HLS 21RS-154 ORIGINAL

2021 Regular Session

HOUSE BILL NO. 229

1

BY REPRESENTATIVE MCFARLAND

MUNICIPALITIES: Provides relative to the chief of police in the village of Dodson

AN ACT

2 To enact R.S. 33:381(C)(35), relative to the village of Dodson; to provide for the filling of 3 the office of police chief by appointment; to provide for the time and method of 4 appointment and for the salary, term, duties, qualifications, supervision, and 5 residency of an appointed police chief; to provide for effectiveness; and to provide 6 for related matters. 7 Notice of intention to introduce this Act has been published 8 as provided by Article III, Section 13 of the Constitution of 9 Louisiana. 10 Be it enacted by the Legislature of Louisiana: 11 Section 1. R.S. 33:381(C)(35) is hereby enacted to read as follows: 12 §381. Municipal officers 13 14 C. 15 16 (35) Notwithstanding any other provision of law to the contrary, the office 17 of police chief in the village of Dodson shall be an appointive and not an elective 18 office. The mayor, with the approval of the board of aldermen, shall appoint the police chief. The board of aldermen, upon recommendation of the mayor, shall 19 establish the chief's salary and shall, by ordinance, establish the duties, 20

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CODING: Words in struck through type are deletions from existing law; words <u>underscored</u> are additions.

1 responsibilities, and qualifications of the office. The police chief's term of office 2 shall be concurrent with that of the appointing mayor. The mayor shall, in 3 accordance with such ordinances, supervise and direct the administration of the 4 office, and the chief shall report directly to the mayor. The police chief need not 5 reside within the municipal limits of Dodson. 6 7 Section 2. The first appointment pursuant to this Act shall not become effective 8 while there is an elected chief in the office. 9 Section 3. This Act shall become effective upon signature by the governor or, if not 10 signed by the governor, upon expiration of the time for bills to become law without signature 11 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If 12 vetoed by the governor and subsequently approved by the legislature, this Act shall become 13 effective on the day following such approval.

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 229 Original

2021 Regular Session

McFarland

Abstract: Provides for the appointment, rather than election, of the police chief of Dodson.

<u>Present law</u> (R.S. 33:381) provides that the officers of every municipality governed by the provisions of the Lawrason Act (mayor-board of aldermen form of government) shall be a mayor, aldermen, a chief of police, a tax collector, and a clerk. Generally provides for election, at large, of the police chief. Provides for appointment of a police chief in certain specified municipalities.

<u>Present law</u> (R.S. 33:381.1 and 381.2) alternately provides that the office of police chief shall be filled by mayoral appointment with approval of the board of aldermen if a majority of the municipal electors approve the change. Provides for an election on the question only upon petition directed to the board of aldermen and signed by at least 25% of such electors. However, in a municipality with a population of 5,000 or fewer, authorizes calling such an election upon adoption of an ordinance by 2/3 vote of the governing authority.

<u>Proposed law provides</u> that the police chief in Dodson shall be appointed by the mayor with the approval of the board of aldermen. Provides that the police chief's term shall be concurrent with that of the mayor.

<u>Proposed law</u> provides that the board of aldermen, upon recommendation of the mayor, shall establish the salary of the office and shall, by ordinance, establish the duties, responsibilities, and qualifications of the office. Provides that the mayor, in accordance with such ordinances, shall supervise and direct the administration of the office and that the chief shall report directly to the mayor. Also provides that the chief need not reside within the municipal limits of Dodson.

Provides for initial appointment upon expiration of the current term or other vacancy in the office.

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

(Adds R.S. 33:381(C)(35))