

2022 Regular Session

SENATE BILL NO. 490

BY SENATOR CORTEZ

PUBLIC BUILDINGS/GROUNDS. Provides for security services in the state capitol building. (gov sig)

1 AN ACT  
2 To enact Chapter 12 of Title 24 of the Louisiana Revised Statutes of 1950, to be comprised  
3 of R.S. 24:681 through 685 and 691 through 693, relative to capitol security; to  
4 provide for a director of capitol security; to provide for the qualifications,  
5 compensation, duties and functions of the director; to provide for capitol security  
6 officers; to provide for the manner in which certain special officer commissions may  
7 be issued; to create the Capitol Security Council; to provide for the composition and  
8 membership of the council; to provide for the powers and duties of the council; and  
9 to provide for related matters.

10 Be it enacted by the Legislature of Louisiana:

11 Section 1. Chapter 12 of Title 24 of the Louisiana Revised Statutes of 1950,  
12 comprised of R.S. 24:681 through 685 and 691 through 693 is hereby enacted to read as  
13 follows:

14 **CHAPTER 12. CAPITOL SECURITY DIRECTOR;**

15 **CAPITOL SECURITY COUNCIL**

16 **PART I. CAPITOL SECURITY DIRECTOR**

17 **§681. Capitol security director; qualifications; compensation**

1           A. There shall be a director of capitol security who shall be the chief  
2           security officer for the legislature. The director of capitol security shall be  
3           elected by the favorable vote of a majority of the elected members of each house  
4           of the legislature, after having been interviewed by the Capitol Security Council  
5           and recommended for employment by the council by a majority vote, and shall  
6           serve at the pleasure of the legislature. He may be removed by a majority vote  
7           of the elected members of each house of the legislature. Any vacancy occasioned  
8           by death, resignation, or otherwise, which occurs while the legislature is not in  
9           session, shall be filled on a temporary basis by the president of the Senate and  
10          the speaker of the House of Representatives, until such time as the vacancy shall  
11          be filled by the legislature as provided in this Subsection.

12           B. The director shall have a minimum of ten years of full-time law  
13          enforcement experience. He shall be POST-certified and possess qualifications  
14          necessary to be commissioned as a special officer. He shall not be a member of  
15          the legislature.

16           C. The salary of the director of capitol security shall be recommended  
17          by the Capitol Security Council, and together with all other expenses and  
18          salaries of his office necessary to carry out the duties required pursuant to R.S.  
19          24:682, shall be submitted to the president of the Senate and the speaker of the  
20          House of Representatives for approval.

21          §682. Duties and functions

22           A. Subject to the general direction and supervision of the Capitol  
23          Security Council, the director of capitol security shall have the following duties  
24          and functions:

25           (1) Oversee law enforcement and physical security for such parts of the  
26          state capitol building and state capitol complex, as defined in R.S. 49:149.1, that  
27          are used by the legislature, its members, and staff.

28           (2) Oversee law enforcement and physical security for the legislature, its  
29          members, and staff at any official meeting or function of the legislature, and its

1 committees approved by the president of the Senate or the speaker of the House  
2 of Representatives regardless of location.

3 (3) Develop an annual budget for the operations of the office, subject to  
4 approval by the Capitol Security Council, which shall be submitted to the  
5 president of the Senate and the speaker of the House of Representatives for  
6 approval.

7 (4) Recommend for employment such security officers and other  
8 personnel as are necessary to ensure the physical security of the parts of the  
9 state capitol building and state capitol complex that are used by the legislature,  
10 its members, and staff.

11 (5) Ensure that security officers are POST-certified and possess  
12 qualifications necessary to be commissioned as special officers.

13 (6) Develop, coordinate, and implement security training for security  
14 officers.

15 (7) Coordinate and supervise the scheduling and activities of the security  
16 officers.

17 (8) Promptly respond and immediately take appropriate action with  
18 regard to any situation which threatens life, limb, or property, or which may  
19 likely result in the disruption of general order within his area of jurisdiction.

20 (9) Conduct investigations and affect lawful arrests when necessary.

