

2024 Regular Session

HOUSE BILL NO. 739

BY REPRESENTATIVE FONTENOT

1 AN ACT

2 To amend and reenact R.S. 33:2481.4(C)(1), 2491(introductory paragraph) and (I), 2492(2)  
3 and (11), 2494(A) and (D), 2496(1)(a)(i) and (iii), 2541.1(C)(1)(b)(i),  
4 2551(introductory paragraph) and (9), 2552(1)(a) and (c), (2), and (11), 2554(A) and  
5 (D), and 2556(1)(a)(i) and (iii) and to enact R.S. 33:2481(B)(7) and 2541(B)(6),  
6 relative to the municipal fire and police civil service; to provide relative to certain  
7 positions in the classified service; to provide relative to the establishment and  
8 maintenance of employment lists; to provide relative to tests administered by the  
9 state examiner; to provide relative to the certification and appointment of eligible  
10 persons; to provide that certain officers, employees, and positions are in the  
11 unclassified service; and to provide for related matters.

12 Be it enacted by the Legislature of Louisiana:

13 Section 1. R.S. 33:2481.4(C)(1), 2491(introductory paragraph) and (I), 2492(2) and  
14 (11), 2494(A) and (D), 2496(1)(a)(i) and (iii), 2541.1(C)(1)(b)(i), 2551(introductory  
15 paragraph) and (9), 2552(1)(a) and (c), (2), and (11), 2554(A) and (D), and 2556(1)(a)(i) and  
16 (iii) are hereby amended and reenacted and R.S. 33:2481(B)(7) and 2541(B)(6) are hereby  
17 enacted to read as follows:

18 §2481. Classified and unclassified service

19 \* \* \*

20 B. The unclassified service shall comprise the following:

21 \* \* \*

22 (7) All officers, employees, and positions with primary duties that include  
23 wellness, mental health, or physical fitness.

24 \* \* \*



1 I.(1) For purposes of entrance firefighter, ~~and~~ entrance police officer,  
 2 positions entrance jailer, secretary to the chief, departmental records clerk, and for  
 3 the entrance classes for which the operation and maintenance of radio, alarm, or  
 4 signal systems for the respective fire or police service is the primary duty, the state  
 5 examiner shall establish and maintain a statewide eligibility list containing names of  
 6 persons eligible for appointment to these classes by any municipality, parish, or fire  
 7 protection district under the municipal fire and police civil service system.

8 ~~(2) A person who has attained a passing score on an examination~~  
 9 ~~administered by the state examiner for entrance jailer, secretary to the chief,~~  
 10 ~~departmental records clerk, or for the entrance classes for which the operation and~~  
 11 ~~maintenance of radio, alarm, or signal systems for the respective fire or police~~  
 12 ~~services is the primary duty may have his name placed on the employment list of any~~  
 13 ~~municipality, parish, or fire protection district under the Municipal Fire and Police~~  
 14 ~~Civil Service System, provided the person's application and score are accepted by the~~  
 15 ~~board of the municipality, parish, or fire protection district in which he seeks~~  
 16 ~~employment. In order that his name may be placed upon the employment eligibility~~  
 17 ~~list, a person shall be required to meet the minimum qualifications adopted as rules~~  
 18 ~~of the respective civil service board, as if making original application for admission~~  
 19 ~~to the test. The eligibility of such an applicant shall not continue past the date on~~  
 20 ~~which his original eligibility expired.~~

\* \* \*

§2492. Tests

Tests to determine the eligibility of applicants for entry upon the promotional and competitive employment lists shall be provided, as follows:

\* \* \*

26 (2)(a) For the testing of entrance firefighter, ~~and the~~ entrance police officer,  
 27 entrance jailer, secretary to the chief, departmental records clerk, and for the entrance  
 28 classes for which the operation and maintenance of radio, alarm, or signal systems  
 29 for the respective fire or police service is the primary duty ~~testing~~, the state examiner  
 30 shall publish notice on his website for ~~ten-day notice of~~ ten days regarding the

