

2025 Regular Session

HOUSE BILL NO. 527

BY REPRESENTATIVE CARLSON

CIVIL SERVICE/FIRE & POL: Provides relative to the classified police service in the city of Lafayette

1 AN ACT

2 To amend and reenact R.S. 33:2491(D)(2)(a) and (H)(2), 2494(C)(2)(introductory
3 paragraph), and 2498(C) and to enact R.S. 33:2494.1, relative to the city of
4 Lafayette; to provide relative to the classified police service; to provide relative to
5 certain positions in the classified service; to provide relative to the qualifications,
6 selection, and appointment of eligible persons; to provide relative to departmental
7 and promotional seniority and promotion; to provide for an effective date; and to
8 provide for related matters.

9 Notice of intention to introduce this Act has been published
10 as provided by Article III, Section 13 of the Constitution of
11 Louisiana.

12 Be it enacted by the Legislature of Louisiana:

13 Section 1. R.S. 33:2491(D)(2)(a) and (H)(2), 2494(C)(2)(introductory paragraph),
14 and 2498(C) are hereby amended and reenacted and R.S. 33:2494.1 is hereby enacted to read
15 as follows:

16 §2491. Establishment and maintenance of employment lists

17 Except for the positions of entrance firefighter, entrance police officer,
18 entrance jailer, secretary to the chief, departmental records clerk, and for the entrance
19 classes for which the operation and maintenance of radio, alarm, or signal systems
20 for the respective fire or police service is the primary duty, the board shall establish

1 and maintain employment lists containing names of persons eligible for appointment
2 to the various classes of positions in the classified service, as follows:

3 * * *

4 D.

5 * * *

6 (2)(a) Names of persons attaining a passing score on the promotional test in
7 the Lafayette Police Department for the rank of lieutenant or ~~above~~ captain, or in the
8 Lake Charles Police Department, shall be placed upon the promotion employment
9 list for the class for which they were tested, from highest to lowest, according to their
10 total promotional seniority in the next lower class. If two or more persons possess
11 an equal amount of promotional seniority, the names of those persons shall be placed
12 on the promotional list in the order of departmental seniority, from highest to lowest.

13 * * *

14 H.

15 * * *

16 (2) When new names are to be placed upon a promotion list for a given class
17 in the Lafayette Police Department for the rank of lieutenant or ~~above~~ captain, and
18 in the Lake Charles Police Department, the remaining names thereon shall be
19 rearranged with the new names so that all names appearing upon the list for the class
20 shall rank, from highest to lowest, according to total promotional seniority in the
21 next lower class from which the promotion list is established. If two or more persons
22 possess an equal amount of promotional seniority, the names of those persons shall
23 be placed on the promotional list in the order of departmental seniority, from highest
24 to lowest.

25 * * *

26 §2494. Certification and appointment

27 * * *

28 C.

29 * * *

1 (2) Notwithstanding any other provision of law to the contrary, the municipal
2 fire and police civil service system for the cities of Lafayette for the rank of
3 lieutenant or ~~above~~ captain and Lake Charles shall fill a vacant position in the police
4 department in the following manner:

5 * * *

6 §2494.1. Lafayette Police Department; rank of major

7 A. Notwithstanding any other provision of law to the contrary, in the city of
8 Lafayette, a vacant position in the police department at the rank of major shall be
9 filled in the following manner:

10 (1) Any employee who holds the rank of sergeant or above shall be eligible
11 to take the competitive examination for the rank of major.

12 (2) All employees who achieve a passing score on the competitive
13 examination shall be eligible for selection and appointment to the position of major
14 and shall be placed on an eligibility list presented to the chief of police.

15 (3) The chief of police shall select and appoint an employee from the
16 eligibility list to fill the vacant position of major.

17 (4) Eligibility for admission to the competitive examination for the position
18 of major shall be limited to members of the Lafayette Police Department at the time
19 of appointment.

20 B.(1) The appointment to the position of major shall be for a term of one
21 year, and the employee holding this position shall be subject to annual review by the
22 chief of police.

23 (2) After each annual review by the chief of police, the chief may reconfirm
24 the employee for another one-year period or may, at his discretion, demote the
25 employee to his former class of position. The chief of police may reconfirm the
26 employee holding the position of major without the need for the employee to retest.

27 (3) If an employee is demoted from the position of major pursuant to this
28 Subsection, he shall not forfeit any departmental or promotional seniority in his

1 classified rank and the demotion shall not constitute corrective or disciplinary action.

2 The employee shall not have an appeal right in regards to the action.

3 C. Any employee who holds the position of major may, while holding this
4 position, apply for admission to the promotional examination for the class next
5 higher than that from which he was appointed as major. However, the name and
6 score of any employee serving as major shall not be certified to the appointing
7 authority by the civil service board as eligible for appointment to a position of the
8 promotional class. His name and score shall be eligible for certification, in
9 accordance with the maximum period for which a name may remain on the eligibility
10 list, only upon demotion to the position from which he was appointed as major.

