

Regular Session, 2010

HOUSE BILL NO. 1293

BY REPRESENTATIVE EDWARDS

POLICE/MUNICIPAL: Provides relative to the power of an elected police chief in certain municipalities to appoint, promote, discipline, and discharge police personnel

1 AN ACT

2 To enact R.S. 33:423.20, relative to the power of an elected chief of police in certain
3 municipalities; to provide that the police chief shall appoint, promote, discipline, and
4 discharge police personnel subject to limitations; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 33:423.20 is hereby enacted to read as follows:

7 §423.20. Certain municipalities; authority over personnel by elected chief of police

8 Notwithstanding the provisions of R.S. 33:423 or any other provision of law

9 to the contrary, in and for any municipality having a population of not more than one

10 thousand eight hundred persons and not less than one thousand six hundred fifty

11 persons according to the latest federal decennial census and located in any parish

12 with a population of not more than one hundred four thousand persons and not less

13 than ninety-eight thousand five hundred persons according to the latest federal

14 decennial census, the chief of police shall appoint, promote, discipline, and discharge

15 police personnel subject to the budgetary limitations of the mayor and town council

16 pertaining to the number of allotted positions for the police department.

17 Section 2. This Act shall become effective upon signature by the governor or, if not

18 signed by the governor, upon expiration of the time for bills to become law without signature

19 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If

- 1 vetoed by the governor and subsequently approved by the legislature, this Act shall become
2 effective on the day following such approval.
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DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

Edwards

HB No. 1293

Abstract: Provides that an elected police chief in certain municipalities shall appoint, promote, discipline, and discharge police personnel subject to budgetary constraints.

Present law generally provides that elected chiefs of police in municipalities with a mayor-board of aldermen form of government may only make recommendations to the mayor and board of aldermen in relation to the appointment, promotion, discipline, and dismissal of police personnel. Provides exceptions.

Proposed law retains present law and provides an additional exception for the police chief in any municipality with a population of not less than 1,650 persons and not more than 1,800 persons according to the latest federal decennial census and located in a parish with a population of not more than 104,000 persons and not less than 98,500 persons according to the latest federal decennial census. Provides that the police chief shall appoint, promote, discipline, and discharge police personnel subject to the budgetary restrictions adopted by the mayor and the board of aldermen.

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

(Adds R.S. 33:423.20)