

2024 Regular Session

HOUSE BILL NO. 667

BY REPRESENTATIVE JORDAN

CIVIL SERVICE/FIRE & POL: Removes municipal police departments from their respective fire and police civil service systems

1 AN ACT

2 To amend and reenact Paragraphs (1) and (2), Subparagraphs (3)(b), (d), (i), and (m),

3 Paragraphs (4) and (5), Subparagraph (6)(a), Subsubparagraph (6)(c)(3),

4 Subparagraph (6)(i), Subparagraphs (7)(a), (b), (d), (f), and (i), Paragraph (8),

5 Subparagraphs (9)(a), (b), (c), and (e), Subsubparagraph 11(a)(8), Paragraphs 13 and

6 16, Subparagraphs (21)(i), (j), (k), and Subparagraph (22)(b) and Subsubparagraph

7 (22)(g)(4) of of Article XIV, Section 15.1 of the 1921 Constitution of Louisiana, as

8 amended, continued as a statute pursuant to Article X, Section 18 of the 1974

9 Constitution of Louisiana, the Part heading of Part II of Chapter 5 of Title 33 of the

10 Louisiana Revised Statutes of 1950, R.S. 33:2471(A), 2472, 2473(2), (4), (9), and

11 (13), 2474, 2475, 2476(A), (B)(1)(b), (c), and (d) and (2)(a) and (c)(ii), (C)(3)(a) and

12 (b)(i), and (I), 2477(1), (2), (4), (6), and (9), 2479(A), (B), (G)(4), and (H), 2481(A),

13 the Part heading of Part III of Chapter 5 of Title 33 of the Louisiana Revised Statutes

14 of 1950, R.S. 33:2531, 2532, 2533(4), (9), (13), and (19), 2534, 2535, 2536(A),

15 (B)(1)(b) and (c), (I), and (N), 2537(1), (2), (4), (6), and (9), and

16 2539(A)(introductory paragraph) and (4) and to repeal R.S. 33:2473(21)(b)(ii),

17 2481(B)(6), 2481.2, 2481.4, 2481.5, 2491(D)(2) and (3), 2491.1 through 2491.4,

18 2493(A)(1)(b), 2494(C)(2) through (5), 2495(B)(3), 2498(C) and (D), 2541.1,

19 2541.3, 2551(4)(b) and (8)(b), 2551.1, 2554(C)(2) and (3), 2555(B)(3), 2558(B), and

20 2569 through 2572, relative to municipal fire and police civil service; to remove

1 municipal police departments from the civil service system; and to provide for
2 related matters.

3 Be it enacted by the Legislature of Louisiana:

4 Section 1. Paragraphs (1) and (2), Subparagraphs (3)(b), (d), (i), and (m), Paragraphs
5 (4) and (5), Subparagraph (6)(a), Subsubparagraph (6)(c)(3), Subparagraph (6)(i),
6 Subparagraphs (7)(a), (b), (d), (f), and (i), Paragraph (8), Subparagraphs (9)(a), (b), (c), and
7 (e), Subsubparagraph 11(a)(8), Paragraphs 13 and 16, Subparagraphs (21)(i), (j), (k), and
8 Subparagraph (22)(b) and Subsubparagraph (22)(g)(4) of Article XIV, Section 15.1 of the
9 1921 Constitution of Louisiana, as amended, continued as a statute pursuant to Article X,
10 Section 18 of the 1974 Constitution of Louisiana are hereby amended and reenacted to read
11 as follows:

12 §15.1. Fire ~~and police~~ civil service; municipalities of 13,000 to 250,000

13 1. Applicability. This Section applies to any municipality which operates a
14 regularly paid fire ~~and police~~ department and which has a population of not less than
15 thirteen thousand nor more than two hundred fifty thousand according to the latest
16 regular federal census for which the official figures have been made public.

17 2. Short Title. This Section shall be known and may be cited as "The
18 Municipal Fire ~~and Police~~ Civil Service Law."

