

2025 Regular Session

SENATE BILL NO. 142

BY SENATOR MYERS

CIVIL SERVICE. Provides relative to the classified police service in the city of Lafayette.
(2/3 - CA10s18) (7/1/25)

AN ACT

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

Notice of intention to introduce this Act has been published.

Be it enacted by the Legislature of Louisiana:

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

§2491. Establishment and maintenance of employment lists

Except for the positions of entrance firefighter, entrance police officer, entrance jailer, secretary to the chief, departmental records clerk, and for the entrance classes for which the operation and maintenance of radio, alarm, or signal systems

for the respective fire or police service is the primary duty, the board shall establish and maintain employment lists containing names of persons eligible for appointment to the various classes of positions in the classified service, as follows:

* * *

D.(1)

* * *

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

* * *

H.(1)

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

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§2494. Certification and appointment

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C.(1)

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

* * *

§2494.1. Lafayette Police Department; rank of major

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

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

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

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

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

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

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

(3) If an employee is demoted from the position of major pursuant to this

1 Subsection, he shall not forfeit any departmental or promotional seniority in his
2 classified rank and the demotion shall not constitute corrective or disciplinary
3 action. The employee shall not have appeal right in regards to the action.

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

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

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

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

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

28 (a) The employee occupying the position on July 1, 2025, has not
29 completed the working test period or otherwise has probational status to a

position at the rank of major.

(b) The appointment is to fill a vacant position at the rank of major that exists on and after July 1, 2025.

(2) The provisions of this Section 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.

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§2498. Abolition of positions in the classified service

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C. Notwithstanding the provisions of Subsection B of this Section, in the Lafayette Police Department for the rank of lieutenant or ~~above~~ **captain**, and in the Lake Charles Police Department, 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. If two or more persons possess an equal amount of promotional seniority, the names of such persons shall be placed on the reinstatement list in the order of departmental seniority, from highest to lowest.

* * *

Section 2. This Act shall become effective on July 1, 2025; if vetoed by the governor and subsequently approved by the legislature, this Act shall become effective on the day following such approval by the legislature or July 1, 2025, whichever is later.

The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Senate Legislative Services. The keyword, summary, 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)]

SB 142 Engrossed

DIGEST
2025 Regular Session

Myers

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 services 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, relative to municipal fire and police civil service for municipalities with a population between 13,000 and 250,000, provides for the promotion, reinstatement and layoff of employees to be based upon "departmental seniority". Present law 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 services. Requires the names of persons attaining a passing score on a promotion test to be placed on the promotion employment list for the tested class, from highest to lowest, according to "departmental seniority". The rank progression of police officers is: police officer, to corporal, to sergeant, to lieutenant, to captain, to major, to chief of police.

Present law provides as an exception to ranking based on departmental seniority for the promotion, reinstatement and layoff of employees in the Lafayette Police Department for the rank of Lieutenant or above and in the Lake Charles Police Department to a ranking based on "promotional seniority".

Present law refers to "departmental seniority" as the period of continuous employment with the department.

Present law refers to "promotional seniority" as the total cumulative employment in a class of positions of the next lower class from which a promotion is to be made.

Proposed law retains present law but limits application of promotional seniority in the Lafayette Police Department to the ranks of lieutenant and captain.

Present law provides that, regarding the Lafayette Police Department for the ranks of lieutenant and 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. Provides that if two or more persons possess an equivalent amount of promotional seniority, the names of such persons shall be placed on the reinstatement list in the order of departmental seniority, from highest to lowest.

Proposed law retains present law for the Lafayette Police Department but limits its application to the ranks of lieutenant and captain.

Proposed law provides special provisions for the filling of a vacancy in the rank of major that occurs in the Lafayette Police Department on and after July 1, 2025. Provides that a vacant position in the police department at the rank of major shall be filled in the following manner:

- (1) Any employee who holds the rank of sergeant or above shall be eligible to take the competitive examination for the rank of major.
- (2) All employees who achieve a passing score on the competitive examination shall be eligible for selection and appointment to the position of major and shall be placed on an eligibility list presented to the chief of police.
- (3) The chief of police shall make his selection and appointment from the eligibility list to fill the vacant position of major.

- (4) Eligibility for admission to the competitive examination for the position of major shall be limited to members of the Lafayette police department at the time of appointment.

Proposed law provides that the appointment to the position of major shall be for a term of one year, and shall be subject to annual review by the chief of police. Provides that after each annual review, the chief may reconfirm the major for another one-year period or may, at his discretion, demote the major to his former class of position. Provides that the employee may be reconfirmed without having to retest and that if demoted, the demotion shall not constitute corrective or disciplinary action and the employee shall not have appeal rights.

Proposed law authorizes any employee holding the position of major to apply for admission to the promotional examination for the class next higher than that from which he was appointed as major. Provides that in these instances, the name and score of the employee serving as major shall not be certified to the appointing authority by the civil service board as eligible for appointment to a position of the promotional class. Provides however that his name and score is eligible for certification, in accordance with the maximum period for which a name may remain on the eligibility list in present law, in the event of a demotion.

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 and shall continue to accumulate departmental or promotional seniority during the time he holds the position of major.

Proposed law provides that it shall only apply to an appointment to fill a vacancy in the rank of major on and after July 1, 2025, and employees who have not completed the working test period or are otherwise occupying a position at the rank of major with probationary status on July 1, 2025. Specifically provides that it shall not apply to an employee with permanent status to a position at the rank of major 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)