1 location for where such tests are to be held and the final date on which applications  
 2 for admission to the test will be received. This notice of examination shall reveal the  
 3 exact date on which the test shall be administered. However, all applicants shall be  
 4 advised of the time and place to report for an announced test at least five days in  
 5 advance in any manner the state examiner may prescribe. ~~The state examiner shall~~  
 6 ~~provide for online entrance firefighter and entrance police testing as provided for in~~  
 7 ~~this Section by Fiscal Year 2022.~~

8 (b) As may be necessary from time to time, the state examiner may call for  
 9 and administer examinations for the entrance classifications of firefighter, police  
 10 officer, secretary to the chief, departmental records clerk, jailer, and for the entrance  
 11 classes for positions of which the operation and maintenance of a radio, alarm, or  
 12 signal system for the fire or police service is the primary duty. Tests may be  
 13 administered at the discretion of the state examiner in any municipality, parish, or  
 14 fire protection district to which this Part applies. ~~Official notification shall not be~~  
 15 ~~made to the extent required under Paragraph (1) of this Section; however, public~~  
 16 ~~notice shall be published at least four times during a thirty-day period in the official~~  
 17 ~~journal of the state of Louisiana and may be posted on the bulletin board in each~~  
 18 ~~station of the respective department. This notice of examination need not state the~~  
 19 ~~exact date on which tests shall be administered, but all applicants shall be advised~~  
 20 ~~of the date, place, and time to report for an announced test at least five days in~~  
 21 ~~advance thereof in any manner the state examiner may prescribe.~~

22 \* \* \*

23 (11) Each applicant who makes a passing score on a test administered by the  
 24 state examiner under the provisions of Paragraph (2) of this Section shall be advised,  
 25 in any manner the state examiner prescribes, of his final score. ~~Except for the~~  
 26 ~~positions of entrance firefighter and entrance police officer, such score may be~~  
 27 ~~reported and approved by the board under the provisions of R.S. 33:2491(I). The~~  
 28 ~~original eligibility of an applicant under the provisions of this Paragraph shall be the~~  
 29 ~~period of not more than eighteen months after the date on which the signature of the~~  
 30 ~~state examiner was affixed to his notification of score.~~

31 \* \* \*

1 §2494. Certification and appointment

2 A.(1) Except for the positions of entrance firefighter, ~~and~~ entrance police  
 3 officer, entrance jailer, secretary to the chief, departmental records clerk, and for the  
 4 entrance classes for which the operation and maintenance of radio, alarm, or signal  
 5 systems for the respective fire or police service is the primary duty, whenever the  
 6 appointing authority proposes to fill a vacancy in the classified service, except by  
 7 demotion, transfer, emergency appointment, or by substitute employment not to  
 8 exceed thirty days, he shall request the board to certify names of persons eligible for  
 9 appointment to the vacant position. The board shall thereupon certify in writing the  
 10 names of eligible persons from the appropriate employment list, and the appointing  
 11 authority shall, if he fills the vacancy, make the appointment as provided by this  
 12 Section.

13 (2) Whenever the appointing authority proposes to fill a vacancy in entrance  
 14 ~~level~~ firefighter, ~~and~~ entrance ~~level~~ police officer, entrance jailer, secretary to the  
 15 chief, departmental records clerk, and for the entrance classes for which the  
 16 operation and maintenance of radio, alarm, or signal systems for the respective fire  
 17 or police service is the primary duty, he shall request the state examiner to certify  
 18 names of persons eligible for appointments to the vacant position. The state  
 19 examiner shall certify in writing the names of eligible persons from the appropriate  
 20 list, and the appointing authority shall, if he fills the vacancy, make the appointment  
 21 as provided by this Section.