19 3. Definitions. The following words and phrases when used in this Section
20 shall have the following meaning, unless the context clearly requires otherwise:

21 * * *

22 b. "Appointing authority" means any official, officer, board, commission,
23 council, or person having the power to make appointments to positions in the
24 municipal fire ~~and police~~ service.

25 * * *

26 d. "Board" means the municipal fire ~~and police~~ civil service board.

27 * * *

1 i. "Department service" means employment in the public service offered and
2 performed ~~separately by the fire and by the police departments~~ department of the
3 municipality.

4 * * *

5 m. "Position" means any office and employment in the municipal fire ~~and~~
6 ~~police services~~ service, the duties of which call for services to be rendered by one
7 person.

8 * * *

9 4. Effective Date of Provisions. Any system of municipal fire ~~and police~~
10 civil service under Act 102 of 1944, as amended, or under the provisions of Sections
11 2471 thru 2508 of Title 33 of the Louisiana Revised Statutes of 1950 which is in
12 force on the effective date of this amendment, is continued in effect with respect to
13 the fire service under the provisions of this Section.

14 The rights of any person under Act 102 of 1944, as amended, and under the
15 above Sections of the Revised Statutes which exist on the effective day of this
16 amendment are continued in effect. Every rule, classification, plan, or allocation
17 established under the above provisions which is in force on the effective day of this
18 amendment is continued in effect until it is amended or repealed by the proper
19 authority under this Section.

20 5. System Classified Civil Service. There is created in the municipal
21 government a classified civil service embracing the positions of employment, the
22 officers, and employees of the municipal fire ~~and police services~~ service. The
23 classified civil service shall be known as "the municipal fire ~~and police~~ civil service."

24 6. Municipal Fire ~~and Police~~ Civil Service Boards. a. A municipal fire ~~and~~
25 ~~police~~ civil service board is created in the municipal government. The board shall
26 be composed of five members who shall serve without compensation. The board
27 shall have a chairman, vice-chairman, and a secretary. The domicile of the board
28 shall be in the municipality it serves.

1 c. The first five members of a board shall be appointed by the governing
2 body of the municipality during the ninety day period immediately following the date
3 that this Section takes effect in a municipality under paragraph 1.

4 The members of the board shall be appointed by the governing body as
5 follows:

6 * * *

7 (3) Two members shall be appointed who shall be first nominated and
8 elected by and from the regular employees of the fire ~~and police departments~~
9 department as follows:

10 ~~One member~~ Two members shall be elected and appointed from the fire
11 department, ~~and one member shall be elected and appointed from the police~~
12 ~~department.~~ The ~~employee-nominee from each department~~ employee-nominees shall
13 be elected by secret ballot of the regular employees of ~~his respective~~ the department
14 at an election to be called and held for that purpose by the chief of the department.
15 The chief ~~of each department~~ shall call such an election within forty-five days after
16 this Section takes effect in the municipality by posting, for a fifteen day continuous
17 period immediately preceding the election, a notice thereof on the bulletin board of
18 each station house of his department; and, shall officially notify the governing body
19 of the municipality within the ten day period immediately following the election, the
20 name of the employee-nominee so elected by the regular employees of his
21 department. The chief of the department shall vote in the election only in the case
22 of a tie vote.

23 * * *

24 i. The governing body of the municipality shall advise, within and not later
25 than the expiration of the ninety day period provided for the appointment of the
26 board members, each appointee of his appointment and term of office as a member
27 of the municipal fire ~~and police~~ civil service board; and, an official record thereof
28 shall be placed in the official minutes of the governing body.

