

2021 Regular Session

HOUSE BILL NO. 135

BY REPRESENTATIVE CARRIER

CIVIL SERVICE/FIRE & POL: Provides relative to the position of deputy chief of police in the city of Oakdale

1 AN ACT

2 To amend and reenact R.S. 33:2541.1(C)(1) and to enact R.S. 33:2541.1(B)(1)(d), relative
3 to the city of Oakdale; to provide relative to the position of deputy chief of police;
4 to change the qualifications for such position; to provide relative to the evaluation
5 of the deputy chief of police; 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. 33:2541.1(C)(1) is hereby amended and reenacted and R.S.
11 33:2541.1(B)(1)(d) is hereby enacted to read as follows:

12 §2541.1. Deputy chief of police; competitive appointment

13 * * *

14 B.(1)

15 * * *

16 (d) Notwithstanding the provisions of Subparagraph (a) of this Paragraph,
17 in the city of Oakdale, the deputy chief of police shall have not less than three years
18 of full-time law enforcement experience and shall have successfully completed a

1 certified training program approved by the Council on Peace Officer Standards and
2 Training.

3 * * *

4 C.(1)(a) Any person who is appointed from a position in the classified police
5 service to serve as deputy chief of police shall not forfeit his departmental or
6 promotional seniority accumulated to the date of his appointment, and he shall
7 continue to accumulate departmental or promotional seniority in accordance with the
8 provisions of this Part during the time he holds the position of deputy chief of police.

9 (b)(i) The deputy chief of police shall serve indefinitely in the classified
10 competitive position and shall be evaluated every three years by the chief of police.
11 After each evaluation by the chief of police, the chief may reconfirm the deputy chief
12 for another three-year period, or may, at his discretion, demote the deputy chief to
13 his former class of positions.

14 (ii) Notwithstanding the provisions of Item (i) of this Subparagraph, in the
15 city of Oakdale, the deputy chief of police shall serve indefinitely in the classified
16 competitive position and shall be evaluated every year by the chief of police. After
17 each evaluation by the chief of police, the chief may reconfirm the deputy chief for
18 another one-year period, or may, at his discretion, demote the deputy chief to his
19 former class of positions.

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 135 Reengrossed 2021 Regular Session Carrier

Abstract: Changes the qualifications for the position of deputy police chief in the city of Oakdale.

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 relative to both systems, provides that the classified service shall comprise every position, except those in the unclassified service to which the right of employee selection, appointment, supervision, and discharge is vested in the police chief, subject to approval of the appointing authority. Provides that the positions of police chief and assistant police chief shall be in the classified service. Provides further with respect to which positions are in the classified and unclassified service.

Present law additionally authorizes the governing authority to create, by ordinance, the competitive classified position of deputy police chief. Provides that the right of selection, appointment, supervision, and discharge is vested in the police chief, subject to approval of the appointing authority. Further provides that the position of deputy police chief is not the same as the position of assistant police chief as provided in present law.

Present law requires the deputy police chief to have at least eight years of full-time law enforcement experience and to at least hold the rank of sergeant in the classified police service at the time of his appointment. Provides exceptions for the cities of Jennings and St. Martinville.

Proposed law retains present law but provides an additional exception for the city of Oakdale. Requires the deputy police chief to have at least three years of full-time law enforcement experience and to have successfully completed a certified training program approved by the Peace Officer Standards and Training Council.

Present law provides that any person who is appointed from a position in the classified police service to serve as deputy police chief does not forfeit his departmental or promotional seniority accumulated to the date of his appointment and he continues to accumulate departmental or promotional seniority during the time he holds the position of deputy police chief.

Proposed law retains present law.

Present law provides that the deputy police chief serves indefinitely in the classified competitive position but requires that he be evaluated every three years by the police chief. Authorizes the police chief to reconfirm the deputy police chief for another three-year period, or, at his discretion, demote the deputy police chief to his former class of positions.

Proposed law retains present law but makes an exception for the city of Oakdale. Requires that the deputy police chief be evaluated every year by the police chief. Authorizes the police chief to reconfirm the deputy police chief for another one-year period, or, at his discretion, demote the deputy police chief to his former class of positions.

(Amends R.S. 33:2541.1(C)(1); Adds R.S. 33:2541.1(B)(1)(d))