

SENATE SUMMARY OF HOUSE AMENDMENTS

SB 490

2022 Regular Session

Cortez

KEYWORD AND SUMMARY AS RETURNED TO THE SENATE

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

SUMMARY OF HOUSE AMENDMENTS TO THE SENATE BILL

1. Specifies that president of the Senate appoints the initial chairman and the speaker of the House appoints the initial vice chairman of the council.
2. Changes deadline regarding the appointment of the council each term from 90 days from the convening of the regular session to within 20 days of the adjournment of the organizational session.
3. Adds the sergeant at arms of the Senate and the sergeant of arms of the House of Representatives as ex official nonvoting members of the council.
4. Specifies jurisdiction within capitol complex.
5. Adds provision that director of capitol security is subject to sergeant at arms authority as provided in respective chamber rules.
6. Authorizes adoption of a joint rule providing for structure, authority, powers, functions, and duties of the Capitol Security Council, the director, security officers, and personnel.

DIGEST OF THE SENATE BILL AS RETURNED TO THE SENATE

DIGEST

SB 490 Reengrossed

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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 areas of the state capitol complex that are occupied and utilized by members, officers, and staff of the legislative branch including areas of ingress and egress.
- (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 of the parts of the state capitol complex occupied and utilized by the member, officers, and staff of the legislative branch including areas of ingress and egress.
- (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 areas within the state capitol complex utilized by members, officers, and staff of the legislative branch.
- (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 and other areas within the state capitol complex. 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 requires that the director of capitol security and any capitol security officer is subject to the direction of the sergeant at arms of the Senate and the sergeant at arms of the House of Representatives with regard to the duties of the sergeant at arms of the Senate and the sergeant at arms of the House of Representatives as established in the respective rules of the Senate or House of Representatives, except in the case of an emergency/

Proposed law authorizes the legislature by joint rule to provide for the structure, authority, powers, functions, and duties of the Capitol Security Council, the director of capitol security, capitol security officers, capitol security personnel, and officers of the legislature relative to capitol security.

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. Provides that the sergeant at arms of the Senate and the sergeant at arms of the House of Representatives serve as ex officio nonvoting members on the council. Provides the speaker and the president appoint a chairman and a vice chairman of the council and that those appointments rotate in January of even-numbered years. Provides that the council determines the qualifications of the director of capitol security.

Proposed law requires that the Senate President designate a member of the Council to serve as the first chairman and the Speaker of the House of Representatives designate a member to serve as vice chairman and thereafter designation of chairman and vice chairman shall be as in proposed law.

Proposed law requires appointments to the Council be made no later than twenty days after adjournment of the organizational session of the legislature. Provides that positions of chairman and vice chairman rotate in even-numbered years between the members of the Senate and the House of Representatives; provides that in January of each even-numbered years, the Speaker is to designate a Council member of the house to serve as chairman or vice chairman as applicable and that the Senate President designate a senate member as chairman or vice chairman as applicable.

Proposed law provides for the duties of the council and specifies that the council is responsible for adopting a comprehensive security plan for the areas within the 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.

Present law provides that the deputy secretary of public safety services shall issue a special officer's commission to the sergeant at arms or assistant sergeants at arms of the Senate or the House of Representatives when directed to do so by the president of the Senate or speaker of the House of Representatives.

Proposed law retains present law and further provides that capitol security officers shall also be issued a special officer's commission upon direction of the president of the Senate or speaker of the House of Representatives.

Present law provides that the deputy secretary for public safety services shall provide that public safety services police officers patrol all areas within the state capitol complex to maintain peace and order and to prevent and detect crime.

Proposed law retains present law and further provides that those officers shall coordinate with and be subject to the direction of the director of capitol security within the areas in the state capitol complex that are occupied and utilized by the members, officers, and staff of the legislative branch of state government.

Proposed law provides that within the areas in the state capitol complex that are occupied and utilized by the members, officers, and staff of the legislative branch of state government, all public safety services police officers shall coordinate with and be subject to the direction of the director of capitol security.

Proposed law adds the director of capitol security and security officers employed by the legislature upon his recommendation to the definition of peace officer.

Present law creates the capitol police and provides for appointment by the superintendent of state buildings and provides for the powers functions and duties of the capitol police within the state capitol complex. Proposed law removes these provisions.

Proposed law provides for presiding officer of each house of the legislature to make initial appointments to the Capitol Security Council and for the first meeting of the council to be held within 90 days after proposed law becomes effective.

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

(Amends R.S. 40:1379.1(N)(1) and 1379.5(A); Adds R.S. 24:681-685 and 691-694 and R.S. 40:2402(3)(f); Repeals R.S. 49:149-149.5)

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