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The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Michael Bell.

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DIGEST

SB 43 Original 2016 Regular Session Erdey

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 government. Provides that the positions of fire chief and police 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 but provides an exception for the position of police chief and fire chief for the city of Denham Springs.

Proposed law, relative to Denham Springs chief of police provides that such position is in the unclassified service, and provides that the right of selection, appointment, supervision, and discharge for such position is vested in the mayor of the city. Further provides that the appointment of the police chief shall be subject to the approval of the municipal governing authority.

Proposed law provides further that any person who resigns from a position in the classified service to accept an appointment as police chief shall not forfeit his seniority accumulated to the date of his resignation. Provides that no such person shall accumulate seniority during the time he is not in the classified service. Further provides that if any such person resigns from such position or is terminated for any reason other than malfeasance in office, he shall be eligible to be reemployed to the same position in the classified service in which he was employed immediately preceding his resignation from the classified service. Provides that if the position has been filled or no longer exists, then his employer shall employ him in a comparable position.

Proposed law provides that the provisions of proposed law are prospective only and shall not apply to the individual occupying the position of chief of police for the city of Denham Springs on the effective date of proposed law.

Proposed law, relative to Denham Springs fire chief, provides that such position is in the unclassified service, and provides that the right of selection, appointment, supervision, and discharge for such position is vested in governing board of the district.

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

(Adds R.S. 33:2541.5 and 2541.6)