
DIGEST

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HB 134 Original

2023 Regular Session

Marcelle

Abstract: Authorizes the members of the Baton Rouge municipal fire and police civil service board to hold certain positions of public employment.

Present constitution creates a fire and police civil service system applicable to municipalities of over 13,000 in population and parishes and fire protection districts. Provides that the system is subject to Art. XIV, §15.1 of the 1921 constitution made statutory by the 1974 constitution.

Present law creates and provides for two fire and police civil service systems: (1) one applicable to any municipality which operates paid police and fire departments and which has a population of not fewer than 13,000 persons; and (2) one applicable to any parish, fire protection district, or municipality with a population of fewer than 13,000, but not fewer than 7,000 persons.

Proposed law retains present constitution and present law.

Present law, creates a municipal fire and police civil service board in each parish, municipality, and fire protection district composed of five members appointed by the respective governing body. Requires that at least two members of the board be appointed who shall be first nominated and elected by and from the regular employees of the fire and police departments. Provides further with respect to the qualifications of board members.

Proposed law retains present law.

Present law prohibits a member of a municipal fire and police civil service board from being a candidate for nomination or election to any public office and from holding any other public office or position of public employment, except that of notary public, a military or naval official office, or that of a municipal fire or police department which is expressly required by present law. Provides an exception for members of the municipal fire and police civil service board of the city of Houma by authorizing them to hold a position of public employment if the position of public employment is not with the city of Houma.

Proposed law retains present law and provides an exception for the city of Baton Rouge. Authorizes members of the municipal fire and police civil service board to hold a position of public employment that is not with the city of Baton Rouge and that is not prohibited by present law related to dual officeholding and dual employment.

(Adds R.S. 33:2476(B)(2)(c)(iii))