

2025 Regular Session

HOUSE BILL NO. 136

BY REPRESENTATIVE GLORIOSO

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

CIVIL SERVICE/FIRE & POL: Provides relative to certain positions in the fire and police civil service

1 AN ACT

2 To enact R.S. 33:2481.7 and 2541.7, relative to the fire and police civil service; to authorize
3 the governing authority to create the position of deputy fire chief, chief of operations,
4 assistant chief, or second in command; to provide that the position is appointed on
5 a competitive basis; to provide relative to the appointment, supervision, and
6 discharge of any person in any such position; to provide relative to the qualifications,
7 duties, and responsibilities for such position; to provide relative to departmental and
8 promotional seniority and to provide for related matters.

9 Be it enacted by the Legislature of Louisiana:

10 Section 1. R.S. 33:2481.7 and 2541.7 are hereby enacted to read as follows:

11 §2481.7. Deputy fire chief, chief of operations, assistant chief, or second in
12 command; competitive appointment

13 A. Notwithstanding any other provision of law to the contrary, the governing
14 authority may create, by ordinance or resolution, the position of deputy fire chief,
15 chief of operations, assistant chief, or second in command in accordance with the
16 provisions of this Section. The position shall be filled on a competitive basis from
17 a list of eligibles as provided for in R.S. 33:2491, and the right of selection,
18 appointment, supervision, and discharge for such position shall be vested in the fire
19 chief, subject to approval of the appointing authority. In addition, the governing
20 authority shall establish the job description, duties, requirements, and responsibilities

1 of the deputy fire chief, chief of operations, assistant chief, or second in command
2 in the ordinance or resolution creating the position. Such duties and responsibilities
3 may include direct supervision over all positions in the classified service below the
4 rank of fire chief.

5 B.(1) The deputy fire chief, chief of operations, assistant chief, or second in
6 command shall have not less than fifteen years of full-time fire experience and shall
7 at least hold the rank of captain in the classified fire service at the time of his
8 appointment.

9 (2) Any person who holds the position of deputy fire chief, chief of
10 operations, assistant chief, or second in command may, while holding such position,
11 apply for admission to the promotional examination for the class next higher than
12 that from which he was appointed as deputy fire chief, chief of operations, assistant
13 chief, or second in command. However, the name and score of any deputy fire chief,
14 chief of operations, assistant chief, or second in command shall not be certified to
15 the appointing authority by the civil service board as eligible for appointment to a
16 position of the promotional class, and his name and score shall be eligible for
17 certification, in accordance with the maximum period for which a name may remain
18 on the eligibility list in accordance with the provisions of this Part, only upon
19 demotion to a position of the class from which he was appointed as deputy fire chief,
20 chief of operations, assistant chief, or second in command.

21 (3) Eligibility for admission to the competitive test for deputy fire chief,
22 chief of operations, assistant chief, or second in command shall be limited to
23 members of the same department as the fire chief at the time of appointment.

24 C.(1)(a) Any person who is appointed from a position in the classified fire
25 service to serve as deputy fire chief, chief of operations, assistant chief, or second in
26 command shall not forfeit his departmental or promotional seniority accumulated to
27 the date of his appointment, and he shall continue to accumulate departmental or
28 promotional seniority in accordance with the provisions of this Part during the time

1 he holds the position of deputy fire chief, chief of operations, assistant chief, or
2 second in command.

3 (b) The deputy fire chief, chief of operations, assistant chief, or second in
4 command shall serve indefinitely in the classified competitive position and shall be
5 evaluated annually by the fire chief.

6 (2) If any such person is demoted as the result of such evaluation, or
7 otherwise vacates the position on the approval of the fire chief, he shall be demoted
8 to a position in the class he held immediately preceding his appointment as deputy
9 fire chief, chief of operations, assistant chief, or second in command. If a deputy fire
10 chief, chief of operations, assistant chief, or second in command is subjected to
11 corrective or disciplinary action, he shall have the same rights as any other employee
12 in the municipal fire and police civil service.

13 * * *

14 §2541.7. Deputy fire chief, chief of operations, assistant chief, or second in
15 command; competitive appointment

16 A. Notwithstanding any other provision of law to the contrary, the governing
17 authority may create, by ordinance or resolution, the position of deputy fire chief,
18 chief of operations, assistant chief, or second in command in accordance with the
19 provisions of this Section. The position shall be filled on a competitive basis from
20 a list of eligibles as provided for in R.S. 33:2551, and the right of selection,
21 appointment, supervision, and discharge for such position shall be vested in the fire
22 chief, subject to approval of the appointing authority. In addition, the governing
23 authority shall establish the job description, duties, requirements, and responsibilities
24 of the deputy fire chief, chief of operations, assistant chief, or second in command
25 in the ordinance or resolution creating the position. Such duties and responsibilities
26 may include direct supervision over all positions in the classified service below the
27 rank of fire chief.

28 B.(1) The deputy fire chief, chief of operations, assistant chief, or second in
29 command shall have not less than fifteen years of full-time fire experience and shall

1 at least hold the rank of captain in the classified fire service at the time of his
2 appointment.

