

2023 Regular Session

HOUSE BILL NO. 563

BY REPRESENTATIVES SCHEXNAYDER AND HILFERTY

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

FUNDS/FUNDING: Creates a law enforcement recruitment incentive fund

1 AN ACT

2 To enact Chapter 7-D of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised
3 of R.S. 40:1669, relative to law enforcement officer pay; to establish the Law
4 Enforcement Recruitment Incentive Program; to create the Law Enforcement
5 Recruitment Incentive Fund; to provide relative to disbursements of monies from the
6 fund; to provide for the administration of the program; to provide for program
7 eligibility; to provide relative to reimbursement of payments received from the
8 program; to provide for an effective date; and to provide for related matters.

9 Be it enacted by the Legislature of Louisiana:

10 Section 1. Chapter 7-D of Title 40 of the Louisiana Revised Statutes of 1950,
11 comprised of R.S. 40:1669, is hereby enacted to read as follows:

12 CHAPTER 7-D. LAW ENFORCEMENT OFFICERS - INCENTIVE PAYMENTS

13 §1669. Law Enforcement Recruitment Incentive Program

14 A. There is hereby created in the state treasury, as a special fund, the Law
15 Enforcement Recruitment Incentive Fund, hereinafter referred to in this Chapter as
16 the "fund". Monies in the fund shall be used solely for payments made in accordance
17 with the Law Enforcement Recruitment Incentive Program as provided in this
18 Section.

19 B. Monies in the fund shall be invested in the same manner as monies in the
20 state general fund. Interest earned on investment of monies in the fund shall be

1 credited to this fund. Until the termination of the program, unexpended and
2 unencumbered monies in the fund at the end of the fiscal year shall remain in the
3 fund.

4 C. The Law Enforcement Recruitment Incentive Program, hereinafter
5 referred to in this Chapter as the "program", is hereby established to aid in the
6 recruitment of law enforcement officers within the state. The purpose of the program
7 is to provide one-time incentive payments of five thousand dollars to certain newly-
8 employed law enforcement officers in the state.

9 D. For purposes of this Section, the following terms shall have the following
10 meanings:

11 (1) "Eligible agency" means a sheriff's office, municipal police department,
12 or the office of state police within the Department of Public Safety and Corrections.

13 (2) "Law enforcement officer" means an officer whose permanent duties
14 actually include the making of arrests, the performing of searches and seizures, or
15 the execution of criminal warrants, and who is responsible for the prevention or
16 detection of crime or for the enforcement of the penal, traffic, or highway laws of
17 this state. "Law enforcement officer" shall not include any elected or appointed head
18 of a law enforcement department.

19 (3) "Municipality" means an incorporated city, town, or village.

20 (4) "Newly-employed officer" means a person who gains or is appointed to
21 full-time employment as a law enforcement officer with a Louisiana eligible agency
22 on or after July 1, 2023, and who has never before been employed as a law
23 enforcement officer in this state.

24 E. To qualify for the incentive payment, a newly-employed officer shall meet
25 the following criteria:

26 (1) Shall be POST-certified by the date on which employment begins.

27 (2) Shall maintain continuous full-time employment with an eligible agency
28 for a least two years from the date on which employment begins. The required two-
29 year employment period may be satisfied by maintaining employment at one or more

1 eligible agencies, but such period shall not contain any break in service longer than
2 fifteen calendar days.

3 F.(1) An incentive payment made pursuant to this Section shall be
4 reimbursed by the officer who received payment to the state treasurer under any of
5 the following circumstances:

6 (a) The officer voluntarily separates from employment with an employing
7 agency prior to completion of two years of employment, as provided in Paragraph
8 (E)(2) of this Section.

9 (b) The officer has a break in service of more than fifteen days.

10 (c) The officer is dismissed by the employing agency for cause by the
11 employing agency.

12 (2) The employing agency shall notify the treasurer if an officer who
13 received payment does not meet the required two-year employment period.

14 (3) The treasurer will send a determination letter to any newly employed
15 officer who is required to reimburse an incentive payment pursuant to this
16 Subsection to the officer's last-known mailing address. Reimbursement of the
17 incentive payment shall be made to the treasurer within twelve months of the date
18 on the determination letter.

