

2020 Regular Session

HOUSE BILL NO. 577

BY REPRESENTATIVES GOUDEAU AND BEAULLIEU

POLICE/LOCAL: Provides with respect to promotions within certain local police departments

1 AN ACT

2 To enact R.S. 33:2494(C)(5) and 2554(C)(3), relative to municipal fire and police civil
3 service in the cities of Broussard, Carencro, Scott, and Youngsville; to provide
4 relative to the certification and appointment of eligible persons in the police
5 departments of those municipalities; and to provide for related matters.

6 Notice of intention to introduce this Act has been published
7 as provided by Article III, Section 13 of the Constitution of
8 Louisiana.

9 Be it enacted by the Legislature of Louisiana:

10 Section 1. R.S. 33:2494(C)(5) and 2554(C)(3) are hereby enacted to read as follows:

11 §2494. Certification and appointment

12 * * *

13 C.

14 * * *

15 (5) Notwithstanding any other provision of law to the contrary, in the cities
16 of Broussard, Carencro, Scott, and Youngsville, a vacant position in the police
17 department shall be filled in the following manner:

18 (a) If a vacancy cannot be filled by reinstatement or by reemployment as
19 provided in Subsections A and B of this Section, the board shall next certify the

1 names of the persons on the promotional list, in the order in which they appear
2 thereon, for the class in which the vacancy is to be filled.

3 (b) The appointing authority shall select and appoint to any vacancy to be
4 filled a person whose name appears on the promotional list for the class for which
5 he was tested as a person who is among the three highest in departmental seniority.

6 * * *

7 §2554. Certification and appointment

8 * * *

9 C.

10 * * *

11 (3) Notwithstanding any other provision of law to the contrary, in the cities
12 of Broussard, Carencro, Scott, and Youngsville, a vacant position in the police
13 department shall be filled in the following manner:

14 (a) If a vacancy cannot be filled by reinstatement or by reemployment as
15 provided in Subsections A and B of this Section, the board shall next certify the
16 names of the persons on the promotional list, in the order in which they appear
17 thereon, for the class in which the vacancy is to be filled.

18 (b) The appointing authority shall select and appoint to any vacancy to be
19 filled a person whose name appears on the promotional list for the class for which
20 he was tested as a person who is among the three highest in departmental seniority.

21 * * *

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 577 Engrossed

2020 Regular Session

Goudeau

Abstract: Provides relative to filling positions in the municipal fire and police civil service in the Broussard, Carencro, Scott, and Youngsville police departments.

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.

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 parish, municipal, and fire protection district 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.

Present law requires that vacant positions be filled by reinstatement or reemployment. If the position cannot be filled in this manner, then the position must be filled by the person on the promotion list with the greatest departmental seniority. Present law provides exceptions for certain police departments.

Proposed law provides an additional exception applicable to the police departments of Broussard, Carencro, Scott, and Youngsville. Requires the appointing authority to select and appoint to any vacancy a person who is among the three highest in departmental seniority.

(Adds R.S. 33:2494(C)(5) and 2554(C)(3))