

2022 Regular Session

HOUSE BILL NO. 886

BY REPRESENTATIVE STAGNI

CIVIL SERVICE/FIRE & POL: Provides relative to powers granted to the state examiner with respect to the admission to tests

1 AN ACT

2 To amend and reenact R.S. 33:2493(A)(5)(introductory paragraph) and (e) and  
3 2553(A)(5)(introductory paragraph) and (e), relative to the municipal fire and police  
4 civil service; to provide relative to the admission to tests; to provide relative to test  
5 applications; to grant certain powers to the state examiner with respect to such  
6 applications; and to provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 33:2493(A)(5)(introductory paragraph) and (e) and  
9 2553(A)(5)(introductory paragraph) and (e) are hereby amended and reenacted to read as  
10 follows:

11 §2493. Admission to tests

12 A. Admission to tests provided by the civil service board through the state  
13 examiner shall be as follows:

14 \* \* \*

15 (5) The board or the state examiner may reject the application of any person  
16 for admission to tests of fitness, or refuse any applicant to be tested, or may cancel  
17 the eligibility of any eligible on any employment list, who:

18 \* \* \*

1 (e) Has been ~~dismissed from the respective service for delinquency or~~  
2 ~~misconduct~~ found cheating on an exam;

3 \* \* \*

4 §2553. Admission to tests

5 A. Admission to tests provided by the civil service board through the state  
6 examiner shall be as follows:

7 \* \* \*

8 (5) The board or the state examiner may reject the application of any person  
9 for admission to tests for fitness, or refuse any applicant to be tested, or may cancel  
10 the eligibility of any eligible on any employment list, who:

11 \* \* \*

12 (e) Has been ~~dismissed from the fire or police service for delinquency or~~  
13 ~~misconduct~~ found cheating on an exam;

14 \* \* \*

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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)]

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HB 886 Engrossed

2022 Regular Session

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**Abstract:** Relative to the municipal fire and police civil service, grants the state examiner certain powers with respect to the admission to tests.

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 a municipal fire and police civil service board is created in each municipality, parish, and fire protection district. 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 the board, through the state examiner, to provide for tests to determine the eligibility of applicants for entry upon promotional and competitive employment lists.

Proposed law retains present law.

Present law authorizes the board to reject the application of any person for admission to tests of fitness, or refuse any applicant to be tested, or to cancel the eligibility of any eligible on any employment list, who:

- (1) Is found to lack any of the qualifications prescribed, or which may be legally prescribed, as requirements for admission to the tests for the class for which he has applied.
- (2) Is physically unfit to perform effectively the duties of a position of the class.
- (3) Is addicted to the habitual use of drugs or intoxicating liquors to excess.
- (4) Has been adjudged guilty of a crime involving moral turpitude or infamous or notoriously disgraceful conduct.
- (5) Has been dismissed from the respective service for delinquency or misconduct.
- (6) Has made a false statement of any material fact.
- (7) Has practiced, or attempted to practice, deception or fraud in securing eligibility for appointment or attempting to do so.

Proposed law removes the authority of the board with respect to any person who has been dismissed from the respective service for delinquency or misconduct. Proposed law grants the state examiner the same powers as the board and grants the board and state examiner the power to reject an application, refuse any applicant, or to cancel the eligibility of any eligible who has been found cheating on an exam.

(Amends R.S. 33:2493(A)(5)(intro. para.) and (e) and 2553(A)(intro. para.) and (e))