

2022 Regular Session

SENATE BILL NO. 490

BY SENATOR CORTEZ

PUBLIC BUILDINGS/GROUNDS. Provides for security services in the state capitol building. (gov sig)

1 AN ACT
2 To enact Chapter 12 of Title 24 of the Louisiana Revised Statutes of 1950, to be comprised
3 of R.S. 24:681 through 685 and 691 through 693, relative to capitol security; to
4 provide for a director of capitol security; to provide for the qualifications,
5 compensation, duties and functions of the director; to provide for capitol security
6 officers; to provide for the manner in which certain special officer commissions may
7 be issued; to create the Capitol Security Council; to provide for the composition and
8 membership of the council; to provide for the powers and duties of the council; and
9 to provide for related matters.

10 Be it enacted by the Legislature of Louisiana:

11 Section 1. Chapter 12 of Title 24 of the Louisiana Revised Statutes of 1950,
12 comprised of R.S. 24:681 through 685 and 691 through 693 is hereby enacted to read as
13 follows:

14 **CHAPTER 12. CAPITOL SECURITY DIRECTOR;**

15 **CAPITOL SECURITY COUNCIL**

16 **PART I. CAPITOL SECURITY DIRECTOR**

17 **§681. Capitol security director; qualifications; compensation**

1 A. There shall be a director of capitol security who shall be the chief
2 security officer for the legislature. The director of capitol security shall be
3 elected by the favorable vote of a majority of the elected members of each house
4 of the legislature, after having been interviewed by the Capitol Security Council
5 and recommended for employment by the council by a majority vote, and shall
6 serve at the pleasure of the legislature. He may be removed by a majority vote
7 of the elected members of each house of the legislature. Any vacancy occasioned
8 by death, resignation, or otherwise, which occurs while the legislature is not in
9 session, shall be filled on a temporary basis by the president of the Senate and
10 the speaker of the House of Representatives, until such time as the vacancy shall
11 be filled by the legislature as provided in this Subsection.

12 B. The director shall have a minimum of ten years of full-time law
13 enforcement experience. He shall be POST-certified and possess qualifications
14 necessary to be commissioned as a special officer. He shall not be a member of
15 the legislature.

16 C. The salary of the director of capitol security shall be recommended
17 by the Capitol Security Council, and together with all other expenses and
18 salaries of his office necessary to carry out the duties required pursuant to R.S.
19 24:682, shall be submitted to the president of the Senate and the speaker of the
20 House of Representatives for approval.

21 §682. Duties and functions

22 A. Subject to the general direction and supervision of the Capitol
23 Security Council, the director of capitol security shall have the following duties
24 and functions:

25 (1) Oversee law enforcement and physical security for such parts of the
26 state capitol building and state capitol complex, as defined in R.S. 49:149.1, that
27 are used by the legislature, its members, and staff.

28 (2) Oversee law enforcement and physical security for the legislature, its
29 members, and staff at any official meeting or function of the legislature, and its

1 committees approved by the president of the Senate or the speaker of the House
2 of Representatives regardless of location.

3 (3) Develop an annual budget for the operations of the office, subject to
4 approval by the Capitol Security Council, which shall be submitted to the
5 president of the Senate and the speaker of the House of Representatives for
6 approval.

7 (4) Recommend for employment such security officers and other
8 personnel as are necessary to ensure the physical security of the parts of the
9 state capitol building and state capitol complex that are used by the legislature,
10 its members, and staff.

11 (5) Ensure that security officers are POST-certified and possess
12 qualifications necessary to be commissioned as special officers.

13 (6) Develop, coordinate, and implement security training for security
14 officers.

15 (7) Coordinate and supervise the scheduling and activities of the security
16 officers.

17 (8) Promptly respond and immediately take appropriate action with
18 regard to any situation which threatens life, limb, or property, or which may
19 likely result in the disruption of general order within his area of jurisdiction.

20 (9) Conduct investigations and affect lawful arrests when necessary.