21 (10) Conduct research; correlate, analyze, and interpret data; monitor  
22 compliance with administrative rules and regulations; make findings of fact;  
23 prepare reports; and recommend legislation, policies, and directives which  
24 relate to security.

25 (11) Act as the legislature's principal point of contact for all law  
26 enforcement recommendations to the legislature and committees with respect  
27 to security issues.

28 (12) Develop and implement, subject to adoption by the Capitol Security  
29 Council, a comprehensive security plan for the parts of the state capitol building

1 and state capitol complex that are used by the legislature, its members, and  
2 staff.

3 (13) Carry out all directives issued by the presiding officer of either  
4 house of the legislature.

5 §683. Employees; salaries

6 The director of capitol security shall make recommendations of  
7 employment for all security officers and other necessary employees and shall  
8 recommend salaries to the Capitol Security Council for approval by the  
9 president of the Senate and the speaker of the House of Representatives.

10 §684. Domicile

11 The offices of the director of capitol security shall be domiciled in the  
12 state capitol complex in Baton Rouge.

13 §685. Responsibility to legislature; lead investigative officer; supplemental  
14 operating funds

15 A. The director of capitol security shall, in every aspect of his functions,  
16 duties, and operations, be responsible solely to the legislature and to no other  
17 branch of state government and no board, commission, department, or agency  
18 or official of any other branch of state government.

19 B. Notwithstanding any other law to the contrary, the director shall be  
20 the lead investigative officer for any security breach or occurrence in the state  
21 capitol building and the parts of the state capitol complex used by the  
22 legislature, its members, and staff.

23 C. The designation of the director of capitol security as the chief capitol  
24 security officer for the legislature shall not otherwise affect the duties of the  
25 sergeant-at-arms of the Senate or the House of Representatives as provided in  
26 the Rules of Order of the Senate or the Rules of Order of the House of  
27 Representatives.

28 PART II. CAPITOL SECURITY COUNCIL

29 §691. Capitol Security Council; membership; officers; vacancies

1           A. The Capitol Security Council, referred to in this Chapter as the  
2           "council", is hereby created.

3           B. The council shall be composed of ten members as follows:

4           (1) The president of the Senate.

5           (2) Four members appointed by the president of the Senate from the  
6           membership of the Senate.

7           (3) The speaker of the House of Representatives.

8           (4) Four members appointed by the speaker of the House of  
9           Representatives from the membership of the House of Representatives.

10          C. Appointments to the council shall be made within ninety days after  
11          the convening of the regular session of the legislature in each year in which the  
12          members of the legislature take office. The presiding officer of each house of the  
13          legislature shall select a chairman and vice chairman and such other officers as  
14          deemed necessary. The chairmanship and vice chairmanship shall rotate  
15          between the Senate and House of Representatives every two years. Any vacancy  
16          in the membership of the council shall be filled in the manner of the original  
17          appointment.

18          §692. Powers and duties

19          A. The council shall have such powers and duties as are conferred upon  
20          it by this Chapter and such other duties as are provided by law or otherwise  
21          assigned by the legislature and shall meet from time to time as it deems  
22          necessary.

23          B. The council shall be responsible for adopting a comprehensive  
24          security plan for the parts of the state capitol building and state capitol complex  
25          that are used by the legislature, its members, and staff as it deems necessary or  
26          appropriate.

27          C. The council shall be responsible for reviewing and approving, with  
28          whatever changes it deems necessary or appropriate, each annual budget for the  
29          operations of the office of the director of capitol security prior to submission of

1           the budget to the president of the Senate and speaker of the House of  
 2           Representatives.

3           D. In carrying out the powers and duties conferred upon it by this  
 4           Chapter, and limited to the description of the powers, duties, and jurisdiction  
 5           of the council as provided in this Chapter, the council shall have the power and  
 6           authority of the legislature inherent in that body and conferred by law to hold  
 7           hearings, administer oaths, take testimony at public or private hearings, and  
 8           pursue punishment for contempt of the council as otherwise provided by law.

