

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)

1 AN ACT

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

8 Be it enacted by the Legislature of Louisiana:

9 Section 1. The introductory paragraph of R.S. 33:2491, (E), and (I), 2492(1), (2), and  
10 (11), 2494(A) and (D), the introductory paragraph of 2551, (5), and (9), 2552(1), (2), and  
11 (11), 2553(C), and 2554(A) and (D) are hereby amended and reenacted to read as follows:

12 §2491. Establishment and maintenance of employment lists

13 Except for the positions of entrance firefighter and entrance police  
14 officer, ~~the~~ board shall establish and maintain employment lists containing names  
15 of persons eligible for appointment to the various classes of positions in the  
16 classified service, as follows:

17 \* \* \*

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

8 \* \* \*

9 I. **(1) For purposes of entrance firefighter and entrance police officer**  
 10 **positions, the state examiner shall establish and maintain a statewide eligibility**  
 11 **list containing names of persons eligible for appointment to these classes by any**  
 12 **municipality, parish, or fire protection district under the municipal fire and**  
 13 **police civil service system.**

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

27 §2492. Tests

28 Tests to determine the eligibility of applicants for entry upon the promotional  
 29 and competitive employment lists shall be provided, 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 the entrance firefighter and the entrance police officer testing,  
17 the state examiner shall publish notice on his website for ten-day notice of the  
18 location for where such tests are to be held and the final date on which  
19 applications for admission to the test will be received. This notice of  
20 examination shall reveal the exact date on which the test shall be administered.  
21 However, all applicants shall be advised of the time and place to report for an  
22 announced test at least five days in advance in any manner the state examiner  
23 may prescribe. The state examiner shall provide for online entrance firefighter  
24 and entrance police 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 the**  
 14 **positions of entrance firefighter and entrance police officer,** Ssuch score may be  
 15 reported and approved by the board under the provisions of R.S. 33:2491(I). The  
 16 original eligibility of an applicant under the provisions of this Paragraph shall be the  
 17 period of not more than eighteen months after the date on which the signature of the  
 18 state examiner was affixed to his notification of score.

19 \* \* \*

20 §2494. Certification and appointment

21 A. **(1) Except for the positions of entrance firefighter and entrance police**  
 22 **officer,** ~~W~~whenever the appointing authority proposes to fill a vacancy in the  
 23 classified service, except by demotion, transfer, emergency appointment, or by  
 24 substitute employment not to exceed thirty days, he shall request the board to certify  
 25 names of persons eligible for appointment to the vacant position. The board shall  
 26 thereupon certify in writing the names of eligible persons from the appropriate  
 27 employment list, and the appointing authority shall, if he fills the vacancy, make the  
 28 appointment as 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)~~ **R.S. 33:2492**. Upon the appointing authority's  
 10 request for the certification of eligible persons from which he may fill a vacancy, and  
 11 if the competitive list is the appropriate list from which the names of eligible persons  
 12 shall be certified, the board **or the state examiner** shall certify the names of the  
 13 persons upon that list, in the order in which they appear thereon, for the class in  
 14 which the vacancy is to be filled. The appointing authority shall select and appoint  
 15 to the first vacancy to be filled, any one of the persons so certified to him for the  
 16 vacancy. **In making appointments to entrance firefighter and entrance police**  
 17 **officer, the 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 the positions of entrance firefighter and entrance police**  
 29 **officer, ~~the~~ board shall establish and maintain lists containing names of persons**

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

3 \* \* \*

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

11 \* \* \*

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

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

1 \* \* \*

2 §2552. Tests

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

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

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

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

1 **and entrance police testing as provided for in this Section by Fiscal Year 2022.**

2 (2) As may be necessary from time to time, the state examiner may call for  
 3 and administer examinations for the entrance classifications of firefighter, police  
 4 officer, **secretary to the chief, departmental records clerk**, jailer, and for the  
 5 entrance classes for positions of which the operation and maintenance of a radio,  
 6 alarm, or signal system for the fire or police service is the primary duty. Tests may  
 7 be administered at the discretion of the state examiner in any municipality, parish,  
 8 or fire protection district to which this Part applies. Official notification shall not be  
 9 made to the extent required under Paragraph (1) of this Section; however, public  
 10 notice shall be published at least four times during a thirty-day period in the official  
 11 journal of the state of Louisiana and may be posted on the bulletin board in each  
 12 station of the respective department. This notice of examination need not state the  
 13 exact date on which tests shall be administered, but all applicants shall be advised  
 14 of the date, place, and time to report for an announced test at least five days in  
 15 advance thereof in any manner the state examiner may prescribe.

16 \* \* \*

17 (11) Each applicant who makes a passing score on a test administered by the  
 18 state examiner pursuant to **Subparagraph (1)(c) or** Paragraph (2) of this Section  
 19 shall be advised, in any manner the state examiner prescribes, of his final score.  
 20 **Except for the positions of entrance firefighter and entrance police officer,**  
 21 ~~Such~~ score may be reported and approved by the board under the provisions of R.S.  
 22 33:2551(9). The original eligibility of an applicant under the provisions of this  
 23 Paragraph shall be the period of not more than eighteen months after the date on  
 24 which the signature of the state examiner was affixed to his notification of score.

25 §2553. Admission to tests

26 \* \* \*

27 C. Any applicant admitted to the competitive examinations which may be  
 28 called for by the state examiner pursuant to R.S. 33:2552**(1)(c) or** (2) shall be a  
 29 citizen of the United States and of legal age.



1 §2554. Certification and appointment

2 A.(1) Except for entrance firefighter and entrance police officer,  
 3 ~~W~~ whenever the appointing authority proposes to fill a vacancy in the classified  
 4 service, except by demotion, transfer, emergency appointment, or by substitute  
 5 employment not to exceed thirty days, he shall request the board to certify names of  
 6 persons eligible for appointment to the vacant position. The board thereupon shall  
 7 certify in writing the names of eligible persons from the appropriate employment list,  
 8 and the appointing authority shall, if it fills the vacancy, make the appointment as  
 9 provided by this Section.

10 (2) Whenever the appointing authority proposes to fill a vacancy in  
 11 entrance level firefighter or entrance level police officer, he shall request the  
 12 state examiner to certify names of persons eligible for appointments to the  
 13 vacant position. The state examiner shall certify in writing the names of eligible  
 14 persons from the appropriate list, and the appointing authority shall, if he fills  
 15 the vacancy, make the appointment as provided by this Section.

16 \* \* \*

17 D. Certification and appointment from the competitive list shall be limited  
 18 to those conditions and classifications for which the competitive test may be given  
 19 as provided by R.S. 33:2552~~(5)~~(7). Upon the appointing authority's request for the  
 20 certification of eligible persons from which it may fill a vacancy, and if the  
 21 competitive list is the appropriate list from which the names of eligible persons shall  
 22 be certified, the board or the state examiner shall certify the names of the persons  
 23 upon that list, in the order in which they appear thereon, for the class in which the  
 24 vacancy is to be filled. The appointing authority shall select and appoint to the first  
 25 vacancy to be filled any one of the persons so certified to it for the vacancy. In  
 26 making appointments to the positions of entrance firefighter and entrance  
 27 police officer, the appointing authority shall verify the applicant meets the  
 28 minimum qualifications as established by the board. Additionally, ~~in~~ making  
 29 such appointment to entry-level positions, the appointing authority shall give a

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

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

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#### DIGEST

SB 209 Reengrossed

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.