SLS 24RS-134 ENGROSSED

2024 Regular Session

SENATE BILL NO. 227

BY SENATOR HODGES

LAW ENFORCEMENT. Provides for training requirements for part-time and reserve peace officers. (gov sig)

1 AN ACT

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To amend and reenact R.S. 40:2401, 2404.2(B)(1), and 2405(A)(1) and (2), (D), and (E),

relative to peace officer standards and training; to provide for minimum training

requirements; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 40:2401, 2404.2(B)(1), and 2405(A)(1), and (2), (D), and (E) are

hereby amended and reenacted to read as follows:

§2401. Findings and policy

The legislature finds all of the following:

A. that law Law enforcement work is of such importance to the health, safety and welfare of the people of this state and is of such a nature as to require education and training of a professional character. The needs of such education and training can be met only by programs adequate in quality and scope and made available to those persons who are serving as such officers including those in a temporary or probationary capacity. Education should also be made available to persons who seek to become peace officers, and this education should be supervised by a special council composed of persons experienced in law enforcement work and the training

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Coding: Words which are struck through are deletions from existing law; words in **boldface type and underscored** are additions.

thereof rather than any other general board composed of nonlaw enforcement members.

B. Part-time, volunteer, and reserve peace officers have been utilized for decades by many police departments around the state and nation and have traditionally served as a valuable remedy to combat staffing shortages and to provide additional security during natural disasters and at events attracting large groups of people. These reserve, volunteer, and part-time peace officers have routinely been men and women who volunteered to serve their communities by freely giving their time and talent to assist their local law enforcement agencies and often received no monetary compensation whatsoever for their considerable past law enforcement experience.

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§2404.2. Minimum training requirements; basic curriculum; annual training

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B.(1) All full-time, part-time, or reserve peace officers shall successfully complete a minimum of twenty hours of in-service training requirements prescribed by the council on an annual basis. All initial training requirements must be completed within the first calendar year after receiving P.O.S.T. certification and annually thereafter.

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§2405. Peace officer training requirements; reimbursement by peace officer

A.(1) Except as otherwise provided in Paragraph (2) of this Subsection, any person who begins employment as a **full-time** peace officer in Louisiana subsequent to January 1, 1986, must successfully complete a certified training program approved by the council and successfully pass a council-approved comprehensive examination within one calendar year from the date of initial employment. The one-year period in which a **full-time** peace officer is required to complete a certified training program approved by the council and successfully pass a council-approved comprehensive examination is not interrupted if the peace officer leaves the

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employing agency to be employed as a <u>full-time</u> peace officer in another agency in Louisiana. Any person who fails to comply with this requirement shall be prohibited from exercising the authority of a peace officer; however, such persons shall not be prohibited from performing administrative duties.

(2)(a) The council shall promulgate administrative rules for the certification requirements of part-time and reserve peace officers employed on or after the effective date of this Act and prior to January 1, 2022 subject to oversight by the House Committee on Judiciary and Senate Committee on Judiciary B.

(b) Any person who begins employment as a part-time or reserve peace officer in Louisiana on or after January 1, 2022, shall be subject to the requirements of Paragraph (1) of this Subsection. shall successfully complete a certified training program approved by the council and successfully pass a council-approved comprehensive examination within three calendar years from the date of initial employment. The three-year period in which a part-time or reserve peace officer is required to complete a certified training program approved by the council and successfully pass a council-approved comprehensive examination is not interrupted if the peace officer leaves the employing agency to be employed as a part-time or reserve peace officer at another agency in Louisiana. Any person who fails to comply with this requirement shall be prohibited from exercising the authority of a peace officer; however, the person shall not be prohibited from performing administrative duties. In no case shall a part-time or reserve peace officer be prevented from continuing his duties if the employing agency is unable to provide the requisite training because of a shortage of funds.

* * *

D. In no case shall the failure of a peace officer to obtain the required training before the passage of one calendar year from the date of initial employment within the timeline required by this Section be grounds to suppress any evidence, testimony, or law enforcement action whatsoever in a court of law.