3 (2) Any person who holds the position of deputy fire chief, chief of
4 operations, assistant chief, or second in command may, while holding such position,
5 apply for admission to the promotional examination for the class next higher than
6 that from which he was appointed as deputy fire chief, chief of operations, assistant
7 chief, or second in command. However, the name and score of any deputy fire chief,
8 chief of operations, assistant chief, or second in command shall not be certified to
9 the appointing authority by the civil service board as eligible for appointment to a
10 position of the promotional class, and his name and score shall be eligible for
11 certification, in accordance with the maximum period for which a name may remain
12 on the eligibility list in accordance with the provisions of this Part, only upon
13 demotion to a position of the class from which he was appointed as deputy fire chief,
14 chief of operations, assistant chief, or second in command.

15 (3) Eligibility for admission to the competitive test for deputy fire chief,
16 chief of operations, assistant chief, or second in command shall be limited to
17 members of the same department as the fire chief at the time of appointment.

18 C.(1)(a) Any person who is appointed from a position in the classified fire
19 service to serve as deputy fire chief, chief of operations, assistant chief, or second in
20 command shall not forfeit his departmental or promotional seniority accumulated to
21 the date of his appointment, and he shall continue to accumulate departmental or
22 promotional seniority in accordance with the provisions of this Part during the time
23 he holds the position of deputy fire chief, chief of operations, assistant chief, or
24 second in command.

25 (b) The deputy fire chief, chief of operations, assistant chief, or second in
26 command shall serve indefinitely in the classified competitive position and shall be
27 evaluated annually by the fire chief.

28 (2) If any such person is demoted as the result of such evaluation, or
29 otherwise vacates the position on the approval of the fire chief, he shall be demoted

1 to a position in the class he held immediately preceding his appointment as deputy
2 fire chief, chief of operations, assistant chief, or second in command. If a deputy fire
3 chief, chief of operations, assistant chief, or second in command is subjected to
4 corrective or disciplinary action, he shall have the same rights as any other employee
5 in the municipal fire and police civil service.

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 136 Original

2025 Regular Session

Glorioso

Abstract: Authorizes the creation of the competitive position of deputy fire chief, chief of operations, assistant chief, or second in command in the classified fire service.

Present constitution creates a fire and police civil service system applicable to municipalities of over 13,000 in population and parishes and fire protection districts. Provides that the system is subject to Art. XIV, §15.1 of the 1921 constitution made statutory by the 1974 constitution. Present law creates and provides for two fire and police civil service systems: (1) one applicable to any municipality which operates paid police and fire departments and which has a population of not fewer than 13,000 persons and (2) one applicable to any parish, fire protection district, or municipality with a population of fewer than 13,000, but not fewer than 7,000 persons.

Proposed law retains present law.

Present law relative to both systems, provides that the classified service shall comprise every position, except those in the unclassified service to which the right of employee selection, appointment, supervision, and discharge is vested in the municipal, parish, or fire protection district government. Provides that the positions of fire chief and assistant fire chief shall be in the classified service. Provides further with respect to which positions are in the classified and unclassified service.

Proposed law retains present law.

Present law authorizes the governing authority to create, by ordinance, the classified competitive position of chief of administration of fire department. Provides that the right of selection, appointment, supervision, and discharge for such position shall be vested in the fire chief, subject to approval of the appointing authority. Further provides that the duties and responsibilities of the chief of administration may include direct supervision over all non-fire suppression personnel in the classified and unclassified service.

Proposed law retains present law and additionally authorizes the governing authority to create, by ordinance or resolution, the classified competitive position of deputy fire chief, chief of operations, assistant chief, or second in command. Further provides that the right of selection from a competitive list of qualified applicants as well as the appointment, supervision, and discharge for the position is vested in the fire chief, subject to the approval of the appointing authority. Requires the governing authority to provide for the duties and responsibilities of the deputy fire chief, chief of operations, assistant chief, or second in command in the ordinance or resolution creating the position. Provides that the deputy fire

chief, chief of operations, assistant chief, or second in command may have direct supervision over all positions in the classified service below the rank of fire chief.

Proposed law requires the deputy fire chief, chief of operations, assistant chief, or second in command to have at least 15 years of full-time fire experience and to hold the rank of captain in the classified fire service at the time of his appointment.

Proposed law provides that a person who holds the position of deputy fire chief, chief of operations, assistant chief, or second in command may apply for admission to the promotional examination for the class next higher than that from which he was appointed as deputy fire chief, chief of operations, assistant chief, or second in command. Provides however, his name and score cannot be certified to the appointing authority unless he is demoted to a position of the class from which he was appointed deputy fire chief, chief of operations, assistant chief, or second in command.

Proposed law provides that eligibility for admission to the competitive test for deputy fire chief, chief of operations, assistant chief, or second in command is limited to members of the same department as the fire chief at the time of appointment.

Proposed law provides that a deputy fire chief, chief of operations, assistant chief, or second in command does not forfeit his seniority in the classified service and continues to accumulate seniority during the time he is serving as deputy fire chief, chief of operations, assistant chief, or second in command. Further provides that if a deputy fire chief, chief of operations, assistant chief, or second in command is subjected to corrective or disciplinary action, he has the same rights as any other employee in the municipal fire and police civil service.

(Adds R.S. 33:2481.7 and 2541.7)