

**ACT No. 350**

SENATE BILL NO. 97

BY SENATORS MORRELL, ALARIO, JOHNS, LAFLEUR AND GARY SMITH AND REPRESENTATIVES ADAMS, ANDERS, ARMES, ARNOLD, BADON, BERTHELOT, BILLIOT, BROSSETT, BROWN, HENRY BURNS, CARMODY, CHANEY, COX, DIXON, DOVE, EDWARDS, GAINES, GAROFALO, GISCLAIR, HARRISON, HAZEL, HENSGENS, HILL, HONORE, HOWARD, HUNTER, HUVAL, KATRINA JACKSON, JAMES, JEFFERSON, JOHNSON, JONES, KLECKLEY, TERRY LANDRY, LEGER, LEOPOLD, LOPINTO, MACK, MORENO, JAY MORRIS, NORTON, PIERRE, PONTI, PRICE, PYLANT, REYNOLDS, RITCHIE, SCHEXNAYDER, SHADOIN, SMITH, THOMPSON, WHITNEY, ALFRED WILLIAMS, PATRICK WILLIAMS AND WILLMOTT

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AN ACT

To enact Part IV of Chapter 35 of Title 13 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 13:5631 through 5636 and R.S. 36:4(B)(1)(ff), to create and provide relative to the Louisiana Sheriff's Executive Management Institute; to provide relative to the board of directors, their qualifications and appointment; to provide for Senate confirmation; to provide for the necessary conditions required to receive an increase in compensation; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. Part IV of Chapter 35 of Title 13 of the Louisiana Revised Statutes of 1950, comprised of R.S. 13:5631 through 5636 is hereby enacted to read as follows:

**PART IV. LOUISIANA SHERIFF'S EXECUTIVE  
MANAGEMENT INSTITUTE**

**§5631. Purpose**

**It is the intent of the legislature in the exercise of the police power of the state to create a board to promote the public peace, by establishing training programs for sheriffs to provide management courses and skills to enhance the safety of the citizens of Louisiana and the enforcement of state laws.**

1 Baton Rouge.

2 B. The Louisiana Sheriff's Executive Management Institute shall be  
3 governed by a board. The board shall be composed of five members, all of  
4 whom shall be United States citizens and residents of the state.

5 C. The board shall consist of the following members :

6 (1) Three members appointed by the governor from a list of six names  
7 submitted by the Louisiana Sheriffs' Association, all of whom shall be current  
8 sheriffs.

9 (2) The chief justice of the Louisiana Supreme Court or his designee.

10 (3) The chairman of the Louisiana Peace Officers Standards and  
11 Training Council.

12 D. The qualifications of each member of the board shall continue  
13 throughout the term in office. In the event a member should cease meeting the  
14 qualifications, his seat shall be declared vacant and the vacancy shall be filled  
15 pursuant to the same process as for the original appointment for the remainder  
16 of the unexpired term.

17 E. The members of the board provided for in Paragraph (C)(1) of this  
18 Section shall be appointed for a term of three years and shall continue to serve  
19 until reappointed or replaced. In the event of death or resignation of a member,  
20 a successor shall be appointed to serve the unexpired term for which the  
21 member had been appointed within thirty days pursuant to the same process as  
22 that used to make the original appointment.

23 F. The appointments by the governor shall be subject to confirmation  
24 by the Senate.

25 G. Members shall serve without compensation.

26 §5633. Meetings; quorum

1 the board as they may determine necessary and appropriate for the  
2 administration, implementation and enforcement of this Subpart.

3 §5634. Functions; powers; duties

4 A. The institute, by and through the board, shall serve as the  
5 coordinator for the training of sheriffs in Louisiana.

6 B. The institute, by and through the board, shall have the following  
7 functions, powers, and duties:

8 (1) Establish a new sheriff management program prior to December 31,  
9 2012.

10 (2) Establish a sheriff's continuing education program prior to  
11 December 31, 2012.

12 (3) Establish requirements for approval and accreditation of other  
13 training and continuing education programs sponsored or offered by the federal  
14 government, other states, and agencies outside the jurisdiction of the institute.

15 (4) Cooperate with state and national sheriff's associations and agencies  
16 in training programs.

17 (5) Conduct research to improve the efficiency and function of the office  
18 of the sheriff and stimulate research by public and private agencies for that  
19 purpose.

20 (6) Accept donations, contributions, grants, or gifts from foundations,  
21 the state or federal government, and donations, contributions, grants, or gifts  
22 in amounts of not more than two hundred dollars from any one individual.

23 (7) Contract with other persons as the board deems necessary for  
24 services, facilities, studies, or training.

25 §5635. Training

26 A. Beginning January 1, 2013, each person who has been elected to the

1 twelve hours of continuing education as approved by the board within every  
2 twelve-month period.

3 §5636. Salary option

4 A. A sheriff is eligible to receive a salary increase as provided for by the  
5 provisions of this Section if both the following occur:

6 (1) The sheriff has completed the training requirements provided for by  
7 this Part.

8 (2) The legislature has established a salary increase for, and  
9 appropriated funds for, salary increases for district court judges as provided by  
10 law.

11 B. The sheriff may take the salary increase up to the amount he is  
12 eligible to receive as provided for in this Section.

13 Section 2. R.S. 36:4(B)(1)(ff) is hereby enacted to read as follows:

14 §4. Structure of executive branch of state government

15 \* \* \*

16 B. The office of the governor shall be in the executive branch of state  
17 government.

18 (1) The following agencies and their powers, duties, functions, and  
19 responsibilities are hereby transferred to the office of the governor:

20 \* \* \*

21 (ff) The Louisiana Sheriff's Executive Management Institute (R.S.  
22 13:5631 et seq.).

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