

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 chief of fire suppression; to provide
4 that the position is appointed on a competitive basis; to provide relative to the
5 appointment, supervision, and discharge of any person in any such position; to
6 provide relative to the qualifications, duties, and responsibilities for such position;
7 to provide relative to departmental and promotional seniority and to provide for
8 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. Chief of fire suppression; competitive appointment

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

1 resolution creating the position. Such duties and responsibilities may include direct
2 supervision over all positions in the classified service below the rank of fire chief.

3 B.(1)(a) Except as provided in Subparagraph (b) of this Paragraph, the chief
4 of fire suppression shall have not less than twenty-five years of service in fire
5 suppression and not less than one year of service as a chief from fire suppression.

6 (b) If no person in the department meets the qualifications of Subparagraph
7 (a) of this Paragraph, then the most senior suppression officer shall be appointed.

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

18 (3) Eligibility for admission to the competitive test for chief of fire
19 suppression shall be limited to members of the same department as the fire chief at
20 the time of appointment.

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

27 (b) The chief of fire suppression shall serve indefinitely in the classified
28 competitive position and shall be evaluated annually by the fire chief.

1 (2) If any such person is demoted as the result of such evaluation, or
2 otherwise vacates the position on the approval of the fire chief, he shall be demoted
3 to a position in the class he held immediately preceding his appointment as chief of
4 fire suppression. If a chief of fire suppression is subjected to corrective or
5 disciplinary action, he shall have the same rights as any other employee in the
6 municipal fire and police civil service.

7 * * *

8 §2541.7. Chief of fire suppression; competitive appointment

9 A. Notwithstanding any other provision of law to the contrary, the governing
10 authority may create, by ordinance or resolution, the position of chief of fire
11 suppression in accordance with the provisions of this Section. The position shall be
12 filled on a competitive basis from a list of eligibles as provided for in R.S. 33:2551,
13 and the right of selection, appointment, supervision, and discharge for such position
14 shall be vested in the fire chief, subject to approval of the appointing authority. In
15 addition, the governing authority shall establish the job description, duties,
16 requirements, and responsibilities of the chief of fire suppression in the ordinance or
17 resolution creating the position. Such duties and responsibilities may include direct
18 supervision over all positions in the classified service below the rank of fire chief.

19 B.(1)(a) Except as provided in Subparagraph (b) of this Paragraph, the chief
20 of fire suppression shall have not less than twenty-five years of service fire
21 suppression and not less than one year of service as a chief from fire suppression.

(b) If no person in the fire department meets the qualifications of
Subparagraph (a) of this Paragraph, then the most senior suppression officer shall be
appointed.

25 (2) Any person who holds the position of chief of fire suppression may,
26 while holding such position, apply for admission to the promotional examination for
27 the class next higher than that from which he was appointed as chief of fire
28 suppression. However, the name and score of any chief of fire suppression shall not
29 be certified to the appointing authority by the civil service board as eligible for

1 appointment to a position of the promotional class, and his name and score shall be
2 eligible for certification, in accordance with the maximum period for which a name
3 may remain on the eligibility list in accordance with the provisions of this Part, only
4 upon demotion to a position of the class from which he was appointed as chief of fire
5 suppression.

6 (3) Eligibility for admission to the competitive test for chief of fire
7 suppression shall be limited to members of the same department as the fire chief at
8 the time of appointment.

9 C.(1)(a) Any person who is appointed from a position in the classified fire
10 service to serve as chief of fire suppression shall not forfeit his departmental or
11 promotional seniority accumulated to the date of his appointment, and he shall
12 continue to accumulate departmental or promotional seniority in accordance with the
13 provisions of this Part during the time he holds the position of chief of fire
14 suppression.

15 (b) The chief of fire suppression shall serve indefinitely in the classified
16 competitive position and shall be evaluated annually by the fire chief.

17 (2) If any such person is demoted as the result of such evaluation, or
18 otherwise vacates the position on the approval of the fire chief, he shall be demoted
19 to a position in the class he held immediately preceding his appointment as chief of
20 fire suppression. If a chief of fire suppression is subjected to corrective or
21 disciplinary action, he shall have the same rights as any other employee in the
22 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 Engrossed

2025 Regular Session

Glorioso

Abstract: Authorizes the creation of the competitive position of chief of fire suppression 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 chief of fire suppression. 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 chief of fire suppression in the ordinance or resolution creating the position. Provides that the chief of fire suppression may have direct supervision over all positions in the classified service below the rank of fire chief.

Proposed law requires the chief of fire suppression to have not less than 25 years of service in fire suppression and not less than one year of service as a chief from fire suppression. Provides that the most senior suppression officer shall be appointed to the position of chief of fire suppression if no person meets the qualifications for the position.

Proposed law provides that a person who holds the position of chief of fire suppression may apply for admission to the promotional examination for the class next higher than that from which he was appointed as chief of fire suppression. 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 as chief of fire suppression.

Proposed law provides that eligibility for admission to the competitive test for chief of fire suppression is limited to members of the same department as the fire chief at the time of appointment.

Proposed law provides that a chief of fire suppression does not forfeit his seniority in the classified service and continues to accumulate seniority during the time he is serving as chief of fire suppression. Further provides that if a chief of fire suppression 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)

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Municipal, Parochial and Cultural Affairs to the original bill:

1. Change the name of the position authorized by proposed law.
2. Change the qualifications for the position authorized by proposed law.