29 * * *

1 shall do so when expressly required by this Section. No rule, regulation, or order
 2 shall be contrary to, or in violation of, any provisions, purpose, or intent of this
 3 Section or contrary to any other provisions of law. The board may amend or repeal
 4 any rule or part thereof in the same manner provided herein for the adoption of the
 5 rule. ~~All rules shall be applicable to both the fire and police classified services,~~
 6 ~~unless by express provisions therein, it is made applicable to only one of the services.~~

7 A board may adopt any rule, either in its proposed or revised form, after
 8 holding a public hearing at which any municipal officer, employee, private citizen,
 9 and the state examiner shall be given an opportunity to show cause why the proposed
 10 rule, amendment, or any part thereof should not be adopted. Before the board holds
 11 this public hearing, it shall furnish at least thirty days notice in advance of the date,
 12 time and place therefor to the mayor, commissioner of public safety, and other
 13 municipal commissioner whom the rule may in any way affect, the chief and each
 14 station of the departmental service to be affected by the adoption of any such rule,
 15 and to the state examiner. A copy of all proposed rules to be discussed at any
 16 hearing shall be furnished with all notices. Each notice and copy of proposed rule
 17 furnished the various stations of a respective department shall be posted upon the
 18 bulletin board of each station for a period of at least thirty days in advance of the
 19 hearing.

20 Within thirty days after the board has adopted any rule, whether it is a new
 21 rule or amendment of an existing rule, or an abolition in whole or part thereof, it
 22 shall furnish an official copy thereof to all persons and places set forth above.

23 Rules adopted under the authority of this Section shall have the force and
 24 effect of law.

25 9. State Examiner and Deputy State Examiner of Municipal Fire ~~and Police~~
 26 Civil Service.

27 a. The office of state examiner of municipal fire ~~and police~~ civil service is
 28 created. The state examiner shall be a resident and qualified voter of the state. He
 29 shall be a person who has had experience in personnel administration, classification,

1 or employment testing in a classified civil service system and shall serve on a full-
2 time basis. He shall receive and be paid a salary set by the State Civil Service
3 Commission in accordance with the State Civil Service Commission's uniform pay
4 plan. The position of state examiner shall be assigned to the same pay range to
5 which the deputy director of state civil service is assigned. The state examiner shall
6 be paid traveling and living expenses while away from his place of residence.

7 b. The office of deputy state examiner of municipal fire ~~and police~~ civil
8 service is created. The right of appointment, supervision, and discharge of the
9 deputy state examiner is vested in the state examiner. The deputy state examiner is
10 authorized and empowered to exercise the authority and perform the duties of the
11 state examiner as provided in this Section. He shall be a resident and qualified voter
12 of the state. He shall be a person who has had experience in personnel
13 administration, classification, or employment testing in a classified civil service
14 system and shall serve on a full-time basis. He shall receive and be paid a salary set
15 by the state examiner in accordance with the State Civil Service Commission's
16 uniform pay plan. The position of deputy state examiner shall be assigned to the pay
17 range which is two levels below the pay range to which the deputy director of state
18 civil service is assigned. The deputy state examiner shall be paid traveling and living
19 expenses while away from the place of his residence.

20 c. The state examiner and the deputy state examiner of the municipal fire ~~and~~
21 ~~police~~ civil service shall come within and be bound under and amenable to the
22 classified service of the state as established and existing. The state examiner and
23 deputy state examiner shall be subject to the rules adopted and promulgated by the
24 State Civil Service Commission. The state examiner shall be subject to removal and
25 other disciplinary action by the State Civil Service Commission only for a good and
26 sufficient cause set forth in written charges filed with the commission by any one of
27 the municipal fire ~~and police~~ civil service boards created by this amendment or by
28 any qualified elector of the state, and only after a public hearing by the State Civil

1 Service Commission to be held in accordance with rules to be adopted by the
2 commission.

3 * * *

4 e. When a vacancy occurs in the office of the state examiner, the State Civil
5 Service Commission shall, within thirty days, make a provisional appointment of any
6 person it deems qualified to fill the vacancy. A competitive examination shall be
7 prepared, administered, and scored under the direction of the State Civil Service
8 Commission in order to establish a list of persons eligible for appointment to the
9 office. As soon as such list can be and is established, the State Civil Service
10 Commission shall appoint any person upon the eligibility list who has the experience
11 required in Subparagraphs (a) and (b) of this Paragraph to fill the office; however,
12 selection preference may be given to any person having such experience in the
13 municipal fire ~~and police~~ classified civil service system. The person appointed shall
14 serve a working test period of six months which shall be considered a portion of the
15 examination. At the termination of such working test period, if successfully
16 completed, the appointee shall become a regular employee as defined in the State
17 Civil Service Law.

