

2023 Regular Session

HOUSE BILL NO. 134

BY REPRESENTATIVE MARCELLE

CIVIL SERVICE/FIRE & POL: Provides relative to the qualifications of members of the municipal fire and police civil service board in the city of Baton Rouge

1 AN ACT

2 To enact R.S. 33:2476(B)(2)(c)(iii), relative to the city of Baton Rouge; to provide relative
3 to the municipal fire and police civil service board; to provide relative to the
4 qualifications of board members; to authorize members to hold certain positions
5 while serving on the board; and to provide for related matters.

6 Notice of intention to introduce this Act has been published
7 as provided by Article III, Section 13 of the Constitution of
8 Louisiana.

9 Be it enacted by the Legislature of Louisiana:

10 Section 1. R.S. 33:2476(B)(2)(c)(iii) is hereby enacted to read as follows:

11 §2476. Municipal fire and police civil service boards

12 * * *

13 B.

14 * * *

15 (2)

16 * * *

17 (c)

18 * * *

19 (iii) Notwithstanding the provisions of Item (i) of this Subparagraph, a
20 member of the municipal fire and police civil service board in the city of Baton

1 Rouge may hold a position of public employment that is not with the city of Baton

2 Rouge and that is not prohibited by the provisions of R.S. 42:61, et seq.

3 * * *

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)]

HB 134 Original

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Marcelle

Abstract: Authorizes the members of the Baton Rouge municipal fire and police civil service board to hold certain positions of public employment.

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 constitution and present law.

Present law, creates a municipal fire and police civil service board in each parish, municipality, and fire protection district composed of five members appointed by the respective governing body. Requires that at least two members of the board be appointed who shall be first nominated and elected by and from the regular employees of the fire and police departments. Provides further with respect to the qualifications of board members.

Proposed law retains present law.

Present law prohibits a member of a municipal fire and police civil service board from being a candidate for nomination or election to any public office and from holding any other public office or position of public employment, except that of notary public, a military or naval official office, or that of a municipal fire or police department which is expressly required by present law. Provides an exception for members of the municipal fire and police civil service board of the city of Houma by authorizing them to hold a position of public employment if the position of public employment is not with the city of Houma.

Proposed law retains present law and provides an exception for the city of Baton Rouge. Authorizes members of the municipal fire and police civil service board to hold a position of public employment that is not with the city of Baton Rouge and that is not prohibited by present law related to dual officeholding and dual employment.

(Adds R.S. 33:2476(B)(2)(c)(iii))