

RÉSUMÉ DIGEST

ACT 507 (SB 490)

2022 Regular Session

Cortez

New 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.

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

New 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.

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

- (1) Oversee law enforcement and physical security for the areas within the state capitol complex, as defined in existing law, that are occupied and utilized by the members, officers, and staff of the legislative branch of government, 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 for employment 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 the presiding officer of either legislative house.

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

New 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.

New 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 in even-numbered years. Provides that in January of each even-numbered year the speaker of the House of Representatives shall designate a member of the House of Representatives on the council to serve as chairman or vice chairman of the council, as applicable, and that the president of the Senate shall designate the member of the senate on the council who shall serve as chairman or vice chairman, as applicable. Provides that the initial chairman shall be a Senate member and the initial vice chairman shall be a House of Representatives member.

New 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 that are occupied and utilized by the members, officers, and staff of the legislative branch of state government. Requires the council to review and approve the annual budget for the operations of the office of the director prior to submission of the budget to the president.

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

New law provides that the legislature may, by joint rule, provide for the structure, authority, powers, functions, and duties of the Capitol Security Council, the director or capitol security, capitol security officers, capitol security personnel, and officers of the legislature relative to capitol security.

Existing law requires the deputy secretary of public safety services to issue a special officer's commission to the sergeant at arms or an assistant sergeant 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.

New law requires a capitol security officer to be issued a special officer's commission upon direction of the president of the Senate or speaker of the House of Representatives.

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

Effective June 16, 2022.

(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)