18 * * *

19 11. Classified and Unclassified Service. a. The classified service shall
20 comprise every position, except those included in the unclassified service, to which
21 the right of employee selection, appointment, supervision, and discharge is vested
22 in the municipal government or with an officer or employee thereof, and which has
23 as its primary duty and responsibility one of the following:

24 (Fire)

25 * * *

26 (8) Automotive or fire apparatus repairs, ~~if such service is operated~~
27 ~~exclusively by and for either or both the fire or police department.~~

28 * * *

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

* * *

14 g. Competitive tests shall be held only as the needs of the service require and
 15 shall be given for classes comprising only the following duties or positions:

16 (4)(a) Operation and maintenance of radio, fire alarm, ~~police alarm~~, and
 17 other signal systems.

18 (b) Notwithstanding Item (a) of this Subsubparagraph, for the city of
 19 Shreveport, operations, management, and supervision of radio, fire alarm, ~~police~~
 20 ~~alarm~~, and other signal systems.

* * *

22 Section 2. The Part heading of Part II of Chapter 5 of Title 33 of the Louisiana
 23 Revised Statutes of 1950, R.S. 33:2471(A), 2472, 2473(2), (4), (9), and (13), 2474, 2475,
 24 2476(A), (B)(1)(b), (c), and (d) and (2)(a) and (c)(ii), (C)(3)(a) and (b)(i), and (I), 2477(1),
 25 (2), (4), (6), and (9), 2479(A), (B), (G)(4), and (H), 2481(A), the Part heading of Part III of
 26 Chapter 5 of Title 33 of the Louisiana Revised Statutes of 1950, R.S. 33:2531, 2532,
 27 2533(4), (9), (13), and (19), 2534, 2535, 2536(A), (B)(1)(b) and (c), (I), and (N), 2537(1),

1 (2), (4), (6), and (9), and 2539(A)(introductory paragraph) and (4) are hereby amended and
2 reenacted to read as follows:

3 PART II. FIRE ~~AND POLICE~~ CIVIL SERVICE LAW

4 FOR MUNICIPALITIES BETWEEN 13,000 AND 250,000

5 §2471. Applicability

6 A. This Part applies to any municipality which operates a regularly paid fire
7 ~~and police~~ department and which has a population of not less than thirteen thousand
8 nor more than two hundred fifty thousand according to the latest regular federal
9 decennial census for which the official figures have been made public.

10 * * *

11 §2472. Short title

12 This Part shall be known and may be cited as "the Municipal Fire ~~and Police~~
13 Civil Service Law."

14 §2473. Definitions

15 The following words and phrases when used in this Part shall have the
16 following meaning, unless the context clearly requires otherwise:

17 * * *

18 2. "Appointing authority" means any official, officer, board, commission,
19 council, or person having the power to make appointments to positions in the
20 municipal fire ~~and police services~~ service.

21 * * *

22 4. "Board" means the municipal fire ~~and police~~ civil service board.

23 * * *

24 9. "Departmental service" means employment in the public services offered
25 and performed ~~separately~~ by the fire ~~and by the police departments~~ department of the
26 municipality.

27 * * *

1 period of at least five years preceding their appointment upon adoption of resolution
2 so permitting residence location by the local governing authority.

3 (c) Notwithstanding the provisions of Subparagraphs (a) and (b) of this
4 Paragraph, the two members elected from the municipal fire ~~and the municipal police~~
5 ~~departments~~ department shall not be required to be residents or qualified voters of
6 the municipality in which they are appointed to serve or residents of the parish in
7 which the municipality is located provided that such exceptions are approved by
8 resolution of the local governing authority.

