

**ACT No. 418**

2021 Regular Session

HOUSE BILL NO. 129

BY REPRESENTATIVES BACALA, HUGHES, JAMES, JONES, JORDAN, LANDRY,  
MARINO, AND ORGERON AND SENATORS FIELDS AND LAMBERT

1 AN ACT

2 To amend and reenact R.S. 40:2404 (introductory paragraph) and 2404.2(C) and to enact  
3 R.S. 15:1212.1(G) and R.S. 40:2401.2, 2401.3, 2404(12), and 2555, relative to peace  
4 officers; to provide relative to certain reporting requirements; to provide relative to  
5 the recruitment of certain peace officer candidates; to provide relative to certain  
6 training requirements; to provide for the implementation of disciplinary policies and  
7 procedures; to provide relative to investigations into certain peace officer conduct;  
8 and to provide for related matters.

9 Be it enacted by the Legislature of Louisiana:

10 Section 1. R.S. 15:1212.1(G) is hereby enacted to read as follows:

11 §1212.1. Report to the system; duties of persons and agencies

12 \* \* \*

13 G.(1) Failure by a law enforcement agency to provide the data required by  
14 R.S. 15:1212(B)(4) within forty-five days of the change in employment status of a  
15 law enforcement officer shall result in a civil fine on the agency of up to five  
16 hundred dollars per day until the data is provided. Monies collected from such fines  
17 shall be directed to the Louisiana Commission on Law Enforcement and  
18 Administration of Criminal Justice.

19 (2) Fines proposed pursuant to Paragraph (1) of this Subsection may be  
20 waived or reduced by the Louisiana Commission on Law Enforcement and  
21 Administration of Criminal Justice in the event of force majeure or exigent  
22 circumstances for good cause shown.

23 Section 2. R.S. 40:2404 (introductory paragraph) and 2404.2(C) are hereby amended  
24 and reenacted and R.S. 40:2401.2, 2401.3, 2404(12), and 2555 are hereby enacted to read  
25 as follows:

1           §2401.2. Recruitment of minority candidates

2                   The council shall develop a policy designed to increase the recruitment of  
3           minority candidates for law enforcement positions which may be implemented by  
4           governmental entities that employ a peace officer. All governmental entities that  
5           employ a peace officer shall either develop and implement a policy designed to  
6           increase the recruitment of minority candidates for peace officer positions or adopt  
7           and implement the P.O.S.T. recruitment of minority candidate policy referenced in  
8           this Section.

9           §2401.3. Requirement for grant applications

10                   In order to be eligible to apply for and receive any state grants administered  
11           or procured by the Louisiana Commission on Law Enforcement and Administration  
12           of Criminal Justice, any governmental entity that employs a peace officer shall  
13           implement an in-service anti-bias training program, as administered by the council,  
14           including but not limited to topics such as procedural justice, cultural diversity,  
15           community relations, and peer intervention.

16                                   \*       \*       \*

17           §2404. Powers of the council

18                   In addition to any other powers conferred upon the council ~~elsewhere herein~~  
19           pursuant to this Chapter or by other law, the council shall have the following powers:

20                                   \*       \*       \*

21                   (12) To suspend or revoke P.O.S.T. certification and to develop and  
22           implement polices and procedures to suspend or revoke P.O.S.T. certification for  
23           misconduct committed by a peace officer.

24                                   \*       \*       \*

25           §2404.2. Minimum training requirements; basic curriculum; annual training

26                                   \*       \*       \*

27                   C.(1) No later than January 1, 2018, the council shall develop and implement  
28           curriculum for de-escalation, bias policing recognition, sudden in-death custody, and  
29           crisis intervention training, which shall include training for law enforcement  
30           interaction with persons with mental illness and persons with developmental

CODING: Words in ~~struck through~~ type are deletions from existing law; words underscored are additions.

1 disabilities, for peace officers that consists of classroom or internet instruction, or  
2 both.

3 (2) No later than January 1, 2022, the council shall develop and implement  
4 curriculum to provide instruction for law enforcement personnel on procedural  
5 justice and duty-to-intervene matters which shall include training for law  
6 enforcement personnel that consists of classroom or internet instruction, or both.

7 \* \* \*

8 §2555. Officer involved shooting

9 A. In the event of an officer-involved shooting which results in death or  
10 great bodily harm, the investigators of these incidents shall be accountable only to  
11 those agencies which have been certified by the council following the effective date  
12 of January 1, 2022.

13 B. In addition to agency certification, there shall be within those agencies at  
14 least three certified officer-involved investigators who have completed all necessary  
15 coursework and subsequent in-service training and law enforcement experience  
16 which will establish eligibility for these investigators before training and  
17 certification.

18 C. The agencies shall also provide for the personnel to be certified through  
19 P.O.S.T. for the processing of all evidence associated officer-involved shootings.

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

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PRESIDENT OF THE SENATE

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GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: \_\_\_\_\_