

HOUSE SUMMARY OF SENATE AMENDMENTS

HB 473

2017 Regular Session

Gaines

LAW ENFORCEMENT: Provides relative to P.O.S.T. certification of peace officers

Synopsis of Senate Amendments

1. Requires the annual training to maintain P.O.S.T. certification as required by the council to be made available online and at no cost to the peace officer.
2. Prohibits the council from conducting a revocation hearing pursuant to proposed law unless an officer has exhausted all legal remedies.
3. Adds the involuntary commitment of a peace officer by a coroner pursuant to R.S. 28:53.2 as a ground to allow the council to conduct a revocation hearing to revoke a peace officer's P.O.S.T. certification.

Digest of Bill as Finally Passed by Senate

Present law establishes the Council on Peace Officer Standards and Training and authorizes the council to develop curriculum requirements for training of peace officers and accredit law enforcement training centers. Present law further provides for the training requirements for peace officers.

Proposed law requires annual training required by the council to maintain P.O.S.T. certification. Proposed law further provides that annual training must be made available online and at no cost to the peace officer.

Present law provides for the removal of P.O.S.T. certification of any full-time, part-time, or reserve peace officer upon a conviction of malfeasance in office.

Proposed law retains present law and adds the conviction of any offense that results in the restriction of a peace officer's right to bear arms as grounds for revocation of P.O.S.T. certification.

Proposed law allows the council to conduct a revocation hearing to revoke P.O.S.T. certification when any of the following occur:

- (1) The officer has been involuntarily terminated by a law enforcement agency for disciplinary reasons involving criminal misconduct or civil rights violations.
- (2) The officer has been convicted of a misdemeanor involving the crime of domestic abuse battery or a felony.
- (3) The officer has failed to complete additional training requirements as required and prescribed by the council.
- (4) The officer voluntarily surrenders his P.O.S.T. certification.
- (5) A judicial disposition in a criminal case results in revocation of certification.
- (6) The officer has been involuntarily committed by a coroner under present law (R.S. 28:53.2).

Proposed law prohibits the council from conducting a revocation hearing unless an officer has exhausted all legal remedies.

Proposed law requires the council to promulgate rules governing revocation hearings in accordance with the provisions of the Administrative Procedure Act.

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

(Amends R.S. 40:2405(H)(2)(a) and (c), (I)(2), and (J))