

27 §2551. Establishment and maintenance of employment lists

28 Except for entrance firefighter and entrance police officer, ~~the~~ the board
 29 shall establish and maintain lists containing names of persons eligible for

1 appointment to the various classes of positions in the classified service as follows:

2 * * *

3 (5) Any person whose name is placed upon the competitive employment list
4 for the entrance or lowest ranking class in the classified service who has served in
5 the armed forces of the United States of America during time of war, and who has
6 been honorably discharged or discharged under honorable conditions, shall have
7 added to his final test score a total of five points at the time of placing his name upon
8 the list. Proof of such service and discharge shall be required by the board **or state**
9 **examiner** in any manner it deems advisable.

10 * * *

11 **(9)(a) For purposes of entry level firefighter and entry level police**
12 **officer, the state examiner shall establish and maintain a statewide eligibility list**
13 **containing the names of persons eligible for appointment to these classes by any**
14 **municipality, parish, or fire protection district under the municipal fire and**
15 **police civil service system.**

16 **(b)** A person who has attained a passing score on an examination
17 administered by the state examiner for entrance police officer, entrance firefighter,
18 entrance jailer, secretary to the chief, departmental records clerk, or for the entrance
19 classes for which the operation and maintenance of radio, alarm, or signal systems
20 for the respective fire or police services is the primary duty may have his name
21 placed on the employment list of any municipality, parish, or fire protection district
22 under the Municipal Fire and Police Civil Service System, provided the person's
23 application and score are accepted by the board of the municipality, parish, or fire
24 protection district in which he seeks employment. In order that his name may be
25 placed upon the employment eligibility list, a person shall be required to meet the
26 minimum qualifications adopted as rules of the respective civil service board, as if
27 making original application for admission to the test. The eligibility of such an
28 applicant shall not continue past the date on which his original eligibility expired.

29 * * *

1 §2552. Tests

2 Tests to determine the eligibility of applicants for entry upon the promotional
3 and competitive employment lists shall be provided, as follows:

4 (1)(a) **Except for entrance firefighter and entrance policer officer,** ~~the~~
5 board shall provide through the state examiner for promotional or competitive tests.
6 Official notice of examination shall be posted on the bulletin board in each station
7 of the respective department. The notice shall state (i) class of positions for which
8 tests will be given, (ii) whether the tests will be given on a promotional or
9 competitive basis, and (iii) the final date on which applications for admission to the
10 tests will be received. The notice shall be posted for a continuous period of ~~thirty~~ **ten**
11 days preceding the date for administering the tests.

12 (b) In addition to the posted notice, public notice for all tests to be given on
13 a competitive basis shall be published ~~at least four times during the thirty-day period~~
14 ~~in the official journal of the municipality, parish, or fire protection district, as the~~
15 ~~case may be,~~ **during the ten-day period on the state examiner's website and the**
16 **municipality, parish, or fire protection district's website, if available,** in which
17 such tests are to be held. This notice of examination need not state the exact date on
18 which tests shall be administered, but all applicants shall be advised of the date,
19 place, and time to report for an announced test at least five days in advance thereof
20 in any manner the board may prescribe.

21 **(c) For entrance firefighter and entrance police officer, the state**
22 **examiner shall publish notice on his website for ten-day notice of the location**
23 **for where such tests are to be held and the final date on which applications for**
24 **admission to the test will be received. This notice of examination shall reveal the**
25 **exact date on which the test shall be administered. However, all applicants shall**
26 **be advised of the place and time to report for an announced test at least five**
27 **days in advance in any manner the state examiner may prescribe. The state**
28 **examiner shall provide for online entrance firefighter and entrance police**
29 **testing as provided for in this Section by Fiscal Year 2022.**

1 appointment, the appointing authority then shall select and appoint any one of the
 2 remaining persons certified by the board or the state examiner. This procedure shall
 3 be followed until the position has been filled by appointment of one of the persons
 4 certified from the list and willing to accept the appointment, or until each person
 5 whose name appears upon the list has in this manner been certified for the vacancy.

6 * * *

The original instrument and the following digest, which constitutes no part
 of the legislative instrument, were prepared by Matt DeVille

DIGEST

SB 209 Engrossed

2020 Regular Session

Morris

Present law provides that the municipal fire and police civil service boards establish and maintain employment lists of persons eligible for appointment to the positions of entry-level firefighter and police officer.

Proposed law provides that the office of the state examiner shall establish and maintain a statewide employment list of persons eligible for appointment to the positions of entry-level firefighter and police officer by any municipality, parish, or fire protection district under the municipal fire and police civil service system.

Present law provides that public notice of tests to determine the eligibility of entry-level firefighter and police officer applicants be posted for 30 days preceding the date for administering the test and that all tests to be given on a competitive basis will be published at least four times in the official journal of the municipality during that 30-day period.

Proposed law reduces the posting period in present law from 30 days to 10 days and requires the notice to be posted on the state examiner's website and the municipality's website, if available, during the 10-day period.

Proposed law provides that for entrance firefighter and entrance police officer tests, the state examiner will publish a 10-day notice on the office's website revealing the location where the test will be administered and the final date on which applications for admission to the test will be received. The notice will provide the exact date on which the test will be administered, and all applicants will be advised of the time and place to report for an announced test at least five days in advance in any manner the state examiner may prescribe.

Proposed law provides that the state examiner will provide for online entrance firefighter and police officer testing by Fiscal Year 2022.

Present law provides that the state examiner may call for and administer examinations for entrance classifications of firefighter, police officer, jailer, and for the entrance classes for positions of which the operation and maintenance of a radio, alarm, or signal system for the fire or police service is the primary duty.

Proposed law retains the provisions of present law and provides for the state examiner to also administer examinations for entrance classifications for the positions of secretary to the chief and departmental records clerk.

Present law provides that whenever the appointing authority proposes to fill a vacancy in the classified service for entrance firefighter, entrance police officer, and other classified service

positions, the municipal fire or police board will certify the list of eligible persons.

Proposed law provides that the state examiner will certify the list of eligible persons whenever the appointing authority proposes to fill a vacancy for entrance firefighter and entrance police officer positions and that the appointing authority will verify the applicant meets the minimum qualifications.

Effective January 1, 2021.

(Amends R.S. 33:2491(intro para), (E), and (I), 2492(1), (2), and (11), 2494(A) and (D), 2551(intro para), (5), and (9), 2552(1), (2), and (11), 2553(C), and 2554(A) and (D))

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Senate and Governmental Affairs to the original bill

1. Places the responsibility for establishing and maintaining employment lists, testing and certification and eligibility for entrance firefighter and entrance police officer positions with the state examiner instead of the local fire and police civil service board.