

2022 Regular Session

SENATE BILL NO. 215

BY SENATOR LUNEAU

CIVIL SERVICE. Provides for assessment of attorney fees when certain municipal fire and police civil service boards reverse a decision of an appointing authority. (gov sig)

1 AN ACT

2 To amend and reenact R.S. 33:2501.1 and to enact R.S. 33:2561.1, relative to certain  
3 municipal fire and police civil service boards; to authorize attorney fees for the  
4 appealing employee when a decision of the employee's appointing authority is  
5 reversed under certain circumstances; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 33:2501.1 is hereby amended and reenacted and R.S. 33:2561.1 is  
8 hereby enacted to read as follows:

9 §2501.1. Authorization for awarding attorney fees

10 When an appeal is taken by an employee in the classified service pursuant to  
11 R.S. 33:2501 to a municipal fire and police civil service board and the board  
12 determines, in reversing the decision of the appointing authority, that the corrective  
13 or disciplinary action taken by the appointing authority was without just cause as  
14 provided in R.S. 33:2501, the board may award to the appealing employee attorney  
15 fees to be assessed against the appointing authority not to exceed ~~one~~ five thousand  
16 dollars in any one appeal.

17 \* \* \*

**§2561.1. Authorization for awarding attorney fees**

**When an appeal is taken by an employee in the classified service pursuant to R.S. 33:2561 to a municipal, parish, or fire protection district fire and police civil service board and the board determines, in reversing the decision of the appointing authority, that the corrective or disciplinary action taken by the appointing authority was without just cause as provided in R.S. 33:2561, the board may award to the appealing employee attorney fees to be assessed against the appointing authority not to exceed five thousand dollars in any one appeal.**

Section 2. This Act shall become effective upon signature by the governor or, if not signed by the governor, upon expiration of the time for bills to become law without signature by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If vetoed by the governor and subsequently approved by the legislature, this Act shall become effective on the day following such approval.

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The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Thomas L Tyler.

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## DIGEST

SB 215 Original

2022 Regular Session

Luneau

Present law provides that in a proceeding involving a municipal fire and police civil service board in municipalities with populations between 13,000 and 250,000 in which the board reverses a decision of the appointing authority for lacking just cause, attorney fees not to exceed \$1,000 may be assessed in any one appeal.

Proposed law retains present law but increases this maximum amount from \$1,000 to \$5,000.

Proposed law provides that in a proceeding involving the municipal fire and police civil service board for small municipalities and for parishes and fire protection districts in which the board reverses a decision of the appointing authority for lack of just cause, attorney fees not to exceed \$5,000 may be assessed in any one appeal.

Effective upon signature of the governor or lapse of time for gubernatorial action.

(Amends R.S. 33:2501.1; adds R.S. 33:2561.1)