

2022 La. Sess. Law Serv. Act 637 (H.B. 918) (WEST)

LOUISIANA 2022 SESSION LAW SERVICE

2022 Regular Session

Additions are indicated by **Text**; deletions by
~~Text~~ .

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stricken material by ~~Text~~ .

ACT NO. 637

H.B. No. 918

SUPPLEMENTAL PAY FOR CERTAIN LAW ENFORCEMENT OFFICERS

BY REPRESENTATIVE WHEAT

AN ACT to amend and reenact R.S. 40:1667.1(B)(1), 1667.3(A) through (D), 1667.4, and 1667.6(A) and to enact R.S. 40:1667.11, relative to supplemental pay for certain law enforcement officers; to provide relative to prior service for purposes of the period of service requirement; to provide relative to disbursement of funds; to provide for the board of review; to provide relative to eligibility for supplemental pay; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 40:1667.1(B)(1), 1667.3(A) through (D), 1667.4, and 1667.6(A) are hereby amended and reenacted and R.S. 40:1667.11 is hereby enacted to read as follows:

<< LA R.S. 40:1667.1 >>

**§ 1667.1. Rate of compensation; prior service; supplemental
monthly compensation; police to receive additional compensation**

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B. (1) In computing the period of service required by Subsection A of this Section, service as a police officer and as chief of police with peace officer standards and training (POST) certification in the municipality or tribe shall include prior service for those police officers and chiefs of police who have returned or hereafter return to such service. In addition, in computing the period of service required by Subsection A of this Section, service as a police officer and as chief of police in the municipality or tribe shall include prior service as a commissioned deputy sheriff receiving extra compensation under the provisions of R.S. 40:1667.7, shall include prior service

as a P.O.S.T.-certified law enforcement officer employed on a full-time basis by the Department of Wildlife and Fisheries or the Department of Public Safety and Corrections, including the division of probation and parole, and shall include prior service of retired state police officers who received extra compensation under the provisions of R.S. 40:1457, **and shall include prior service as a police officer certified pursuant to R.S. 40:2405 employed on a full-time basis by an official law enforcement agency.**

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<< LA R.S. 40:1667.3 >>

§ 1667.3. Disbursement of funds

A. **(1)** The funds appropriated and dedicated as herein provided shall be disbursed upon warrants drawn **approved and certified** by the mayors, **chiefs of police, or marshals** of the respective municipalities coming under the provisions of this Part, which warrants shall have attached to them a detailed list of the names of the officers **individuals** for whose benefit any particular warrant is drawn, together with the completed years of service of such officers and such other information as the secretary of the Department of Public Safety and Corrections may require.

(2) If a person who is required to sign a warrant fails to sign it, the person shall forward by certified mail to the Department of Public Safety and Corrections a letter which includes a justification for the failure to sign the warrant and supporting documentation. The board of review may approve a warrant that does not include all required signatures.

B. The mayors, **chiefs of police, or marshals** of the respective municipalities shall forward the **approved and certified** warrants to the secretary of the Department of Public Safety and Corrections and, on the basis of such warrants, the secretary of the Department of Public Safety and Corrections shall prepare and sign individual checks representing the amount to be paid out of state funds to each police officer **issue payments** in accordance with the provisions of this Part. Each such check shall show the legislative appropriation from which payment is made and shall note that it represents additional compensation paid by the state under the provisions of this Part. The secretary of the Department of Public Safety and Corrections shall deliver the checks to the individual officers in whose favor drawn, by mail or by such other means as he shall determine.

C. The mayor and chief of police or other municipal officer of the municipalities employing the police officers **individuals** entitled to additional compensation from the state under the provisions of this Part, who is charged with the responsibility of preparing the payrolls for such police officers **individuals**, shall include the additional compensation paid by the state to such police officers **individuals** in the calculation and deduction from the pay of such officers **individuals** the sums required by state or federal law to be withheld by an employer, such as federal income tax and

social security tax or contributions to state or local retirement systems. Any officials so charged with withholding sums from the pay of the ~~police officers~~ **individuals** shall be further charged with the responsibility of transmitting the sums so withheld in accordance with the law or laws requiring the withholding.

D. The additional compensation paid by the state to ~~municipal police officers~~ **individuals** as herein provided shall be included in the calculation and computation of the total wages paid to the ~~municipal police officer~~ **individual** in the determination of employer contributions to any retirement system or pension fund of which the ~~police officer~~ **individual** may be a member as well as in the determination of retirement eligibility and benefits which may accrue to the ~~police officer~~ **individual** under any retirement system or pension fund, as well as in the determination of any other employee benefits, sick leave, or disability pay to which the ~~police officer~~ **individual** might be entitled with the exception of workers' compensation benefits pursuant to R.S. 23:1021 et seq.

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<< LA R.S. 40:1667.4 >>

§ 1667.4. Salary reductions; void; police

Any reduction of the salary of any ~~police officer~~ **individual**, which salary is in effect on July 1, 1979, whether by the governing authority or by any pay plan under the provisions of any civil service law, or otherwise, shall be void where it is made solely by reason of the additional compensation by the state in this Part. Any appropriation made by the legislature which results in a salary adjustment to the state supplemental pay program under this Part shall not have the effect of reducing or replacing any base salary or benefits paid by the local governing authority from other sources.

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<< LA R.S. 40:1667.6 >>

§ 1667.6. Board of review; powers and duties

A. There is hereby created a board of review which shall be composed of ~~three~~ **nine** members; ~~one of whom shall be the~~ **as follows:**

(1) The commissioner of administration or a representative of the division of administration selected by him; ~~one of whom shall be a~~ **;**

(2) A member of the Louisiana Association of Chiefs of Police selected by the ~~president~~ **director** of said ~~the~~ **association**; ~~and one of whom shall be the director~~ **;**

(3) The deputy secretary for public safety services of the state department of public safety **Department of Public Safety and Corrections** or a representative from said **the** department selected by the director **deputy secretary**.

(4) A member of the Louisiana Commission on Law Enforcement and Administration of Criminal Justice selected by the chairman of the commission.

(5) A representative of the Council on Peace Officer Standards and Training selected by the chairman of the council. The member who serves pursuant to this Paragraph shall be a nonvoting member.

(6) A member of the Louisiana Municipal Association selected by the director of the association.

(7) The state examiner of municipal fire and police civil service or a representative of the office of state examiner of municipal fire and police civil service selected by the state examiner. The member who serves pursuant to this Paragraph shall be a nonvoting member.

(8) A member of the Louisiana City Marshals and City Constables Association selected by the president of the association.

(9) A member of the Justices of the Peace and Constables Association selected by the president of the association. The member who serves pursuant to this Paragraph shall be a nonvoting member.

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<< LA R.S. 40:1667.11 >>

§ 1667.11. Furlough

Furlough of an individual due to a state of emergency declared by a federal, state, parish, or municipal official shall not affect the individual's eligibility to receive additional pay out of state funds as provided in this Part.

Approved June 18, 2022.