19 G.(1) Any request for an incentive payment for a deputy sheriff shall be
20 submitted by the sheriff of the respective parish to the Deputy Sheriff's Supplemental
21 Pay Board for review and approval. The board shall submit the approved request to
22 the state treasurer for payment. The treasurer shall remit payments from the fund for
23 deputy sheriffs to the sheriff's office of the respective parish. The sheriff of each
24 parish shall expend such funds solely for paying the incentive payment.

25 (2) Any request for an incentive payment for a municipal police officer shall
26 be submitted by the chief of police of the respective municipality to the
27 Supplemental Pay Board of Review for Municipal Police Officers for review and
28 approval. The board shall submit the approved request to the state treasurer for
29 payment. The treasurer shall remit payments from the fund for municipal police
30 officers to the police department of the respective municipality. The chief of police

1 of each municipality shall expend such funds solely for paying the incentive
2 payment.

3 (3) Any request for an incentive payment for a law enforcement officer
4 employed by the office of state police shall be submitted pursuant to rules
5 promulgated by the State Police Commission. The treasurer shall remit payments
6 from the fund for the officer to the office of state police. The office of state police
7 shall expend such funds solely for paying the incentive payment.

8 (4) Every request submitted pursuant to this Subsection shall include:

9 (a) Certification from the submitting party that the newly employed officer
10 meets the eligibility criteria for receiving the incentive payment.

11 (b) A form signed by the newly employed officer acknowledging the
12 reimbursement requirements for failure to maintain eligibility.

13 H. Payments shall be made on a first-come, first-served basis upon receipt
14 of the approved request of any entity provided in Subsection G of this Section.
15 Payments shall cease when monies in the fund have been expended.

16 I. To the extent necessary, any local civil service system shall promulgate
17 rules for the effective implementation of this Section within its jurisdiction.

18 J. The provisions of this Section shall terminate on July 1, 2025. Upon
19 termination of the program, the treasurer is hereby authorized and directed to transfer
20 any unexpended and unencumbered monies in the fund to the state general fund.

21 Section 2. This Act shall become effective upon signature by the governor or, if not
22 signed by the governor, upon expiration of the time for bills to become law without signature
23 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
24 vetoed by the governor and subsequently approved by the legislature, this Act shall become
25 effective on the day following such approval.

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)]

HB 563 Engrossed

2023 Regular Session

Schexnayder

Abstract: Provides incentive payments for newly employed law enforcement officers.

Proposed law creates the Law Enforcement Recruitment Incentive Program and corresponding fund for the purpose of providing one-time incentive payments of \$5,000 to certain newly employed law enforcement officers in the state.

Proposed law provides that to be eligible for the incentive payment, a newly employed officer shall:

- (1) Gain employment with a sheriff's office, municipal police department, or the office of state police on or after July 1, 2023.
- (2) Have never before been employed as a La. law enforcement officer.
- (3) Maintain continuous full-time employment with an eligible agency for a least two years.
- (4) Have permanent job duties that include making arrests, performing searches and seizures, or executing criminal warrants.
- (5) Be responsible for the prevention or detection of crime or for the enforcement of the penal, traffic, or highway laws of this state.
- (6) Be POST-certified by the date on which employment begins.

Proposed law provides that any elected or appointed head of a law enforcement department is not eligible for an incentive payment pursuant to the program.

Proposed law provides for the reimbursement of payments by any officer who receives funds and fails to maintain employment for two years.

Proposed law requires requests for incentive payments for newly employed officers to be submitted as follows:

- (1) Requests for incentive payments for deputy sheriffs shall be submitted by the sheriff of the respective parish to the Deputy Sheriff's Supplemental Pay Board for review and approval.
- (2) Requests for incentive payments for municipal police officers shall be submitted by the chief of police of the respective municipality to the Supplemental Pay Board of Review for Municipal Police Officers for review and approval.
- (3) Requests for incentive payments for law enforcement officers employed by the office of state police shall be submitted pursuant to rules promulgated by the State Police Commission.

Proposed law requires the approving entity to submit the approved request to the state treasurer for payment to the eligible agency.

Proposed law requires local civil service systems to promulgate rules as necessary to implement the program.

Proposed law terminates the program on July 1, 2025, and authorizes the treasurer to transfer any unexpended and unencumbered monies remaining in the fund at that time to the state general fund.

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

(Adds R.S. 40:1669)

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Appropriations to the original bill:

1. Define "municipality".
2. Require the approving entity to submit the approved request to the state treasurer for payment to the eligible entity.
3. Make technical changes.