

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 operations; to provide that
4 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 operations; 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 operations
14 in accordance with the provisions of this Section. The position shall be filled on a
15 competitive basis from a list of eligibles as provided for in R.S. 33:2491, and the
16 right of selection, appointment, supervision, and discharge for such position shall be
17 vested in the fire chief, subject to approval of the appointing authority. In addition,
18 the governing authority shall establish the job description, duties, requirements, and
19 responsibilities of the chief of operations in the ordinance or resolution creating the

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

3 B.(1) The chief of operations shall have not less than twenty-five years of
4 service in fire suppression and not less than one year of service as a battalion or
5 district chief.

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

16 (3) Eligibility for admission to the competitive test for chief of operations
17 shall be limited to members of the same department as the fire chief.

18 C.(1)(a) Any person appointed to serve as chief of operations shall not forfeit
19 his departmental seniority accumulated to the date of his appointment, and he shall
20 continue to accumulate departmental seniority in accordance with the provisions of
21 this Part during the time he holds the position of chief of operations.

22 (b) The chief of operations shall serve indefinitely in the classified
23 competitive position and shall be evaluated annually by the fire chief. After each
24 evaluation the chief may reconfirm the chief of operations for another one-year
25 period, or may at his discretion demote the chief of operations to his former class of
26 position. The demotion described in this Subparagraph shall not constitute corrective
27 or disciplinary action, and the classified employee shall not have appeal rights in
28 regards to such action.

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 operations. If a chief of operations is subjected to corrective or disciplinary action,
5 he shall have the same rights as any other employee in the municipal fire and police
6 civil service.

7 * * *

8 §2541.7. Chief of operations; competitive appointment

A. Notwithstanding any other provision of law to the contrary, the governing authority may create, by ordinance or resolution, the position of chief of operations in accordance with the provisions of this Section. The position shall be filled on a competitive basis from a list of eligibles as provided for in R.S. 33:2551, and 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. In addition, the governing authority shall establish the job description, duties, requirements, and responsibilities of the chief of operations in the ordinance or resolution creating the position. Such duties and responsibilities may include direct supervision over all positions in the classified service below the rank of fire chief.

19 B.(1) The chief of operations shall have not less than twenty-five years of
20 service in fire suppression and not less than one year of service as a battalion or
21 district chief.

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

1 demotion to a position of the class from which he was appointed as chief of
2 operations.

3 (3) Eligibility for admission to the competitive test for chief of operations
4 shall be limited to members of the same department as the fire chief.

5 C.(1)(a) Any person appointed to serve as chief of operations shall not forfeit
6 his departmental seniority accumulated to the date of his appointment, and he shall
7 continue to accumulate departmental seniority in accordance with the provisions of
8 this Part during the time he holds the position of chief of operations.

9 (b) The chief of operations shall serve indefinitely in the classified
10 competitive position and shall be evaluated annually by the fire chief. After each
11 evaluation the chief may reconfirm the chief of operations for another one-year
12 period, or may at his discretion demote the chief of operations to his former class of
13 position. The demotion described in this Subparagraph shall not constitute corrective
14 or disciplinary action, and the classified employee shall not have appeal rights in
15 regards to such action.

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

2025 Regular Session

Glorioso

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

Proposed law requires the chief of operations to have not less than 25 years of service in fire suppression and not less than one year of service as a battalion or district chief.

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

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

Proposed law provides that a chief of operations does not forfeit his departmental seniority in the classified service and continues to accumulate departmental seniority during the time he is serving as chief of operations. Provides that the chief of operations shall be evaluated annually by the fire chief. Authorizes to the fire chief to reconfirm the chief of operations for another one-year period or demote him to his former class of position. Further provides that if a chief of operations 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.

The House Floor Amendments to the engrossed bill:

1. Change the name of the position authorized by proposed law from chief of fire suppression to chief of operations.
2. Change the qualifications for the position of chief of operations.
3. Grant the fire chief certain powers relative to the chief of operations after each annual evaluation.
4. Change the eligibility requirements for admission to the competitive test for chief of operations.
5. Remove proposed law provisions that provide that the chief of operations continues to accumulate promotional seniority while he holds the position.