9 (d) Notwithstanding the provisions of Subparagraph (b) of this Paragraph,
10 only one member shall be elected from the city of New Iberia municipal fire ~~and~~
11 ~~police~~ civil service system in accordance with Paragraph (C)(4) of this Section,
12 provided that such exception is approved by resolution of the city of New Iberia
13 governing authority.

14 * * *

15 (2)(a) Any employee, while serving as a member of a board, shall occupy,
16 as a regular employee, a position or office lower than that of chief, assistant chief,
17 district chief, or battalion chief in the fire service; ~~or a position or office lower than~~
18 ~~that of chief, assistant chief, or major in the police service.~~

19 * * *

20 (c)

21 * * *

22 (ii) However, a member of the Municipal Fire ~~and Police~~ Civil Service
23 Board of the city of Houma may hold a position of public employment if ~~said~~ the
24 position of public employment is not with the city of Houma.

25 C.

26 * * *

27 (3)(a) Two members shall be ~~appointed who shall be first~~ nominated and
28 elected by and from the regular employees of the fire ~~and police departments~~
29 department ~~as follows:~~

1 purposes of this Part. However, any investigation requested of the board by the
2 mayor, commissioner of public safety, chief of either the fire ~~or police~~ department,
3 or upon the written petition of any citizen for just cause shall be completed within
4 sixty days of the board's receipt of the request for an investigation or receipt of a
5 written petition of any citizen, or both.

6 * * *

7 (6) Hear and pass upon matters which the mayor, commissioner of public
8 safety, the chiefs of the departments affected by this Part, and the state examiner of
9 municipal fire ~~and police~~ civil service bring before it.

10 * * *

11 (9) Make reports to the governing body, either upon its own motion or upon
12 the official request of the governing body, regarding general or special matters of
13 personnel administration in and for the municipal fire ~~and police services~~ service of
14 the municipality, or with reference to any appropriation made by the governing body
15 for the expenses incidental to the operation of the board.

16 * * *

17 §2479. State examiner of municipal fire ~~and police~~ civil service

18 A. The office of state examiner of municipal fire ~~and police~~ civil service is
19 created.

20 B. The state examiner shall be a resident and qualified voter of the state. He
21 shall be a person who has had experience in the field of personnel administration,
22 classification, or employment testing in a classified civil service system; however,
23 selection preference may be given to persons having such experience in the
24 municipal fire ~~and police~~ classified civil service system.

25 * * *

26 G. The state examiner shall:

27 * * *

28 (4) Cooperate with the secretary of each board in maintaining a roster of all
29 fire ~~and police~~ civil service employees in which shall be set forth the name of each

1 employee, the class title of position held, the salary or other compensation, any
2 change in class title, and any other necessary data.

3 * * *

4 H. The office of deputy state examiner of municipal fire ~~and police~~ civil
5 service is created. The right of appointment, supervision, and discharge of the
6 deputy state examiner shall be vested in the state examiner. The deputy state
7 examiner is authorized and empowered to exercise the authority and perform the
8 duties of the state examiner as provided in this Part or Part III of this Chapter. The
9 deputy state examiner shall receive and be paid a salary set by the state examiner in
10 accordance with the State Civil Service Commission's uniform pay plan. The
11 position of deputy state examiner shall be assigned to the pay range which shall be
12 two levels below the pay range to which the deputy director of state civil service is
13 assigned. The deputy state examiner shall be paid traveling and living expenses
14 while away from the place of his residence.

15 * * *

16 §2481. Classified and unclassified service

17 A. The classified service shall comprise every position, except those
18 included in the unclassified service, to which the right of employee selection,
19 appointment, supervision, and discharge is vested in the municipal government or
20 with an officer or employee thereof, and which has as its primary duty and
21 responsibility one of the following:

22 ~~(FIRE)~~

- 23 (1) The chief and assistant chiefs; the intradepartmental division, bureau,
24 squad, platoon and company officers of the fire department.
- 25 (2) Fire fighting.
- 26 (3) Fire prevention; inspection.
- 27 (4) Driving, tillering, and operation of fire apparatus.
- 28 (5) Operations and maintenance of radio, fire alarm, or signal system.
- 29 (6) Fire department instructors in employee training.

