

SENATE BILL NO. 71

ACT No. 43

BY SENATOR PEACOCK

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AN ACT

To amend and reenact R.S. 42:17.1(A), relative to meetings of public bodies during a gubernatorially declared state of disaster or emergency; to provide requirements for meeting via electronic means; to provide for an effective date; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 42:17.1(A) is hereby amended and reenacted to read as follows:

§17.1. Exception for meetings during a gubernatorially declared disaster or emergency

A. Notwithstanding any other provision of this Chapter to the contrary, a public body may conduct and its members may attend and participate in a meeting via electronic means provided ~~all of the following~~:

(1) The governor has declared a state of emergency or disaster involving a geographic area within the jurisdiction of the public body and the nature of the emergency or disaster would cause a meeting of the public body conducted pursuant to the other provisions of this Chapter to be detrimental to the health, safety, or welfare of the public.

(2) The presiding officer of the public body certifies on the notice of the meeting that the agenda of the meeting is limited to one or more of the following:

(a) Matters that are directly related to the public body's response to the disaster or emergency and are critical to the health, safety, or welfare of the public.

(b) Matters that if they are delayed will cause curtailment of vital public services or severe economic dislocation and hardship.

1 (c) Matters that are critical to continuation of the business of the public body
2 and that are not able to be postponed to a meeting held in accordance with the other
3 provisions of this Chapter due to a legal requirement or other deadline that cannot
4 be postponed or delayed by the public body.

5 **(d) Other matters that are critical or time-sensitive and that in the**
6 **determination of the presiding officer should not be delayed; however, such**
7 **matters shall not be considered at the meeting unless the members of the body**
8 **present at the meeting approve the consideration of the matters by a two-thirds**
9 **vote.**

10 (3) The public body and its presiding officer comply with all of the
11 requirements of this Section.

12 * * *

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

PRESIDENT OF THE SENATE

SPEAKER OF THE HOUSE OF REPRESENTATIVES

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____