22 \* \* \*

23 D. Certification and appointment from the competitive list shall be limited  
 24 to those conditions and classifications for which the competitive test may be given  
 25 as provided by R.S. 33:2492. Upon the appointing authority's request for the  
 26 certification of eligible persons from which he may fill a vacancy, and if the  
 27 competitive list is the appropriate list from which the names of eligible persons shall  
 28 be certified, the board or the state examiner shall certify the names of the persons  
 29 upon that list, in the order in which they appear thereon, for the class in which the  
 30 vacancy is to be filled. The appointing authority shall select and appoint to the first



1 permissible. The board may, however, authorize the renewal of such appointment,  
 2 or authorize such successive appointments for a period not to exceed three additional  
 3 months whenever it has been impracticable or impossible to establish a list of  
 4 persons eligible for certification and appointment to the vacancy. Except as provided  
 5 in Subparagraph (b) of this Paragraph, any provisional appointment, if not terminated  
 6 sooner, shall terminate upon the regular filling of the vacancy in any manner  
 7 authorized under this Part and, in any event, within fifteen days after a certification  
 8 from which a regular, or substitute, appointment, as the case may be, can be made  
 9 under the provisions of this Part. A provisional appointment shall be reported to the  
 10 board within fifteen days following the appointment.

11 \* \* \*

12 (iii) When a vacancy is to be filled in the classes of entrance firefighter, ~~or~~  
 13 entrance police officer, entrance jailer, secretary to the chief, departmental records  
 14 clerk, and for the entrance classes for which the operation and maintenance of radio,  
 15 alarm, or signal systems for the respective fire or police service is the primary duty,  
 16 the appointing authority may make a provisional appointment of any person  
 17 considered qualified. A provisional appointment shall not exceed sixty days.  
 18 Successive appointments in the classes of entrance firefighter, entrance police  
 19 officer, entrance jailer, secretary to the chief, departmental records clerk, and for the  
 20 entrance classes for which the operation and maintenance of radio, alarm, or signal  
 21 systems for the respective fire or police service is the primary duty shall be  
 22 prohibited.

23 \* \* \*

24 §2541. Classified and unclassified service

25 \* \* \*

26 B. The unclassified service shall comprise the following:

27 \* \* \*

28 6. All officers, employees and positions with primary duties that include  
 29 wellness, mental health, or physical fitness.

30 \* \* \*





1 notice shall be posted for a continuous period of ten days preceding the date for  
2 administering the tests.

3 \* \* \*

4 (c) For the testing of entrance firefighter, ~~and the entrance police officer,~~  
5 entrance jailer, secretary to the chief, departmental records clerk, and for the entrance  
6 classes for which the operation and maintenance of radio, alarm, or signal systems  
7 for the respective fire or police service is the primary duty ~~testing~~, the state examiner  
8 shall publish notice on his website for ~~ten-day notice of~~ ten days regarding the  
9 location for where such tests are to be held and the final date on which applications  
10 for admission to the test will be received. This notice of examination shall reveal the  
11 exact date on which the test shall be administered. However, all applicants shall be  
12 advised of the place and time to report for an announced test at least five days in  
13 advance in any manner the state examiner may prescribe. ~~The state examiner shall~~  
14 ~~provide for online entrance firefighter and entrance police testing as provided for in~~  
15 ~~this Section by Fiscal Year 2022.~~

16 (2) As may be necessary from time to time, the state examiner may call for  
17 and administer examinations for the entrance classifications of firefighter, police  
18 officer, secretary to the chief, departmental records clerk, jailer, and for the entrance  
19 classes for positions of which the operation and maintenance of a radio, alarm, or  
20 signal system for the fire or police service is the primary duty. Tests may be  
21 administered at the discretion of the state examiner in any municipality, parish, or  
22 fire protection district to which this Part applies. ~~Official notification shall not be~~  
23 ~~made to the extent required under Paragraph (1) of this Section; however, public~~  
24 ~~notice shall be published at least four times during a thirty-day period in the official~~  
25 ~~journal of the state of Louisiana and may be posted on the bulletin board in each~~  
26 ~~station of the respective department. This notice of examination need not state the~~  
27 ~~exact date on which tests shall be administered, but all applicants shall be advised~~  
28 ~~of the date, place, and time to report for an announced test at least five days in~~  
29 ~~advance thereof in any manner the state examiner may prescribe.~~

