

ACT No. 441

2023 Regular Session

HOUSE BILL NO. 540

BY REPRESENTATIVE MIGUEZ

1 AN ACT

2 To enact R.S. 34:1603.2, relative to port and harbor police; to provide for appointment,
3 salary, and appointee requirements; to require a bond be furnished by port and harbor
4 police conditioned on performance of duties; to provide for authority, arrests,
5 warrants, and no limitation on sheriffs; to provide for jurisdiction of police to ensure
6 a parish with a specific outlined population maintains its jurisdiction; to provide an
7 effective date; and to provide for related matters.

8 Be it enacted by the Legislature of Louisiana:

9 Section 1. R.S. 34:1603.2 is hereby enacted to read as follows:

10 §1603.2. Port and harbor police

11 A. For purposes of this Section, the board of commissioners for any port
12 district whose territory includes a parish with a population of sixty-eight thousand
13 to seventy-three thousand according to the latest federal decennial census and a
14 parish with a population of fifty-seven thousand to fifty-seven thousand four hundred
15 according to the latest federal decennial census may, in its discretion, appoint, fix
16 salaries of, and pay port and harbor police. The port and harbor police may consist
17 of any number of people of good character and citizens of the state who have
18 completed a course certified by the Council on Peace Officer Standards and
19 Training; however, no member shall be under eighteen years of age.

20 B. Each of the port and harbor police so appointed shall furnish bond in a
21 sum to be fixed by the commission at not less than one hundred dollars, conditioned
22 on the faithful performance of his duties, and any person injured or damaged by any
23 port or harbor police may sue upon that bond.

24 C. The port and harbor police provided for in this Section shall have, under
25 the direction and control of the commission, the same power to make arrests, in and

1 upon the property within the jurisdiction of the commission and approaches thereto,
 2 and to execute and return all criminal warrants and processes, as sheriffs of this state
 3 have, and shall under the same direction and authority, have all the powers of sheriffs
 4 as peace officers in all places and on all premises under the jurisdiction and control
 5 of the commission, and the streets and approaches thereto.

6 D. Any persons arrested by officers of the commission meeting the
 7 requirements of Subsection A of this Section and the return of all warrants or
 8 processes served by these officers shall be surrendered or delivered to the criminal
 9 sheriff of the parish in which the arrest occurred as determined by location of arrest;
 10 provided this shall in no way deprive the sheriff or deputy sheriff in a parish with a
 11 population of sixty-eight thousand to seventy-three thousand or fifty-seven thousand
 12 to fifty-seven thousand four hundred from making arrests or from serving warrants
 13 or process of court in any such place or on any such premises.

14 E. A commission that meets the requirements of Subsection A of this Section
 15 shall adopt rules and regulations for the conduct, management, and control of the
 16 port and harbor police, and shall, from time to time, enlarge, modify, or change such
 17 rules and regulations in its discretion.

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

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____