

2020 Regular Session

SENATE BILL NO. 254

BY SENATORS CARTER, ABRAHAM, BARROW, BERNARD, BOUIE, CATHEY, CORTEZ, FESI, FIELDS, FOIL, HARRIS, HENRY, JACKSON, JOHNS, LUNEAU, MCMATH, MILLIGAN, FRED MILLS, ROBERT MILLS, MORRIS, POPE, PRICE, REESE, SMITH, TALBOT AND TARVER

LOCAL AGENCIES. Provides for expansion of working conditions afforded to fire service employees employed by nonprofit corporations under contract with a fire protection district, municipality, or other political subdivision. (gov sig)

1 AN ACT
2 To amend and reenact R.S. 33:1965, relative to the regulation of fire departments and
3 working conditions of firemen employed by departments; and to provide for related
4 matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 33:1965 is hereby amended and reenacted to read as follows:

7 §1965. Regulation of department; working conditions

8 A. If the municipality has less than one hundred thousand inhabitants, the
9 governing authority of the municipality shall regulate the fire department, shall
10 provide a sufficient number of officers and men to carry out the purposes of this
11 ~~Sub-part~~ **Subpart**, and shall provide a sufficient number of beds for the men on night
12 duty.

13 B. If the municipality has one hundred thousand or more inhabitants:

14 (1) The chief engineer or commanding officer of the fire department or other
15 proper authority shall regulate the department, fix the hours of duty, provide a
16 sufficient number of officers and men to carry out the purposes of this ~~Sub-part~~
17 **Subpart**, and provide for substitutes in the department;.

1 (2) The members of the department shall not perform any hours of service
2 longer than those fixed;

3 (3) All fire drills shall take place during the hours of platoon watch or
4 service; ~~and~~.

5 (4) Sufficient beds shall be furnished to each company for the men on night
6 duty.

7 **C. If a nonprofit corporation under contract with a fire protection**
8 **district, municipality, or other political subdivision operates, administers, or**
9 **maintains a fire department, the provisions of Subsections A and B of this**
10 **Section shall apply. Additionally, firemen employed by such nonprofit**
11 **corporation shall be considered a firefighter covered by and benefitting from**
12 **the occupational disease presumptions and other provisions of R.S. 33:1948,**
13 **2011, 2581, 2581.1, and 2581.2.**

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

The original instrument and the following digest, which constitutes no part
of the legislative instrument, were prepared by James Benton.

DIGEST

SB 254 Reengrossed

2020 Regular Session

Carter

Present law provides that if the municipality has less than 100,000 inhabitants, the governing authority of the municipality will regulate the fire department, will provide a sufficient number of officers and men to carry out the purposes of this present law, and will provide a sufficient number of beds for the men on night duty.

Proposed law retains present law.

Present law provides that if the municipality has 100,000 or more inhabitants:

- (1) The chief engineer or commanding officer of the fire department or other proper authority will regulate the department, fix the hours of duty, provide a sufficient number of officers and men to carry out the purposes of this Subpart, and provide for substitutes in the department.
- (2) The members of the department will not perform any hours of service longer than

those fixed.

- (3) All fire drills will take place during the hours of platoon watch or service.
- (4) Sufficient beds will be furnished to each company for the men on night duty.

Proposed law retains present law.

Proposed law provides that if a nonprofit corporation under contract with a fire protection district, municipality, or other political subdivision operates, administers, or maintains a fire department, the provisions of present law shall apply. Additionally, firemen employed by such nonprofit corporation will be considered a firefighter covered by and benefitting from the occupational disease presumptions and other provisions of present law.

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

(Amends R.S. 33:1965)