

2024 Regular Session

SENATE BILL NO. 227

BY SENATOR HODGES

LAW ENFORCEMENT. Provides for training requirements for part-time and reserve peace officers. (gov sig)

1 AN ACT

2 To amend and reenact R.S. 40:2401, 2404.2(B)(1), and 2405(A)(1) and (2), (D), and (E),
3 relative to peace officer standards and training; to provide for minimum training
4 requirements; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 40:2401, 2404.2(B)(1), and 2405(A)(1), and (2), (D), and (E) are
7 hereby amended and reenacted to read as follows:

8 §2401. Findings and policy

9 The legislature finds all of the following:

10 ~~A. that law~~ **Law** enforcement work is of such importance to the health, safety
11 and welfare of the people of this state and is of such a nature as to require education
12 and training of a professional character. The needs of such education and training can
13 be met only by programs adequate in quality and scope and made available to those
14 persons who are serving as such officers including those in a temporary or
15 probationary capacity. Education should also be made available to persons who seek
16 to become peace officers, and this education should be supervised by a special
17 council composed of persons experienced in law enforcement work and the training

1 employing agency to be employed as a **full-time** peace officer in another agency in
 2 Louisiana. Any person who fails to comply with this requirement shall be prohibited
 3 from exercising the authority of a peace officer; however, such persons shall not be
 4 prohibited from performing administrative duties.

5 ~~(2)(a) The council shall promulgate administrative rules for the certification~~
 6 ~~requirements of part-time and reserve peace officers employed on or after the~~
 7 ~~effective date of this Act and prior to January 1, 2022 subject to oversight by the~~
 8 ~~House Committee on Judiciary and Senate Committee on Judiciary B.~~

9 (b) Any person who begins employment as a part-time or reserve peace
 10 officer in Louisiana on or after January 1, 2022, shall be subject to the requirements
 11 of Paragraph (1) of this Subsection. **shall successfully complete a certified training**
 12 **program approved by the council and successfully pass a council-approved**
 13 **comprehensive examination within three calendar years from the date of initial**
 14 **employment. The three-year period in which a part-time or reserve peace**
 15 **officer is required to complete a certified training program approved by the**
 16 **council and successfully pass a council-approved comprehensive examination**
 17 **is not interrupted if the peace officer leaves the employing agency to be**
 18 **employed as a part-time or reserve peace officer at another agency in Louisiana.**
 19 **Any person who fails to comply with this requirement shall be prohibited from**
 20 **exercising the authority of a peace officer; however, the person shall not be**
 21 **prohibited from performing administrative duties. In no case shall a part-time**
 22 **or reserve peace officer be prevented from continuing his duties if the**
 23 **employing agency is unable to provide the requisite training because of a**
 24 **shortage of funds.**

25 * * *

26 D. In no case shall the failure of a peace officer to obtain the required training
 27 before the passage of one calendar year from the date of initial employment **within**
 28 **the timeline required by this Section** be grounds to suppress any evidence,
 29 testimony, or law enforcement action whatsoever in a court of law.

rather than any other general board composed of nonlaw enforcement members.

Proposed law retains present law and provides legislative intent as it relates to part-time, volunteer, and reserve peace officers, to state that part-time, volunteer, and reserve peace officers have been utilized for decades by many police departments around the state and nation and have traditionally served as a valuable remedy to combat staffing shortages and to provide additional security during natural disasters and at events attracting large groups of people. Provides that these reserve, volunteer, and part-time peace officers have routinely been men and women who volunteered to serve their communities by freely giving their time and talent to assist their local law enforcement agencies and often receiving no monetary compensation whatsoever for their considerable past law enforcement experience.

Present law requires all full-time, part-time, and reserve peace officers to successfully complete a minimum of 20 hours of additional in-service training requirements prescribed by the council on an annual basis, beginning the year after the officer has taken 400 hours of training and been P.O.S.T. certified. All initial training requirements must be completed within the first calendar year after receiving P.O.S.T. certification and annually thereafter. Requires, under certain circumstances, that the council may modify, extend, or waive an in-service training requirement on a case-by-case basis. Provides that requests for modifications, extensions, or waivers of annual in-service training requirements for an officer must be in writing submitted from the agency head to the council. Provides that waivers may be considered for extended continuous medical leave or any other emergency event or events deemed as such by the council.

Proposed law adds requirement that any person beginning employment as a part-time or reserve peace officer in Louisiana on or after January 1, 2022, successfully complete a certified training program approved by the P.O.S.T. council and successfully pass a council-approved comprehensive examination within three calendar years from the date of initial employment.

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

(Amends R.S. 40:2401, 2404.2(B)(1), and 2405(A)(1) and (2), (D), and (E))

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Judiciary B to the original bill

1. Makes technical changes.
2. Deletes legislative findings regarding reduced training for volunteer part-time and reserve police officers with previous law enforcement experience in other states or at the federal level.
3. Adds requirement that any person beginning employment as a part-time or reserve peace officer in Louisiana on or after January 1, 2022, successfully complete a certified training program approved by the P.O.S.T. council and successfully pass a council-approved comprehensive examination within three calendar years from the date of initial employment.
4. Deletes provisions creating a La. P.O.S.T. Reserve Training Academy.