

Regular Session, 2012

HOUSE BILL NO. 758

BY REPRESENTATIVE BADON

LAW ENFORCEMENT: Authorizes the governor to activate national guard troops to assist local law enforcement in certain municipalities upon reaching a certain homicide rate

1 AN ACT

2 To enact R.S. 29:723(3)(c) and 724(H), relative to the governor's powers; to provide for the
3 definition of "emergency"; to authorize the governor to activate the national guard
4 and state law enforcement resources in certain cities or municipalities that have a
5 certain murder rate; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 29:723(3)(c) and 724(H) are hereby enacted to read as follows:

8 §723. Definitions

9 As used in this Chapter:

10 * * *

11 (3) "Emergency" means:

12 * * *

13 (c) For purposes of this Paragraph, any city or municipality having a
14 population in excess of two hundred thousand according to the latest decennial
15 census and a murder rate of forty-five persons per every one hundred thousand in
16 population.

17 * * *

18 §724. Powers of the governor

19 * * *

1 H. In the event of an emergency declared by the governor pursuant to R.S.
 2 29:723(3)(c), all state law enforcement resources including the national guard may
 3 be activated or called upon to assist local law enforcement with such emergency.

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)]

Badon

HB No. 758

Abstract: Authorizes the governor to declare an emergency that activates the national guard and utilize state law enforcement when certain cities or municipalities based on population reach a certain murder rate.

Present law defines emergency as the actual or threatened condition which may be created from a disaster or any natural or manmade event which results in an interruption in the delivery of utility services to any consumer and affects the safety, health, or welfare of a La. resident and any national or state emergency including acts of terrorism or a congressional authorization or presidential declaration pursuant to the War Powers Resolution (50 U.S.C. 1541 et seq.).

Proposed law expands the definition of emergency to include a murder rate of 45 persons for every 100,000 in any city or municipality having a population in excess of 200,000.

Proposed law authorizes the governor to declare an emergency pursuant to proposed law and to activate the national guard or utilize state law enforcement resources to assist local law enforcement with the declared emergency.

(Adds R.S. 29:723(3)(c) and 724(H))