

Regular Session, 2013

SENATE BILL NO. 207

BY SENATOR MORRELL

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

LAW ENFORCEMENT. Provides relative to civil service for cities with over 100,000 in population. (8/1/13)

1 AN ACT

2 To enact R.S. 33:2588 and to amend and reenact R.S. 33:2391, 2471, and 2591, relative to
3 civil service for cities having a population exceeding one hundred thousand; to make
4 technical changes; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 33:2588 is hereby enacted and R.S. 33:2391, 2471, and 2591 are
7 hereby amended and reenacted to read as follows:

8 §2391. Applicability

9 A. This Part ~~applies~~ **shall apply** to any city having a population exceeding
10 one hundred thousand according to the latest ~~regular~~ federal **decennial** census ~~for~~
11 ~~which the official figures have been made public.~~

12 B. This Part ~~does~~ **shall** not apply to positions which are covered by Part II
13 of this Chapter.

14 **C. In the event that the civil service of any city pursuant to this Part is**
15 **determined by a final judgment of a court of competent jurisdiction to not be**
16 **subject to this Part, the civil service of the city shall be subject to the**
17 **jurisdiction of the state civil service system.**

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§2471. Applicability

A. This Part applies to any municipality which operates a regularly paid fire and police department and which has a population of not less than thirteen thousand nor more than two hundred fifty thousand according to the latest regular federal census for which the official figures have been made public.

B. In the event that the civil service of any municipality pursuant to this Part is determined by a final judgment of a court of competent jurisdiction to not be subject to this Part, the civil service of the municipality shall be subject to the jurisdiction of the state civil service system.

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§2588. Determination that certain constitutional provisions are not applicable to city

In the event that the civil service of any city pursuant to the city civil service provisions of Part I of Article X of the Constitution of Louisiana is determined by a final judgment of a court of competent jurisdiction to not be subject to such provisions, the civil service of the city shall be subject to the jurisdiction of the state civil service system.

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§2591. System of classified service

A. There is created in every municipality having a population between 250,000 and 500,000 a classified civil service embracing the positions of employment, the officers and the employees of the fire and police services. The classified civil service herein provided for shall be established, operated and governed in all respects solely by the provisions of Section 15.1 of Article XIV of the Constitution of Louisiana.

B. In the event that the civil service of any municipality pursuant to this Part is determined by a final judgment of a court of competent jurisdiction to not be subject to this Part, the civil service of the municipality shall be subject

1 **to the jurisdiction of the state civil service system.**

The original instrument was prepared by Cathy R. Wells. The following digest, which does not constitute a part of the legislative instrument, was prepared by Michael Bell.

DIGEST

Morrell (SB 207)

Present constitution (Art X, Sec. 1(B)) establishes a city civil service system for a city having a population of over 400,000.

Present law provides relative to civil service for cities having a population exceeding 100,000.

Present law provides relative to fire and police civil service law for municipalities with a population between 250,000 and 500,000.

Proposed law retains present law and provides that in the event that the civil service system of any city pursuant to present constitution or law is determined by final judgment of a court of competition jurisdiction to not be subject present constitution or law, the civil service of the city shall be subject to the jurisdiction of the state service system.

Effective August 1, 2013.

(Amends R.S. 33:2391, 2471 and 2591; adds R.S. 33:2588)

Summary of Amendments Adopted by Senate

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

1. Adds provisions regarding a court determination of inapplicability of present constitution and law.