

Regular Session, 2010

HOUSE BILL NO. 900

BY REPRESENTATIVE GALLOT

POLICE/STATE: Transfers capitol police to the Dept. of Public Safety and Corrections

1 AN ACT

2 To amend and reenact R.S. 49:149 and 149.2, relative to capitol police; to provide that
3 capitol police officers shall be employees of the Department of Public Safety and
4 Corrections; to provide relative to the carrying of weapons; to provide with respect
5 to bonds; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 49:149 and 149.2 are hereby amended and reenacted to read as
8 follows:

9 §149. Capitol police; creation

10 There is hereby created the capitol police, the members of which shall be
11 appointed by the ~~superintendent of state buildings~~ deputy secretary for public safety
12 services of the Department of Public Safety and Corrections. Members shall be
13 considered police employees of the department and shall be commissioned by the
14 deputy secretary in his capacity as superintendent of state police, pursuant to his
15 authority in R.S. 40:1379.

16 * * *

17 §149.2. Capitol police constituted as peace officers; bond; jurisdiction

18 When discharging their duties on ~~said~~ state property or on the state capitol
19 complex, capitol police are hereby constituted as peace officers with the right to
20 exercise the power of arrest and the power to transfer arrested persons to the sheriff

1 of the parish ~~wherein~~ where the arrest was made and shall have the authority to carry
 2 weapons at all such times; however, no member of the capitol police shall be
 3 authorized to carry a weapon until the member has received Police Officer Standards
 4 and Training (P.O.S.T.) certification. ~~Such persons, officers, or guards shall be~~
 5 ~~bonded in the amount of ten thousand dollars in the exercise of their functions and~~
 6 ~~the premiums on such bonds shall be paid from the budget of the superintendent of~~
 7 ~~state buildings and grounds.~~ Nothing ~~However, nothing~~ herein shall be construed so
 8 as to limit the jurisdiction of the capitol police to only those buildings and grounds
 9 under the supervision of the superintendent of the state buildings and grounds or the
 10 state capitol complex, but such jurisdiction shall extend to all state owned or leased
 11 buildings and grounds when requested by a state agency in or on such property. The
 12 provisions of this Section shall not be construed or interpreted in any manner to
 13 affect the rights, powers, and duties of any sheriff, constable, police officer, or other
 14 law enforcement officer with jurisdiction over any area within the state capitol
 15 complex.

16 Section 2. This Act shall become effective upon signature by the governor or, if not
 17 signed by the governor, upon expiration of the time for bills to become law without signature
 18 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
 19 vetoed by the governor and subsequently approved by the legislature, this Act shall become
 20 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)]

Gallot

HB No. 900

Abstract: Transfers capitol police from the jurisdiction of the superintendent of state buildings to that of the DPS&C.

Present law creates the capitol police and provides that the members of the capitol police shall be appointed by the superintendent of state buildings.

Proposed law transfers the capitol police from the superintendent of state buildings to the deputy secretary of public safety services of DPS&C.

Proposed law provides that members of capitol police shall be considered police employees of DPS&C.

Present law provides that capitol police are considered peace officers with the power of arrest, and are authorized to carry weapons at all times.

Proposed law provides that officers shall not carry weapons unless P.O.S.T. certified.

Present law requires that officers shall be bonded in the amount of \$10,000.

Proposed law removes the requirement for bond.

Proposed law provides that the rights of sheriffs, constables, police officers, or other law enforcement officers shall not be affected by proposed law.

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

(Amends R.S. 49:149 and 149.2)