1 (7) Fire salvage and overhauling services, first aid, advance life support, and
2 emergency medical services.

3 (8) ~~Automotive or fire apparatus repairs, if such service is operated~~
4 ~~exclusively by and for either or both the fire or police department.~~

5 (9) Secretary to the chief. Departmental records clerk.

6 (POLICE)

7 ~~(1) The chief and assistant chiefs; the intradepartmental division, bureau,~~
8 ~~squad, platoon, and company officers of the police department.~~

9 ~~(2) Law enforcement.~~

10 ~~(3) Crime prevention, identification, inspection, and investigation.~~

11 ~~(4) Police headquarters desk service; jailer, and police matron.~~

12 ~~(5) Operations and maintenance of radio, police alarm, or signal system.~~

13 ~~(6) Police department instructors in employee training.~~

14 ~~(7) Police control of traffic (vehicular and pedestrian.)~~

15 ~~(8) Automotive or police apparatus repairs, if such service is operated~~
16 ~~exclusively by and for either or both the police or fire department.~~

17 ~~(9) Secretary to the chief. Department records clerk.~~

18 * * *

19 PART III. FIRE ~~AND POLICE~~ CIVIL SERVICE LAW FOR
20 SMALL MUNICIPALITIES AND FOR PARISHES AND
21 FIRE PROTECTION DISTRICTS

22 §2531. Mandatory civil service in certain municipalities, parishes and districts
23 Permanent appointments and promotions for paid firemen ~~and policemen~~ in
24 the classified civil service as enumerated herein in all municipalities having a
25 population of not less than seven thousand and not more than thirteen thousand,
26 according to the last preceding decennial census of the United States for which the
27 final report of population returns have been printed, published and distributed by the
28 director of the census or according to a special census authorized by R.S. 1:11.1
29 subject to the approval of the local governing authority and verified by the state

1 treasurer if ~~said~~ the special census is later, and in all parishes and fire protection
2 districts, shall be made only after certification pursuant to a general system based
3 upon merit, efficiency and fitness, under which certificates shall be based on
4 examinations which, so far as practical, shall be competitive, and all employees in
5 the classified service shall be employed from those eligible under such certification.

6 * * *

7 §2532. Short title

8 This Part shall be known and may be cited as "The Fire ~~and Police~~ Civil
9 Service Law for Small Municipalities and for Parishes and Fire Protection Districts."

10 §2533. Definitions

11 The following words and phrases, when used in this Part, shall have the
12 following meaning unless the context clearly requires otherwise:

13 * * *

14 4. "Board" means the municipal, parish, or fire protection district fire ~~and~~
15 ~~police~~ civil service board.

16 * * *

17 9. "Department service" means employment in the public service offered and
18 performed separately by the fire ~~or police~~ department of the municipality, parish or
19 fire protection district.

20 * * *

21 13. "Position" means any office or employment in the municipal, parish or
22 fire protection district, fire ~~or police~~ service, the duties of which call for services to
23 be rendered by one person.

24 * * *

25 19. "Regular paid and regularly paid department" means any fire ~~or police~~
26 department in any municipality, parish, or fire protection district that employs
27 personnel in positions of the classified service as defined in this Section and
28 compensates such personnel at regular intervals.

29 * * *

1 §2534. Effective date of provisions

2 Any system of municipal fire ~~and police~~ civil service under Act 102 of 1944,
3 as amended, or under the provisions of R.S. 33:2471-33:2508 which is in force on
4 the effective date of this Part is continued in effect under the provisions of this Part
5 with respect to the fire service.

6 The rights of any person under Act 102 of 1944, as amended, and under the
7 above Sections of the Revised Statutes or under any fire and police civil service
8 laws, which exist on the effective date of this Part are continued in effect with
9 respect to the fire service. Every rule, classification plan or allocation established
10 under the above provisions which is in force on the effective date of this Part is
11 continued in effect with respect to the fire service until it is amended or repealed by
12 the proper authority under this Part.

