

2026 Regular Session

HOUSE BILL NO. 39

BY REPRESENTATIVES FIRMENT, ADAMS, AMEDEE, BUTLER, EDMONSTON, GALLE, HEBERT, HORTON, MIKE JOHNSON, MACK, ORGERON, OWEN, SCHAMERHORN, VENTRELLA, WILDER, AND ZERINGUE AND SENATORS BASS, CARTER, CLOUD, EDMONDS, FESI, HODGES, MIGUEZ, MORRIS, PRESSLY, AND SEABAUGH

1 AN ACT

2 To amend and reenact R.S. 40:2402(3) and to enact R.S. 40:2402(5), relative to the
3 qualification of peace officers in Louisiana; to provide for definitions; to provide that
4 peace officers shall be United States citizens; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 40:2402(3) is hereby amended and reenacted and R.S. 40:2402(5)
7 is hereby enacted to read as follows:

8 §2402. Definitions

9 As used in this Chapter:

10 * * *

11 (3)(a) (i) "Peace officer" means any employee of the state, a municipality, a
12 sheriff, or other public agency, whose permanent duties actually include the making
13 of arrests, the performing of searches and seizures, or the execution of criminal
14 warrants, and is responsible for the prevention or detection of crime or for the
15 enforcement of the penal, traffic, or highway laws of this state, but not including any
16 elected or appointed head of a law enforcement department.

17 ~~(b)~~ (ii) "Peace officer" shall also include those sheriff's deputies whose duties
18 include the care, custody, and control of inmates.

19 ~~(c)~~ (iii) "Peace officer" shall also include military police officers within the
20 Military Department, state of Louisiana.