E. Peace Full-time peace officers employed after January 1, 1986, in villages of one thousand or less, according to the last decennial census, shall have a period of two calendar years to comply with the provisions of this Section. In addition, full-time peace officers employed in such a village which adopts a home rule charter after July 1, 1998, and who was employed as such at the time of adoption of the charter, shall have a period of two calendar years from the date of adoption of the charter to comply with the provisions of this Section. In no case shall a peace officer of such a village be prevented from continuing his duties or receiving regular or supplemental pay if the village is unable to provide the requisite training because of a shortage of funds.

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SB 227 Engrossed

Section 2. This Act shall become effective upon signature by the governor or, if not signed by the governor, upon expiration of the time for bills to become law without signature by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If vetoed by the governor and subsequently approved by the legislature, this Act shall become effective on the day following such approval.

The original instrument was prepared by Carla S. Roberts. The following digest, which does not constitute a part of the legislative instrument, was prepared by Alan Miller.

DIGEST 2024 Regular Session

Hodges

<u>Present law</u> provides relative to the employment, discipline, training, recruitment, and investigation of peace officers. Provides that, in order to be certified as a level one basic law enforcement peace officer, all persons must successfully complete a minimum of 400 hours of core curriculum for basic peace officers as prescribed by the Council on Peace Officer Standards (P.O.S.T.) certification, whether the peace officers are full time or part-time and regardless of previous law enforcement experience. Provides exceptions to the 400 hour minimum training requirements for certain officers who were employed or volunteered before January 1, 1986, and other exceptions for certain officers who were employed or volunteered prior to January 1, 2022.

<u>Present law</u> provides legislative findings that law enforcement work is of such importance to the health, safety, and welfare of the people of this state and is of such a nature as to require education and training of a professional character. Provides that the needs of education and training can be met only by programs adequate in quality and scope and made available to those persons who are serving as such officers including those in a temporary or probationary capacity. Further provides that education should also be made available to persons who seek to become peace officers, and this education should be supervised by a special council composed of persons experienced in law enforcement work and the training

rather than any other general board composed of nonlaw enforcement members.

<u>Proposed law</u> retains <u>present law</u> and provides legislative intent as it relates to part-time, volunteer, and reserve peace officers, to state that part-time, volunteer, and reserve peace officers have been utilized for decades by many police departments around the state and nation and have traditionally served as a valuable remedy to combat staffing shortages and to provide additional security during natural disasters and at events attracting large groups of people. Provides that these reserve, volunteer, and part-time peace officers have routinely been men and women who volunteered to serve their communities by freely giving their time and talent to assist their local law enforcement agencies and often receiving no monetary compensation whatsoever for their considerable past law enforcement experience.

Present law requires all full-time, part-time, and reserve peace officers to successfully complete a minimum of 20 hours of additional in-service training requirements prescribed by the council on an annual basis, beginning the year after the officer has taken 400 hours of training and been P.O.S.T. certified. All initial training requirements must be completed within the first calendar year after receiving P.O.S.T. certification and annually thereafter. Requires, under certain circumstances, that the council may modify, extend, or waive an inservice training requirement on a case-by-case basis. Provides that requests for modifications, extensions, or waivers of annual in-service training requirements for an officer must be in writing submitted from the agency head to the council. Provides that waivers may be considered for extended continuous medical leave or any other emergency event or events deemed as such by the council.

<u>Proposed law</u> adds requirement that any person beginning employment as a part-time or reserve peace officer in Louisiana on or after January 1, 2022, successfully complete a certified training program approved by the P.O.S.T. council and successfully pass a council-approved comprehensive examination within three calendar years from the date of initial employment.

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

(Amends R.S. 40:2401, 2404.2(B)(1), and 2405(A)(1) and (2), (D), and (E))

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Judiciary B to the original bill

- 1. Makes technical changes.
- 2. Deletes legislative findings regarding reduced training for volunteer parttime and reserve police officers with previous law enforcement experience in other states or at the federal level.
- 3. Adds requirement that any person beginning employment as a part-time or reserve peace officer in Louisiana on or after January 1, 2022, successfully complete a certified training program approved by the P.O.S.T. council and successfully pass a council-approved comprehensive examination within three calendar years from the date of initial employment.
- 4. Deletes provisions creating a La. P.O.S.T. Reserve Training Academy.