

2023 Regular Session

HOUSE BILL NO. 442

BY REPRESENTATIVES EDMONDS, DAVIS, AND MCKNIGHT

LAW ENFORCEMENT: Provides relative to the funding of bulletproof vests for peace officers

1 AN ACT

2 To amend and reenact R.S. 40:2405.1(A) and (B)(1) and to enact R.S. 40:2405.1(E) and (F),
3 relative to the issuance of bulletproof vests to peace officers; to provide relative to
4 the funding of bulletproof vests; to create the Department of Public Safety and
5 Corrections Special Protective Equipment Fund; to authorize the Department of
6 Public Safety and Corrections to receive funds from various sources; to direct the
7 state treasurer to deposit monies into the fund; to require the Louisiana Commission
8 on Law Enforcement to promulgate rules and regulations with regard to the standards
9 of bulletproof vests; and to provide for related matters.

10 Be it enacted by the Legislature of Louisiana:

11 Section 1. R.S. 40:2405.1(A) and (B)(1) are hereby amended and reenacted and R.S.
12 40:2405.1(E) and (F) are hereby enacted to read as follows:

13 §2405.1. Special equipment provided by Department of Public Safety and
14 Corrections; rules and regulations; creation of fund

15 A. The Department of Public Safety and Corrections, ~~from funds~~
16 ~~appropriated for this purpose~~, shall provide upon request special protective
17 equipment, commonly known as a bulletproof vest, for every "peace officer" in the
18 state of Louisiana. As used in this Section, "peace officer" means any full-time
19 employee of the state, a municipality, a sheriff, or other public agency, whose
20 principal permanent duties primarily involve the prevention or detection of crime or

CODING: Words in ~~struck through~~ type are deletions from existing law; words underscored are additions.

1 the enforcement of penal and traffic laws and actually include the making of arrests
2 and the performing of searches and seizures.

3 B.(1) To the extent that ~~funds are not appropriated to the Department of~~
4 ~~Public Safety and Corrections~~ the department does not receive funds for the purposes
5 provided in Subsection A of this Section, the department may make available for
6 purchase to law enforcement agencies for use by their peace officers bulletproof
7 vests no longer utilized by the department for which the manufacturer warranty has
8 expired.

9 * * *

10 E. The Louisiana Commission on Law Enforcement shall promulgate rules
11 and regulations that are necessary to provide for the standards of bulletproof vests
12 distributed pursuant to this Section and other rules and regulations necessary for the
13 administration and enforcement of this matter.

14 F.(1) There is hereby created in the state treasury, as a special fund, the
15 Department of Public Safety and Corrections Special Protective Equipment Fund,
16 hereinafter referred to in this Section as the "fund", for the purposes of purchasing
17 bulletproof vests for all peace officers.

18 (2) Beginning July 1, 2023, the treasurer shall deposit eight million five
19 hundred thousand dollars received by the state treasury from funds, grants,
20 donations, or otherwise, any sum of money, aid, or assistance from any person, firm,
21 or corporation from the United States, its agencies, the state of Louisiana, or any
22 political subdivision of the state into the fund at the beginning of each fiscal year.
23 The legislature may appropriate additional monies to the fund notwithstanding the
24 balance in the fund.

25 (3) Subject to appropriation by the legislature, monies in the fund shall be
26 used solely for providing bulletproof vests to peace officers. Except as may
27 otherwise be provided in this Section, all unexpended and unencumbered monies in
28 the fund at the end of the fiscal year shall remain in the fund.

1 (4) Monies in the fund shall be invested in the same manner as monies in the
 2 state general fund. Interest earned on the investment of monies in the fund shall be
 3 deposited in and credited to the fund.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 442 Original

2023 Regular Session

Edmonds

Abstract: Provides relative to the funding of bulletproof vests for peace officers in the state and requires the La. Commission of Law Enforcement to promulgate rules and regulations necessary to provide for the standards of bulletproof vests.

Present law requires the DPS&C to provide bulletproof vests to every peace officer in the state of La. provided that funds are appropriated for this purpose. Further provides that to the extent that funds are not appropriated for this purpose, the DPS&C may make available for purchase to law enforcement agencies bulletproof vests no longer utilized by the department for which the manufacturer warranty has expired.

Proposed law requires the La. Commission on Law Enforcement to promulgate rules and regulations that are necessary to provide for the standards of bulletproof vests and other rules and regulations necessary for the administration and enforcement of this matter.

Proposed law creates the Dept. of Public Safety and Corrections Special Protective Equipment Fund in the state treasury for the purposes of funding bulletproof vests for peace officers.

Proposed law provides that beginning July 1, 2023, the state treasurer is directed to deposit into the fund at the beginning of each fiscal year \$8,500,000 dollars. The legislature may appropriate additional monies to the fund notwithstanding the balance in the fund.

Proposed law authorizes the DPS&C to receive funds, grants, donations, or otherwise, any sum of money, aid, or assistance from any person, firm, or corporation from the U.S., its agencies, the state of La., or any political subdivision of the state for the purchase of bulletproof vests.

Proposed law requires that unexpended and unencumbered monies in the fund at the end of the fiscal year remain in the fund. Further requires monies in the fund to be invested in the same manner as monies in the general fund. Further provides that interest earned on investment of monies be credited to the fund.

(Amends R.S. 40:2405.1(A) and (B)(1); Adds R.S. 40:2405.1(E) and (F))