21 (10) Conduct research; correlate, analyze, and interpret data; monitor
22 compliance with administrative rules and regulations; make findings of fact;
23 prepare reports; and recommend legislation, policies, and directives which
24 relate to security.

25 (11) Act as the legislature's principal point of contact for all law
26 enforcement recommendations to the legislature and committees with respect
27 to security issues.

28 (12) Develop and implement, subject to adoption by the Capitol Security
29 Council, a comprehensive security plan for the parts of the state capitol building

1 and state capitol complex that are used by the legislature, its members, and
2 staff.

3 (13) Carry out all directives issued by the presiding officer of either
4 house of the legislature.

5 §683. Employees; salaries

6 The director of capitol security shall make recommendations of
7 employment for all security officers and other necessary employees and shall
8 recommend salaries to the Capitol Security Council for approval by the
9 president of the Senate and the speaker of the House of Representatives.

10 §684. Domicile

11 The offices of the director of capitol security shall be domiciled in the
12 state capitol complex in Baton Rouge.

13 §685. Responsibility to legislature; lead investigative officer; supplemental
14 operating funds

15 A. The director of capitol security shall, in every aspect of his functions,
16 duties, and operations, be responsible solely to the legislature and to no other
17 branch of state government and no board, commission, department, or agency
18 or official of any other branch of state government.

19 B. Notwithstanding any other law to the contrary, the director shall be
20 the lead investigative officer for any security breach or occurrence in the state
21 capitol building and the parts of the state capitol complex used by the
22 legislature, its members, and staff.

23 C. The designation of the director of capitol security as the chief capitol
24 security officer for the legislature shall not otherwise affect the duties of the
25 sergeant-at-arms of the Senate or the House of Representatives as provided in
26 the Rules of Order of the Senate or the Rules of Order of the House of
27 Representatives.

28 PART II. CAPITOL SECURITY COUNCIL

29 §691. Capitol Security Council; membership; officers; vacancies

1 A. The Capitol Security Council, referred to in this Chapter as the
2 "council", is hereby created.

3 B. The council shall be composed of ten members as follows:

4 (1) The president of the Senate.

5 (2) Four members appointed by the president of the Senate from the
6 membership of the Senate.

7 (3) The speaker of the House of Representatives.

8 (4) Four members appointed by the speaker of the House of
9 Representatives from the membership of the House of Representatives.

10 C. Appointments to the council shall be made within ninety days after
11 the convening of the regular session of the legislature in each year in which the
12 members of the legislature take office. The presiding officer of each house of the
13 legislature shall select a chairman and vice chairman and such other officers as
14 deemed necessary. The chairmanship and vice chairmanship shall rotate
15 between the Senate and House of Representatives every two years. Any vacancy
16 in the membership of the council shall be filled in the manner of the original
17 appointment.

18 §692. Powers and duties

19 A. The council shall have such powers and duties as are conferred upon
20 it by this Chapter and such other duties as are provided by law or otherwise
21 assigned by the legislature and shall meet from time to time as it deems
22 necessary.

23 B. The council shall be responsible for adopting a comprehensive
24 security plan for the parts of the state capitol building and state capitol complex
25 that are used by the legislature, its members, and staff as it deems necessary or
26 appropriate.

27 C. The council shall be responsible for reviewing and approving, with
28 whatever changes it deems necessary or appropriate, each annual budget for the
29 operations of the office of the director of capitol security prior to submission of

1 the budget to the president of the Senate and speaker of the House of
2 Representatives.

3 D. In carrying out the powers and duties conferred upon it by this
4 Chapter, and limited to the description of the powers, duties, and jurisdiction
5 of the council as provided in this Chapter, the council shall have the power and
6 authority of the legislature inherent in that body and conferred by law to hold
7 hearings, administer oaths, take testimony at public or private hearings, and
8 pursue punishment for contempt of the council as otherwise provided by law.

