

GREEN SHEET REDIGEST

HB 136

2025 Regular Session

Glorioso

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

DIGEST

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.

Proposed law provides that the chief of operations shall serve indefinitely in the classified competitive position and shall be evaluated annually by the fire chief.

(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.

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Local and Municipal Affairs to the reengrossed bill

1. Removes the authority of the fire chief to reconfirm or demote the chief of operations after the required annual evaluation of the chief of operations.