13 §2535. System of classified civil service

14 There is created, in the municipal government, in each parish government and
15 in the government of each fire protection district, a classified civil service embracing
16 the positions of employment, the officers, and employees of the fire ~~and police~~
17 ~~services~~ service in municipalities covered by this Part, and of fire ~~and police~~ ~~services~~
18 service in the parishes and the fire protection districts, respectively. The classified
19 civil service shall be known as "The Fire ~~and Police~~ Civil Service".

20 §2536. Fire ~~and police~~ civil service boards

21 A. A fire ~~and police~~ civil service board is hereby created in the municipal,
22 parish, or fire protection district which shall be composed of five members who shall
23 serve without compensation. This board shall have a chairman, vice-chairman and
24 a secretary. The domicile of the board shall be within the area it serves.

25 B.(1)

26 * * *

27 (b) However, with respect to ~~the two~~ members elected by and from the fire
28 ~~and the police departments~~ department as provided in Paragraph (C)(3) of this
29 Section, such members shall have been residents of the parish in which the area they

1 are to serve is located for a period of at least five years preceding their appointment,
2 provided such residence requirement is approved by resolution of the local governing
3 authority.

4 (c) Notwithstanding the provisions of Subparagraphs (a) and (b) of this
5 Paragraph, ~~the two~~ members elected by and from the fire ~~and the police departments~~
6 department as provided in Paragraph (C)(3) of this Section shall not be required to
7 be residents or qualified voters of the area in which they are appointed to serve or
8 residents of the parish in which the area is located provided that such exceptions are
9 approved by resolution of the local governing authority.

10 * * *

11 (2)(a) Any employee, while serving as a member of a board, shall occupy,
12 as a regular employee, a position or office lower than that of chief, assistant chief,
13 district chief, or battalion chief in the fire service; ~~or a position or office lower than~~
14 ~~that of chief, assistant chief, or major in the police service.~~

15 * * *

16 (c) No member of a board shall be a candidate for nomination or election to
17 any public office or hold any other public office or position of public employment,
18 except that of notary public, a military or naval official office, or that of a municipal,
19 parish, or fire protection district fire ~~or police~~ department which is expressly required
20 by the provisions of this Part.

21 * * *

22 I. The governing body of the municipality, parish or fire protection district
23 shall advise, within the ninety-day period provided for the appointment of the board
24 members, each appointee of his appointment and term of office as a member of the
25 fire ~~and police~~ civil service board, and an official record thereof shall be placed in
26 the official minutes of the governing body.

27 * * *

28 N. In any municipality, parish or fire protection district otherwise amenable
29 to the provisions of this Part where ~~either~~ the fire ~~or police~~ service shall, for any

1 reason, not be subject to this Part, then, and in such event, the board shall be
 2 comprised of three members, with only one member to be selected in accordance
 3 with the provisions of Subsection (C)(2) of this Section and only one member to be
 4 nominated by the service remaining, be it fire or police, as is provided in Subsection
 5 (C)(3) of this Section; all other provisions hereof to remain and be fully effective
 6 even though only one of the services, whether it be fire or police, are affected hereby.

7 * * *

8 §2537. Duties of the board

9 The board shall:

10 (1) Represent the public interest in matters of personnel administration in the
 11 fire ~~and police~~ service of the municipal government, or parish government, or fire
 12 protection district government of which the fire service is a part.

13 (2) Advise and assist the governing body, mayor, commissioner of public
 14 safety and the chief of the fire department of the municipality, or the parish
 15 governing authority, or fire protection district, governing authority, as the case may
 16 be, with reference to the maintenance and improvement of personnel standards and
 17 administration in the fire ~~and police~~ service, and the classified system.

