

1 (2) Use official authority to interfere with an election or while engaged in
2 political activity.

3 (3) Invite subordinate employees to political events or otherwise suggest that
4 a subordinate employee engage in political activity.

5 (4) Solicit or discourage the political activity of any person with business
6 before his agency.

7 (5) Solicit, accept, or receive contributions for political purposes.

8 (6) Engage in political activity while on duty, in the workplace, wearing a
9 uniform or official insignia, in a public vehicle, or using public resources.

10 (B) An employee in the classified service of a fire and police civil service
11 system may:

12 (1) Register and vote as he chooses.

13 (2) Assist in voter registration drives when off duty, when out of uniform,
14 and only using private resources.

15 (3) Make contributions for political purposes.

16 (4) Attend political rallies, meetings, and fundraisers when off duty and out
17 of uniform.

18 (5) Join political groups.

19 (6) Sign nominating petitions.

20 (7) Participate in political campaigns when off duty, when out of uniform,
21 and only using private resources.

22 (8) Express opinions about political groups and candidates while not at work
23 or on duty or using official authority.

24 (C) In accordance with the laws, rules, and regulations of the civil service
25 system, an appointing authority may suspend, dismiss from service, demote, or
26 reduce the compensation of any employee found to be in violation of the prohibitions
27 contained in Paragraph A of this Section.

28 (D) No appointing authority or agent or deputy thereof shall, directly or
29 indirectly, demote, suspend, dismiss from service, or otherwise discipline or threaten

1 to demote, suspend, dismiss from service, or otherwise discipline or discriminate
2 against any person in the classified service for the purpose of influencing his vote,
3 support, or other political activity in any election. No appointing authority or agent
4 or deputy thereof shall use his official authority or influence to directly or indirectly
5 coerce the political action of any employee in the classified service.

6 (E) Any provision of law which is in conflict with the provisions of this
7 Section shall expire upon the effective date of this Section.

8 Section 2. Be it further resolved that this proposed amendment shall be submitted
9 to the electors of the state of Louisiana at the statewide election to be held on October 12,
10 2019.

11 Section 3. Be it further resolved that on the official ballot to be used at the election,
12 there shall be printed a proposition, upon which the electors of the state shall be permitted
13 to vote YES or NO, to amend the Constitution of Louisiana, which proposition shall read as
14 follows:

15 Do you support an amendment to allow classified members of a fire and
16 police civil service system to engage in certain political activities including
17 making political contributions, joining political groups, signing nominating
18 petitions, and assisting in voter registration drives, attending political
19 functions, participating in political campaigns, and expressing political
20 opinions when off duty, when out of uniform, and only using private
21 resources and to provide for related matters, including discipline for
22 violations of specified prohibited political activity, prohibitions on coercing
23 political activity, and the expiration of conflicting laws? (Amends Article X,
24 Section 20)

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)]

HB 346 Engrossed

2019 Regular Session

Horton

Abstract: Specifies types of political activities allowable for an employee in the classified fire and police civil service system.

Present constitution (Art. X, §20) provides that Article XIV, Section 15.1, Paragraph 34 of the Constitution of 1921 is retained and continued in force and effect.

Art. XIV, §15.1, Paragraph 34 of the Constitution of 1921 provides that employees in the classified fire and police civil service in certain municipalities, parishes, and fire protection districts are prohibited from participating in certain political activities. Provides for prohibitions pertaining to endorsements; membership in political parties, clubs, or organizations; contributions to political organizations or for political purposes; and political speeches or public political statements on behalf of any candidate seeking to be elected to public office. Specifically allows a classified employee to privately express his opinion and cast his vote.

Proposed constitutional amendment removes the provisions of the present constitution and provides for prohibited and permissible political activities as follows:

- (1) Prohibits an employee in the classified service of a fire and police civil service system from:
 - (a) Being a candidate for nomination or election to public office except to seek to be the classified employee member on the civil service board.
 - (b) Using official authority to interfere with an election or while engaged in political activity.
 - (c) Inviting subordinate employees to political events or otherwise suggest that a subordinate employee engage in political activity.
 - (d) Soliciting or discouraging the political activity of any person with business before his agency.
 - (e) Soliciting, accepting, or receiving contributions for political purposes.
 - (f) Engaging in political activity while on duty, in the workplace, wearing a uniform or official insignia, in a public vehicle, or using public resources.
- (2) Allows an employee in the classified service of a fire and police civil service system to:
 - (a) Register and vote as he chooses.
 - (b) Assist in voter registration drives when off duty, when out of uniform, and only using private resources.
 - (c) Make contributions for political purposes.

- (d) Attend political rallies, meetings, and fundraisers when off duty and out of uniform.
- (e) Join political groups.
- (f) Sign nominating petitions.
- (g) Participate in political campaigns when off duty, when out of uniform, and only using private resources.
- (h) Express opinions about political groups and candidates while not at work or on duty or using official authority.

Proposed constitutional amendment provides that in accordance with the laws, rules, and regulations of the civil service system, an appointing authority may dismiss from service, demote, or reduce the compensation of any employee found to be in violation of the prohibitions against political activity.

Proposed constitutional amendment further prohibits an appointing authority or agent or deputy thereof from demoting, suspending, dismissing from service, or otherwise disciplining or threatening to do such things, or discriminating against any person in the classified service for the purpose of influencing his vote, support, or other political activity in any election. Prohibits an appointing authority or agent or deputy thereof from using his official authority or influence to directly or indirectly coerce the political action of any employee in the classified service.

Proposed constitutional amendment further specifies that any provision of law which is in conflict with the provisions of the proposed constitutional amendment shall expire upon the effective date of the proposed constitutional amendment.

Provides for submission of the proposed amendment to the voters at the statewide election to be held Oct. 12, 2019.

(Amends Const. Art. X, §20)

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on House and Governmental Affairs to the original bill:

1. Change the term "discharge" to the phrase "dismiss from service".