

Regular Session, 2012

SENATE BILL NO. 245

BY SENATOR HEITMEIER

LAW ENFORCEMENT. Provides for the peace officer standards and training qualifications. (gov sig)

1 AN ACT

2 To amend and reenact R.S. 40:2405(D), and to enact R.S. 40:2405(A)(4), relative to peace  
3 officer training requirements; to provide with respect to certification as a peace  
4 officer; to provide for an effective date; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 40:2405(D) is hereby amended and reenacted and R.S.  
7 40:2405(A)(4) is hereby enacted to read as follows:

8 §2405. Peace officer training requirements; reimbursement by peace officer

9 A. \* \* \*

10 **(4)(a) Notwithstanding the provisions of Paragraphs (1) and (2) of this**  
11 **Subsection, any appointed or elected chief of police or head of a law**  
12 **enforcement agency who was previously certified as a peace officer in another**  
13 **state and who does not have a break in law enforcement service of five years or**  
14 **longer, may elect to be certified as a peace officer in Louisiana by submitting to**  
15 **the council official documentation from the other state of certification as a peace**  
16 **officer and satisfying the following requirements at a council accredited**  
17 **academy:**

- 1                    **(i) Complete the Louisiana Enforcement Basic Training Manual-legal**  
 2                    **aspects section and firearms section.**
- 3                    **(ii) Qualify on the Peace Officer Standards and Training firearms**  
 4                    **qualification course, as attested by a certified firearms instructor.**
- 5                    **(iii) Pass the statewide examination for peace officers with a minimum**  
 6                    **score of seventy percent.**
- 7                    **(b) Prior to certification by the council, the council shall verify the**  
 8                    **certificate from the other state certifying such person as a peace officer.**
- 9                    **(c) Any elected or appointed chief of police or head of law enforcement**  
 10                    **agency receiving certification as a peace officer under the provisions of this**  
 11                    **Paragraph shall adhere to all other provisions of this Section.**

12    \*           \*           \*

13                    D. In no case shall the failure of a peace officer to obtain the required training  
 14                    before the passage of one calendar year from the date of initial employment **,or to**  
 15                    **receive certification as a Louisiana peace officer as provided in Paragraph**  
 16                    **(A)(4) of this Section,** be grounds to suppress any evidence, testimony, or law  
 17                    enforcement action whatsoever in a court of law.

18    \*           \*           \*

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

The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Angela L. De Jean.

DIGEST

Present law provides the peace officer training requirements.

Proposed law provides that any appointed or elected chief of police or head of a law enforcement agency who was previously certified as a peace officer in another state and who does not have a break in law enforcement service of five years or longer may elect to be certified as a peace officer in Louisiana by submitting to the council official documentation

from the other state of certification as a peace officer and satisfying the following requirements at a council accredited academy:

1. Complete the Louisiana Enforcement Basic Training Manual-legal aspects section and firearms section.
2. Qualify on the Peace Officer Standards and Training firearms qualification course, as attested by a certified firearms instructor.
3. Pass the statewide examination for peace officers with a minimum score of 70%.

Proposed law provides that prior to certification by the council, the council will verify the certificate from the other state certifying such person as a peace officer.

Proposed law provides that any elected or appointed chief of police or head of law enforcement agency receiving certification as a peace officer under the provisions of proposed law will adhere to all other provisions of present law.

Present law provides that in no case will the failure of a peace officer to obtain the required training before the passage of one calendar year from the date of initial employment be grounds to suppress any evidence, testimony, or law enforcement action whatsoever in a court of law.

Proposed law retains present law and also provides that in no case will the failure of a peace officer to receive certification as a Louisiana peace officer as provided in proposed law be grounds to suppress any evidence, testimony, or law enforcement action whatsoever in a court of law.

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

(Amends R.S. 40:2405(D); adds R.S. 40:2405(A)(4))