

First Extraordinary Session, 2011

HOUSE BILL NO. 27

BY REPRESENTATIVE PUGH

CENSUS: Provides relative to the authority of the police chief in the town of Independence to take certain personnel actions (Item #8)

1 AN ACT

2 To amend and reenact R.S. 33:423.21, relative to Title 33 (Municipalities and Parishes) of  
3 the Louisiana Revised Statutes of 1950 which are limited in applicability to certain  
4 political subdivisions or local areas based upon population category; to specify  
5 applicability to Independence of a provision relative to the authority of the police  
6 chief to take certain personnel actions; and to provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 33:423.21 is hereby amended and reenacted to read as follows:

9 §423.21. ~~Certain municipalities~~ Town of Independence; authority over personnel by  
10 elected chief of police

11 Notwithstanding the provisions of R.S. 33:423 or any other provision of law  
12 to the contrary, in and for ~~any municipality having a population of not more than one~~  
13 ~~thousand eight hundred persons and not less than one thousand six hundred fifty~~  
14 ~~persons according to the latest federal decennial census and located in any parish~~  
15 ~~with a population of not more than one hundred four thousand persons and not less~~  
16 ~~than ninety-eight thousand five hundred persons according to the latest federal~~  
17 ~~decennial census~~ the town of Independence, the chief of police shall appoint,  
18 promote, discipline, and discharge police personnel subject to the budgetary  
19 limitations of the mayor and town council pertaining to the number of allotted  
20 positions for the police department.

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)]

Pugh

HB No. 27

**Abstract:** Relative to the authority of an elected police chief to take certain personnel actions, specifies applicability of provisions (as a result of the 2010 census) which are limited in applicability (by population) to the town of Independence.

Present law provides generally for the powers and duties of an elected police chief. Requires the police chief to make recommendations to the mayor and board of aldermen for the appointment of police personnel, the promotion of officers, to effect disciplinary action, and for dismissal of police personnel. Provides exceptions.

Proposed law retains present law.

Present law requires the police chief in any municipality having a population of not more than 1,800 persons and not less than 1,650 persons according to the latest federal decennial census and located in any 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 to appoint, promote, discipline, and discharge police personnel subject to the budgetary limitations of the mayor and town council pertaining to the number of allotted positions for the police department.

Proposed law makes present law applicable to the town of Independence.

CITATION/ TOPIC	EXISTING LAW	AFFECTED LOCATIONS	PROPOSED LAW
R.S. 33:423.21 - Authority over personnel by elected chief of police	Municipality having a population of not more than 1,800 persons and not less than 1,650 persons; and located in any parish with a population of not more than 104,000 persons and not less than 98,500 persons	Town of Independence (2000 census)	Independence

(Amends R.S. 33:423.21)