

Regular Session, 2014

SENATE BILL NO. 601

BY SENATOR AMEDEE

LOCAL OFFICIALS. Provides relative to the abolition of the position of police chief and the police department of the town of Sorrento. (gov sig)

1 AN ACT

2 To enact R.S. 33:381(C)(33), relative to the town of Sorrento; to provide for the abolition
3 of the office of the chief of police and the police department; to provide for
4 limitations and requirements on such abolition; to require voter approval; to
5 authorize the municipality to contract for law enforcement services; to provide for
6 an effective date; and to provide for related matters.

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

8 Be it enacted by the Legislature of Louisiana:

9 Section 1. R.S. 33:381(C)(33) is hereby enacted to read as follows:

10 §381. Municipal officers

11 * * *

12 C.

13 * * *

14 **(33)(a)(i) Notwithstanding any other provision of law to the contrary, the**
15 **council of the town of Sorrento may, upon the recommendation of the mayor,**
16 **adopt an ordinance calling for an election to abolish the office of chief of police,**
17 **the police department, or both. The election shall be held in accordance with the**

Louisiana Election Code.

(ii) If a majority of the qualified electors voting at such election vote to abolish the office of chief of police, the office shall be abolished upon the end of the term of the chief of police in office at the time or when a vacancy occurs in the office, whichever occurs first; however, if at the time the election occurs the office is filled by an officer temporarily appointed, the abolition of the office shall become effective as provided by ordinance.

(iii) If a majority of the qualified electors voting at such election vote to abolish the police department, the abolition of the department shall become effective as provided by ordinance.

(b) If the office of chief of police is abolished or the municipal police department is abolished, or both, the mayor and council may contract, or enter into a cooperative endeavor, with any law enforcement entity or officer within Ascension Parish for police services for the town.

* * *

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 Dawn Romero Watson.

DIGEST

Amedee (SB 601)

Present law provides that the officers of every municipality shall be a mayor, aldermen (councilmen), a chief of police, a tax collector and a clerk.

Present law provides for at-large elections for the office of mayor and of police chief in all municipalities. Further provides for exceptions with respect to the chief of police in certain municipalities.

Present law (R.S. 33:362(C)) provides that any department of a municipality, other than the police department in a municipality with an elected chief of police, shall be created, abolished, merged, or consolidated by the board of aldermen, upon the written recommendation of the mayor.

Proposed law provides an exception to present law for the elective office of the chief of police in the town of Sorrento. Provides that the Sorrento council (board of alderman), may, upon the recommendation of the mayor, adopt an ordinance calling for an election to abolish the office of chief of police, the police department, or both. Provides that the election shall be held in accordance with the Louisiana Election Code.

Proposed law provides that, if a majority votes to abolish the office of the chief of police, the office shall be abolished upon the end of the term of the chief of police in office at the time or when a vacancy occurs in the office, whichever occurs first; however, if at the time the election occurs the office is filled by an officer temporarily appointed, the abolition of the office shall become effective as provided by the ordinance.

Proposed law provides that, if a majority votes to abolish the police department, the department shall be abolished as provided by the ordinance.

Proposed law provides that, if the office of chief of police or the police department is abolished pursuant to proposed law, the mayor and council may contract with any law enforcement entity or officer within Ascension Parish for police services.

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

(Adds R.S. 33:381(C)(33))