30 \* \* \*



1           D. Certification and appointment from the competitive list shall be limited  
2           to those conditions and classifications for which the competitive test may be given  
3           as provided by R.S. 33:2552(7). Upon the appointing authority's request for the  
4           certification of eligible persons from which it may fill a vacancy, and if the  
5           competitive list is the appropriate list from which the names of eligible persons shall  
6           be certified, the board or the state examiner shall certify the names of the persons  
7           upon that list, in the order in which they appear thereon, for the class in which the  
8           vacancy is to be filled. The appointing authority shall select and appoint to the first  
9           vacancy to be filled any one of the persons so certified to it for the vacancy. In  
10          making appointments to the positions of entrance firefighter, ~~and~~ entrance police  
11          officer, entrance jailer, secretary to the chief, departmental records clerk, and for the  
12          entrance classes for which the operation and maintenance of radio, alarm, or signal  
13          systems for the respective fire or police service is the primary duty, the appointing  
14          authority shall verify the applicant meets the minimum qualifications as established  
15          by the board. Additionally, in making such appointment to entry-level positions, the  
16          appointing authority shall give a preference to Louisiana residents. If any one or  
17          more persons so certified refuses the appointment, the appointing authority then shall  
18          select and appoint any one of the remaining persons certified by the board or the  
19          state examiner. This procedure shall be followed until the position has been filled  
20          by appointment of one of the persons certified from the list and willing to accept the  
21          appointment, or until each person whose name appears upon the list has in this  
22          manner been certified for the vacancy.

\* \* \*

§2556. Temporary appointments

Temporary appointments may be made to positions in the classified service without the appointees acquiring any permanent status therein, as follows:

(1)(a)(i) Except for a vacancy in the classes of entrance firefighter, ~~or~~  
entrance police officer, entrance jailer, secretary to the chief, departmental records  
clerk, and for the entrance classes for which the operation and maintenance of radio,

1 alarm, or signal systems for the respective fire or police service is the primary duty,  
 2 when a vacancy is to be filled in a position of a class for which the board is unable  
 3 to certify names of persons eligible for regular and permanent or substitute  
 4 appointment, the appointing authority may make a provisional appointment of any  
 5 person considered qualified. When practicable, the appointment shall be made by  
 6 the provisional promotion of any employee of a lower class. A provisional  
 7 appointment shall not continue for more than three months. No position in the  
 8 classified service shall be filled by one or more provisional appointments for a period  
 9 in excess of three consecutive months and successive like periods shall not be  
 10 permissible. The board may, however, authorize the renewal of such appointment,  
 11 or authorize such successive appointments for a period not to exceed three additional  
 12 months whenever it has been impracticable or impossible to establish a list of  
 13 persons eligible for certification and appointment to a vacancy. Except as provided  
 14 in Item (ii) of this Subparagraph, any provisional appointment, if not terminated  
 15 sooner, shall terminate upon the regular filling of the vacancy in any manner  
 16 authorized under this Part and, in any event, within fifteen days after a certification  
 17 from which a regular or substitute appointment, as the case may be, can be made  
 18 under the provisions of this Part. A provisional appointment shall be reported to the  
 19 board within fifteen days following the appointment.

20 \* \* \*

21 (iii) When a vacancy is to be filled in the classes of entrance firefighter, ~~or~~  
 22 entrance police officer, entrance jailer, secretary to the chief, departmental records  
 23 clerk, and for the entrance classes for which the operation and maintenance of radio,  
 24 alarm, or signal systems for the respective fire or police service is the primary duty,  
 25 the appointing authority may make a provisional appointment of any person  
 26 considered qualified. A provisional appointment shall not exceed sixty days.  
 27 Successive appointments in the classes of entrance firefighter, ~~and~~ entrance police  
 28 officer, entrance jailer, secretary to the chief, departmental records clerk, and for the

