
DIGEST

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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)