2020 Second Extraordinary Session

HOUSE BILL NO. 4

BY REPRESENTATIVES WRIGHT, BACALA, MIGUEZ, AND HODGES

## EMERGENCY PREPAREDNESS: Provides relative to emergency declarations (Items #1, 2, and 28)

1	AN ACT
2	To amend and reenact R.S. 29:724(B)(1) and 768(A), relative to emergency declarations;
3	to provide relative to the renewal of emergency declarations; to require legislative
4	approval for renewal of emergency declarations; and to provide for related matters.
5	Be it enacted by the Legislature of Louisiana:
6	Section 1. R.S. 29:724(B)(1) and 768(A) are hereby amended and reenacted to read
7	as follows:
8	§724. Powers of the governor
9	* * *
10	B.(1) A disaster or emergency, or both, shall be declared by executive order
11	or proclamation of the governor if he finds that a disaster or emergency has occurred
12	or the threat thereof is imminent. The state of disaster or emergency shall continue
13	until the governor finds that the threat of danger has passed or the disaster or
14	emergency has been dealt with to the extent that the emergency conditions no longer
15	exist and terminates the state of disaster or emergency by executive order or
16	proclamation, but no state of disaster or emergency may shall continue for longer
17	than thirty days unless renewed by the governor. A state of disaster or emergency
18	may be renewed by the governor only if such renewal is approved by a majority vote
19	of each house of the legislature.
20	* * *

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CODING: Words in struck through type are deletions from existing law; words <u>underscored</u> are additions.

1 §768. Termination of declaration of public health emergency

2 A. The state of public health emergency shall continue until the governor 3 finds that the threat of danger has passed or the disaster or emergency has been dealt 4 with to the extent that the emergency conditions no longer exist and terminates the 5 state of public health or emergency by executive order or proclamation, but no state 6 of public health emergency may shall continue for longer than thirty days unless 7 renewed by the governor. A state of public health emergency may be renewed by 8 the governor only if such renewal is approved by a majority vote of each house of 9 the legislature. 10

## DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 4 Original2020 Second Extraordinary SessionWright

**Abstract:** Authorizes the legislature, by a majority vote, to approve the renewal of emergency declarations to continue beyond 30 days.

<u>Present law</u> provides that a disaster, emergency, or public health emergency shall be declared by executive order or proclamation of the governor if the governor finds that a disaster or emergency has occurred or the threat thereof is imminent.

<u>Present law</u> also provides that the state of disaster, emergency, or public health emergency shall continue until the governor finds that the threat of danger has passed or the disaster or emergency has been dealt with to the extent that the emergency conditions no longer exist and terminates the state of disaster, emergency, or public health emergency by executive order or proclamation.

<u>Present law</u> provides that no state of disaster, emergency, or public health emergency may continue for longer than 30 days unless renewed by the governor.

<u>Proposed law</u> amends <u>present law</u> to provide that no state of disaster, emergency, or public health emergency shall continue beyond 30 days unless renewed by the governor and approved by a majority vote of each house of the legislature.

(Amends R.S. 29:724(B)(1) and 768(A))