18 * * *

19 (4) Make, at the direction of the mayor, commissioner of public safety, chief
 20 of the fire department of the municipality, or president of the parish governing
 21 authority, or chairman of the board of commissioners of the fire protection district,
 22 or upon the written petition of any citizen for just cause or upon its own motion, any
 23 investigation concerning the administration of personnel or the compliance with the
 24 provisions of this Part in the fire ~~and police~~ service; review and modify or set aside,
 25 upon its own motion, any of its actions, and take any other action which it
 26 determines to be desirable or necessary in the public interest or to carry out
 27 effectively the provisions and purposes of this Part. However, any investigation
 28 requested of the board by the mayor, commissioner of public safety, chief of the fire
 29 department of the municipality, or president of the parish governing authority, or

1 chairman of the board of commissioners of the fire protection district, or upon the
2 written petition of any citizen for just cause shall be completed within sixty days of
3 the receipt of the request for an investigation or receipt of a written petition of any
4 citizen, or both.

5 * * *

6 (6) Hear and pass upon matters which the mayor, commissioner of public
7 safety, the chief of the fire ~~or police departments~~ department of the municipality, or
8 any member of the parish or fire protection district governing authority or the state
9 examiner of fire ~~and police~~ civil service brings before it.

10 * * *

11 (9) Make reports to the governing body, either upon its own motion or upon
12 the official request of the governing body, regarding general or special matters of
13 personnel administration in and for the fire ~~or police~~ service of the municipality,
14 parish or fire protection district, as the case may be, or with reference to any
15 appropriation made by the governing body for the expenses incidental to the
16 operation of the board.

17 * * *

18 §2539. State examiner and deputy state examiner

19 A. The state examiner of municipal fire ~~and police~~ civil service and the
20 deputy state examiner created and provided for by R.S. 33:2479 shall serve the
21 municipal civil service for firemen ~~and policemen~~ provided by this Part and shall
22 perform the same functions with regard to municipal, parish, and fire protection
23 district civil service for firemen ~~and policemen~~ as provided in this Part as they are
24 required to perform under the provisions thereof. The state examiner shall:

25 * * *

26 (4) Cooperate with the secretary of each board in maintaining a roster of all
27 fire ~~and police~~ civil service employees in which shall be set forth the name of each
28 employee, the class title of position held, the salary or other compensation, any
29 change in class title, and any other necessary data.

Effective if and when the proposed amendment of Article X of the Constitution of La. contained in the Act which originated as House Bill No. ____ of this 2024 R.S. of the Legislature is adopted at a statewide election and becomes effective.

(Amends Const. 1921, Art. XIV, Sec. 15.1(1),(2), (3)(b), (d), (i), and (m), (4), (5), (6)(a), (c)(3), and (i), (7)(a), (b), (d), (f), and (i), (8), (9)(a), (b), (c), and (e), 11(a)(8), 13, 16, (21)(i), (j), and (k), and (22)(b) and (g)(4), the Part heading of Part II of Chapter 5 of Title 33 of L.R.S., R.S. 33:2471(A), 2472, 2473(2), (4), (9), and (13), 2474, 2475, 2476(A), (B)(1)(b), (c), and (d) and (2)(a) and (c)(ii), (C)(3)(a) and (b)(i), and (I), 2477(1), (2), (4), (6), and (9), 2479(A), (B), (G)(4), and (H), 2481(A), the Part heading of Part III of Chapter 5 of Title 33 of L.R.S., R.S. 33:2531, 2532, 2533(4), (9), (13), and (19), 2534, 2535, 2536(A), (B)(1)(b) and (c), (I), and (N), 2537(1), (2), (4), (6), and (9), and 2539(A)(intro. para.) and (4); Repeals R.S. 33:2473(21)(b)(ii), 2481(B)(6), 2481.2, 2481.4, 2481.5, 2491(D)(2) and (3), 2491.1 - 2491.4, 2493(A)(1)(b), 2494(C)(2) - (5), 2495(B)(3), 2498(C) and (D), 2541.1, 2541.3, 2551(4)(b) and (8)(b), 2551.1, 2554(C)(2) and (3), 2555(B)(3), 2558(B), and 2569 - 2572)