

2016 Regular Session

HOUSE BILL NO. 860

BY REPRESENTATIVE MONTOUCET

CIVIL SERVICE/FIRE & POL: Provides that the attorney general shall be the legal counsel for the state examiner of the municipal fire and police civil service

1 AN ACT

2 To amend and reenact R.S. 33:2479(F), relative to the municipal fire and police civil  
3 service; to provide that the attorney general shall serve as legal counsel for the state  
4 examiner; to provide relative to the powers and duties of the state examiner with  
5 respect to employing special counsel; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 33:2479(F) is hereby amended and reenacted to read as follows:

8 §2479. State examiner of municipal fire and police civil service

9 \* \* \*

10 F.(1) The state examiner may obtain on a contractual or fee basis the services  
11 which his office is unable to supply and which are necessary for his compliance with  
12 the provisions of this Part.

13 (2) The attorney general shall serve as legal counsel to the state examiner.  
14 However, the attorney general may designate an assistant attorney general to serve  
15 in an advisory capacity on routine matters. With respect to a particular matter and,  
16 subject to the approval of the attorney general, the state examiner may employ  
17 special counsel who shall be paid out of the funds appropriated for the operations of  
18 the office of the state examiner.

19 \* \* \*

1 Section 2. This Act shall become effective upon signature by the governor or, if not  
2 signed by the governor, upon expiration of the time for bills to become law without signature  
3 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If  
4 vetoed by the governor and subsequently approved by the legislature, this Act shall become  
5 effective on the day following such approval.

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## 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)]

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HB 860 Original

2016 Regular Session

Montoucet

**Abstract:** Provides that the attorney general shall be the legal counsel for the state examiner of the municipal fire and police civil service.

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 law.

Present law creates the office of state examiner of municipal fire and police civil service and additionally creates the office of deputy state examiner, subject to the supervision and orders of the state examiner.

Present law provides relative to the powers and duties of the state examiner including the authority to obtain, on a contractual or fee basis, the services which his office is unable to supply and which are necessary for his compliance with the provisions of present law.

Proposed law retains present law and additionally provides that the attorney general shall serve as legal counsel to the state examiner. Authorizes the attorney general to designate an assistant attorney general to serve in an advisory capacity on routine matters. Authorizes the state examiner to employ special counsel, subject to the approval of the attorney general. Requires that the special counsel be paid out of the funds appropriated for the operations of the office of the state examiner.

Effective upon signature of governor or lapse of time for gubernatorial action.

(Amends R.S. 33:2479(F))