

2018 Regular Session

SENATE BILL NO. 505

BY SENATOR GATTI

SCHOOLS. Allows certain peace officers, with the approval of the principal, to patrol schools. (gov sig)

1 AN ACT

2 To amend and reenact R.S. 14:95(A)(5)(b)(i) and 95.2(C)(1), and R.S. 17:416.16(A)(3) and
3 (C)(1) and 416.19(A), and to enact R.S. 17:416.16(A)(5) and (6), and (G)(4), relative
4 to school safety; relative to carrying weapons on school grounds; to allow certain
5 peace officers to patrol schools; to clarify role of law enforcement in school crisis
6 management and response plans; to provide relative to school resource officers; and
7 to provide for related matters.

8 Be it enacted by the Legislature of Louisiana:

9 Section 1. R.S. 14:95(A)(5)(b)(i) and 95.2(C)(1) are hereby amended and reenacted
10 to read as follows:

11 §95. Illegal carrying of weapons

12 A. Illegal carrying of weapons is:

13 * * *

14 (5) * * *

15 (b) The provisions of this Paragraph shall not apply to:

16 (i) A peace officer as defined by R.S. 14:30(B) in the performance of his
17 official duties or who is authorized by the principal to patrol the school, whether
18 or not the peace officer is compensated or volunteers his service.

* * *

§95.2. Carrying a firearm, or dangerous weapon, by a student or nonstudent on school property, at school-sponsored functions or firearm-free zone

* * *

C. The provisions of this Section shall not apply to:

(1) A federal law enforcement officer or a Louisiana-commissioned state, or local Post Certified law enforcement officer who is authorized to carry a firearm, **whether or not the officer is compensated or volunteers his service.**

* * *

Section 2. R.S. 17:416.16(A)(3) and (C)(1), and 416.19(A) are hereby amended and reenacted, and R.S. 416.16(A)(5) and (6), and (G)(4) are enacted to read as follows:

§416.16. School crisis management and response plans

A. * * *

(3) The plan, which shall focus on preventing the loss of life and the injury of students and teachers and other school employees, shall detail the roles and responsibilities of each school employee, **and each appropriate law enforcement, fire, public safety, and emergency preparedness agency,** and the relevant coordination agreements, services, and security measures of a school in the event of a shooting or other violent incident or emergency situation.

* * *

(5) The plan may provide for the school principal to develop a process that allows peace officers, as defined in R.S. 14:30(B)(1), to provide patrols of the school to ensure the security of the school, whether or not the peace officers are compensated or volunteer their services to patrol the school.

(6) The plan may provide for the principal to enter into agreements with law enforcement agencies for school resource officers, provided that each school resource officer, whether or not he is compensated or volunteers his services, meets the qualifications prescribed by R.S. 17:416.19(B).

* * *

C.(1) Within the first thirty days of each school year, each public school

1 principal, jointly with law enforcement, fire, public safety, and emergency
 2 preparedness officials, shall conduct a safety drill to rehearse the components of the
 3 plan. Not later than seven days after the drill, the principal shall submit a written
 4 report summarizing the details of the drill to the local superintendent. The
 5 superintendent may comment on the drill to the principal, who may consider such
 6 comments in revising the plan.

7 * * *

8 G. Each public school principal shall keep a copy of the approved plan in his
 9 office and shall provide a copy to the following individuals, each of whom shall be
 10 responsible for keeping in his respective office a copy of the plan that is readily
 11 accessible in the event of a school shooting or other violent incident or emergency
 12 situation:

13 * * *

14 **(4) The administrative leader of any other law enforcement agency**
 15 **included in the plan or that provides school resource officers to the school.**

16 * * *

17 §416.19. School resource officers

18 A. Any city, parish, or other local public school system and any nonpublic
 19 school may make or enter into agreements with a ~~local~~ law enforcement agency to
 20 provide for school resource officers, **whether or not the school resource officers**
 21 **are compensated or volunteer their services.** Any city, parish, or other local public
 22 school system and any nonpublic school shall ensure that any school resource officer
 23 provided by a ~~local~~ law enforcement agency as provided in this Section is in
 24 compliance with the provisions of Subsection B of this Section.

25 * * *

26 Section 3. This Act shall become effective upon signature by the governor or, if not
 27 signed by the governor, upon expiration of the time for bills to become law without signature
 28 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
 29 vetoed by the governor and subsequently approved by the legislature, this Act shall become
 30 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 Cheryl Serrett.

DIGEST

SB 505 Original

2018 Regular Session

Gatti

Present law provides for the crime of intentional possession or use of a dangerous weapon on a school campus or a school bus. Additionally provides an exemption to certain persons, including peace officers in the performance of official duties.

Present law provides for the crime of carrying a firearm or dangerous weapon by a student or nonstudent on school property, at school-sponsored functions, or in a firearm-free zone. Additionally provides exemptions to allow federal law enforcement officers or a Louisiana-commissioned state, or local POST certified law enforcement officer authorized to carry a firearm on a school campus.

Proposed law retains present law and clarifies that a law enforcement officer may carry a weapon on school campus, whether in performance of his official duties or not, and whether he is compensated or volunteers his services.

Present law provides that every school shall have a crisis management and response plan which details the roles and responsibilities of each school employee. Proposed law retains present law and provides that the crisis management plan shall detail the roles and responsibilities of each law enforcement, fire, public safety, and emergency preparedness agency.

Proposed law additionally provides that the crisis management plan may provide for the school principal to develop a process that allows peace officers to patrol the school to ensure school security, whether or not the peace officers are compensated or volunteer their services to patrol the school.

Proposed law provides that the crisis management plan may provide for the principal to enter into agreements with law enforcement agencies for school resource officers, provided that each school resource officer, whether or not he is compensated or volunteers his services, meets the qualifications required in present law.

Present law provides that within the first 30 days of each school year, the school principal shall conduct a safety drill to rehearse the crisis management plan.

Proposed law retains present law and additionally provides that the drill shall be conducted in conjunction with appropriate law enforcement, fire, public safety, and emergency preparedness agencies.

Present law provides that the school principal shall keep a copy of the approved crisis management plan in his office and provide a copy of the plan to the president of the local school board, the local school superintendent, the chief of police or the local sheriff, and the local fire chief.

Proposed law retains present law and additionally requires that a copy of the plan be provided to the administrative leader of any other law enforcement agency included in the crisis management plan or that provides school resource officers to the school.

Present law provides that a school system may enter into agreements with a local law enforcement agency to provide school resource officers.

Proposed law retains present law but removes the requirement that the law enforcement agency be a local agency and clarifies that a school resource officer may be compensated or a volunteer.

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

(Amends R.S. 14:95(A)(5)(b)(i) and 95.2(C)(1), and R.S. 17:416.16(A)(3) and (C)(1), and 416.19(A); adds R.S. 17:416.16(A)(5) and (6), and (G)(4))