11 D. Any employee who is appointed from a position in the classified police
12 service to serve as major shall not forfeit his departmental or promotional seniority
13 accumulated to the date of his appointment. He shall continue to accumulate
14 departmental and promotional seniority in accordance with the provisions of this Part
15 during the time he holds the position of major.

16 E. If a vacancy cannot be filled by reinstatement or by reemployment as
17 provided in this Section, the board shall certify the names of the eligible persons on
18 the promotional list in the order in which they appear for the class in which the
19 vacancy is to be filled.

20 F. If the provisions of this Section conflict with any local ordinance, policy,
21 or restriction regarding the eligibility and appointment process for the rank of major,
22 the provisions of this Section shall govern.

23 G.(1) The provisions of this Section shall apply only to an employee
24 occupying a position at the rank of major or promoted to a position at the rank of
25 major in the Lafayette Police Department when either:

26 (a) The employee occupying the position on July 1, 2025, has not completed
27 the working test period or otherwise has probational status to a position at the rank
28 of major.

(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, relative to both systems, provides that "departmental seniority" refers to the period of continuous employment in the department. Defines "promotional seniority" to mean the total cumulative employment in a class of positions of the next lower class from which a promotion is to be made. Specifies further relative to employment counted toward seniority in the next lower class.

Present law, relative to both systems, provides that a municipal fire and police civil service board is created in the municipal, parish, and fire protection government. Requires the board to establish and maintain employment lists containing the names of persons eligible for appointment to various classes of positions in the classified service. Requires that names of persons attaining a passing score on a promotion test be placed on the promotion employment list for the tested class, from highest to lowest, according to departmental seniority.

Proposed law retains present law.

Present law provides exceptions, including an exception for the Lafayette Police Department. Provides that persons attaining a passing score on the promotional test for the rank of lieutenant or above shall be placed on the promotional employment list, from highest to lowest, according to their total promotional seniority in the next lowest class. Further provides that the filling of a vacancy based upon promotional seniority shall apply to the rank of lieutenant or above only. Provides that for the rank of lieutenant or above whenever an entire class is abolished in the classified service, the regular employees of the class shall be demoted to lower classes and priority to positions shall be governed by total promotional seniority earned in the class in the order of highest to lowest.

Proposed law limits the applicability of present law to the rank of lieutenant or captain. Further provides that for a vacancy in the rank of major in the Lafayette Police Department, an employee who holds the rank of sergeant or above shall be eligible to take the competitive examination. Requires that all employees who achieve a passing score on the test be placed on the eligibility list presented to the police chief. Requires the police chief to select and appoint an employee from the list to fill the vacant position.

Proposed law provides that eligibility for admission to the competitive test is limited to members of the Lafayette Police Department at the time of appointment. Provides that the appointment is for one year and the employee who holds the position of major is subject to annual review by the police chief. Authorizes the police chief to reconfirm the employee holding the position for another year or to demote him to his former class of position. Provides that if the employee is demoted from the position of major, he shall not forfeit any departmental or promotional seniority in his classified rank. Further provides that the demotion does not constitute corrective or disciplinary action and the employee does not have the right to appeal.

Proposed law authorizes any employee who holds the position of major to, while holding such position, apply for admission to the promotional examination for the class next higher than that from which he was appointed as major. Prohibits however, the name and score of any employee holding the rank of major from being certified to the appointing authority by the civil service board as eligible for appointment to a position of the promotional class. Requires that his name and score be eligible for certification, in accordance with the maximum period for which a name may remain on the eligibility list in accordance with the

provisions of present law, only upon demotion to a position of the class from which he was appointed as major.

Proposed law provides that any employee who is appointed from a position in the classified police service to serve as major shall not forfeit his departmental or promotional seniority accumulated to the date of his appointment. Provides that the employee shall continue to accumulate departmental and promotional seniority during the time he is serving as major.

Proposed law provides that the provisions of proposed law are applicable only to an employee occupying a position at the rank of major or promoted to the rank of major when either:

- (1) The employee occupying the position on July 1, 2025, has not completed the working test period or otherwise has probational status to a position at the rank of major.
- (2) The appointment is to fill a vacant position at the rank of major that exists on and after July 1, 2025.

Proposed law provides that the provisions of proposed law shall not apply to an employee with permanent status to a position at the rank of major in the Lafayette Police Department on July 1, 2025.

Effective July 1, 2025.

(Amends R.S. 33:2491(D)(2)(a) and (H)(2), 2494(C)(2)(intro. para.), and 2498(C); Adds R.S. 33:2494.1)