

Regular Session, 2011

SENATE BILL NO. 79

BY SENATOR MURRAY

LOCAL AGENCIES. Provides training and supplemental pay for certain security personnel employed by the Housing Authority of New Orleans. (gov sig)

1 AN ACT

2 To enact R.S. 40:2402(3)(e) and 2405(B)(3), relative to the Peace Officer Standards and
3 Training Law; to include certain Housing Authority of New Orleans' security
4 personnel within the definition of "Peace officer"; to provide for supplemental pay;
5 and to provide for related matters.

6 Notice of intention to introduce this Act has been published.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 40:2402(3)(e) and 2405(B)(3) are hereby enacted to read as follows:

9 §2402. Definitions

10 As used in this Chapter:

11 * * *

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

* * *

(e) "Peace officer" shall also include full-time security personnel employed by the Housing Authority of New Orleans, a political subdivision of the state, as defined pursuant to R.S. 40:384(16).

* * *

§2405. Peace officer training requirements; reimbursement by peace officer

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B.

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(3) Certified security personnel of the Housing Authority of New Orleans shall be eligible to receive supplemental pay after successfully completing a council-approved training program and passing the council-approved examination.

* * *

Section 2. This Act shall become effective upon signature by the governor or, if not signed by the governor, upon expiration of the time for bills to become law without signature by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If vetoed by the governor and subsequently approved by the legislature, this Act shall become effective on the day following such approval.

The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Ann S. Brown.

DIGEST

Present law provides peace office standards and training (P.O.S.T.) for certain full-time law enforcement personnel. Such personnel are referred to as "Peace officer".

Present law provides that the term "Peace officer" refers to:

- (a) Any full-time employee of the state, a municipality, a sheriff, or other public agency, whose permanent duties actually include the making of arrests, the performing of searches and seizures, or the execution of criminal warrants, and is responsible for the prevention or detection of crime or for the enforcement of the penal, traffic, or highway laws of this state, but not including any elected or appointed head of a law enforcement department.
- (b) Sheriff's deputies whose duties include the care, custody, and control of inmates.
- (c) Full-time military police officers within the Military Department, State of Louisiana.

- (d) Full-time security personnel employed by the Supreme Court of the state of Louisiana.

Proposed law expands the term "Peace officer" to include full-time security personnel employed by the Housing Authority of New Orleans which is a political subdivision of the state.

Present law provides that all "Peace officers" receive supplemental pay, with the exception of, full-time security personnel employed by the Supreme Court of the state of Louisiana.

Proposed law provides that certified security personnel of the Housing Authority of New Orleans shall be eligible to receive supplemental pay after successfully completing a council-approved training program and passing a council-approved examination.

Effective upon signature of the governor or lapse of time for gubernatorial action.

(Adds R.S. 40:2402(3)(e) and 2405(B)(3))