9 §693. Contempt of council; authority to conduct proceedings

10 Failure to comply with any order of the council issued in accordance
11 with or under the authority of this Chapter, refusal to testify, or any act of
12 disrespect or of disorderly or contemptuous behavior before the council shall
13 constitute contempt of the council. The council shall have the power to initiate
14 and pursue proceedings for contempt as provided by law. False swearing or
15 perjury before the council shall be punished in accordance with the laws of the
16 state.

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

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

SB 490 Original DIGEST 2022 Regular Session Cortez

Proposed law creates the director of capitol security as the chief security officer for the legislature. Provides for the election of the director upon a favorable majority of the elected members of each house of the legislature after having been interviewed by the Capitol Security Council and recommended for employment by the council by a majority vote. Provides that the director shall serve at the pleasure of the legislature and may be removed by a majority vote of the elected members of each house of the legislature. Provides that any vacancy which occurs while the legislature is not in session shall be filled temporarily by the president of the Senate and the speaker of the House of Representatives, until such time as the vacancy is filled by the legislature.

Proposed law provides that the director shall have 10 years of full-time law enforcement experience, shall be POST-certified, and shall possess qualifications necessary to be commissioned as a special officer. He shall not be a member of the legislature.

Proposed law provides that the salary of the director shall be recommended by the Capitol Security Council. Requires all other necessary expenses and salaries of the council to be submitted to the president of the Senate and speaker of the House of Representatives for approval.

Proposed law provides for the duties of the director. Specifies that the director shall:

- (1) Oversee law enforcement and physical security for the parts of the state capitol building and state capitol complex that are used by the legislature.
- (2) Oversee law enforcement and physical security at any official meeting or function of the legislature, or its committees, regardless of location.
- (3) Develop an annual budget for the operations of the office, subject to approval by the council.
- (4) Recommend employment for security officers and other personnel necessary to ensure the physical security of the parts of the state capitol building and state capitol complex that are used by the legislature.
- (5) Ensure that security officers are POST-certified and possess qualifications necessary to be commissioned as special officers.
- (6) Develop, coordinate, and implement security training for security officers.
- (7) Coordinate and supervise the scheduling and activities of the security officers.
- (8) Respond and act with regard to any security event within his area of jurisdiction.
- (9) Conduct investigations and affect lawful arrests.
- (10) Conduct research, analyze and interpret data, monitor compliance with administrative rules and regulations, make findings of fact, prepare reports, and recommend legislation, policies, and directives which relate to security.
- (11) Act as the legislature's principal point of contact for all law enforcement recommendations to the legislature.
- (12) Develop a comprehensive security plan for the state capitol.
- (13) Carry out all directives issued by either legislative house or the committees relative to security issues.

Proposed law provides that the offices of the director shall be domiciled in the state capitol complex.

Proposed law provides that the director shall be responsible solely to the legislature in his functions and duties and shall be the lead investigative officer in any security breach or occurrence in the state capitol building. Specifies that the designation of the director as chief capitol security officer shall not otherwise affect the duties of the sergeant-at-arms of the Senate or the House of Representatives.

Proposed law creates the Capitol Security Council composed of the president of the Senate, four members from the Senate appointed by the president, the speaker of the House of

Representatives, and four members from the House of Representatives appointed by the speaker. Authorizes the presiding officers of each house of the legislature to select a chairman and vice chairman. Provides that the chairmanship and the vice chairmanship rotate between the Senate and the House of Representatives every two years. Provides that the council determines the qualifications of the director of capitol security.

Proposed law provides for the duties of the council and specifies that the council is responsible for adopting a comprehensive security plan for the parts of the state capitol building and state capitol complex used by the legislature. Requires the council to review and approve the annual budget for the operations of the director prior to submission of the budget to the president and speaker and to fix the salary of the director.

Proposed law invests the council with the power to hold hearings, administer oaths, take public testimony, and pursue punishment for contempt as provided by law.

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

(Adds R.S. 24:681-685 and 691-693)