9           §693. Contempt of council; authority to conduct proceedings

10           Failure to comply with any order of the council issued in accordance  
 11           with or under the authority of this Chapter, refusal to testify, or any act of  
 12           disrespect or of disorderly or contemptuous behavior before the council shall  
 13           constitute contempt of the council. The council shall have the power to initiate  
 14           and pursue proceedings for contempt as provided by law. False swearing or  
 15           perjury before the council shall be punished in accordance with the laws of the  
 16           state.

17           Section 2. This Act shall become effective upon signature by the governor or, if not  
 18           signed by the governor, upon expiration of the time for bills to become law without signature  
 19           by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If  
 20           vetoed by the governor and subsequently approved by the legislature, this Act shall become  
 21           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 Matt DeVille.

---

SB 490 Engrossed

DIGEST  
 2022 Regular Session

Cortez

Proposed law creates the director of capitol security as the chief security officer for the legislature. Provides for the election of the director upon a favorable majority of the elected members of each house of the legislature after having been interviewed by the Capitol Security Council and recommended for employment by the council by a majority vote. Provides that the director shall serve at the pleasure of the legislature and may be removed by a majority vote of the elected members of each house of the legislature. Provides that any vacancy which occurs while the legislature is not in session shall be filled temporarily by the president of the Senate and the speaker of the House of Representatives, until such time as the vacancy is filled by the legislature.

Proposed law provides that the director shall have 10 years of full-time law enforcement experience, shall be POST-certified, and shall possess qualifications necessary to be commissioned as a special officer. He shall not be a member of the legislature.

Proposed law provides that the salary of the director shall be recommended by the Capitol Security Council. Requires all other necessary expenses and salaries of the council to be submitted to the president of the Senate and speaker of the House of Representatives for approval.

Proposed law provides for the duties of the director. Specifies that the director shall:

- (1) Oversee law enforcement and physical security for the parts of the state capitol building and state capitol complex that are used by the legislature.
- (2) Oversee law enforcement and physical security at any official meeting or function of the legislature, or its committees, regardless of location.
- (3) Develop an annual budget for the operations of the office, subject to approval by the council.
- (4) Recommend employment for security officers and other personnel necessary to ensure the physical security of the parts of the state capitol building and state capitol complex that are used by the legislature.
- (5) Ensure that security officers are POST-certified and possess qualifications necessary to be commissioned as special officers.
- (6) Develop, coordinate, and implement security training for security officers.
- (7) Coordinate and supervise the scheduling and activities of the security officers.
- (8) Respond and act with regard to any security event within his area of jurisdiction.
- (9) Conduct investigations and affect lawful arrests.
- (10) Conduct research, analyze and interpret data, monitor compliance with administrative rules and regulations, make findings of fact, prepare reports, and recommend legislation, policies, and directives which relate to security.
- (11) Act as the legislature's principal point of contact for all law enforcement recommendations to the legislature.
- (12) Develop a comprehensive security plan for the state capitol.
- (13) Carry out all directives issued by either legislative house or the committees relative to security issues.

Proposed law provides that the offices of the director shall be domiciled in the state capitol complex.

Proposed law provides that the director shall be responsible solely to the legislature in his functions and duties and shall be the lead investigative officer in any security breach or occurrence in the state capitol building. Specifies that the designation of the director as chief capitol security officer shall not otherwise affect the duties of the sergeant-at-arms of the Senate or the House of Representatives.

Proposed law creates the Capitol Security Council composed of the president of the Senate, four members from the Senate appointed by the president, the speaker of the House of

Representatives, and four members from the House of Representatives appointed by the speaker. Authorizes the presiding officers of each house of the legislature to select a chairman and vice chairman. Provides that the chairmanship and the vice chairmanship rotate between the Senate and the House of Representatives every two years. Provides that the council determines the qualifications of the director of capitol security.

Proposed law provides for the duties of the council and specifies that the council is responsible for adopting a comprehensive security plan for the parts of the state capitol building and state capitol complex used by the legislature. Requires the council to review and approve the annual budget for the operations of the director prior to submission of the budget to the president and speaker and to fix the salary of the director.

Proposed law invests the council with the power to hold hearings, administer oaths, take public testimony, and pursue punishment for contempt as provided by law.

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

(Adds R.S. 24:681-685 and 691-693)