AN ACT

To amend and reenact R.S. 29:727(D) and 737(C), relative to emergency preparedness; to
provide relative to declarations of states of emergency declared by local officials; to
provide for the duration of states of emergency; to provide for approval of an
extension of a declaration of emergency under certain circumstances; and to provide
for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 29:727(D) and 737(C) are hereby amended and reenacted to read as
follows:

§727. Powers of the parish president; penalties for violations

*          *          *

D.(1) A local disaster or emergency may be declared only by the parish
president, except as otherwise provided in this Chapter. In that event, the state of
emergency shall continue until the parish president finds that the threat of danger has
been dealt with to the extent that emergency conditions no longer exist. However,
no state of emergency may continue for longer than thirty days unless extended by
the parish president, and no continuous state of emergency may continue for a period
of more than ninety days unless approved by the parish governing authority.

(2) The state of emergency may be terminated by executive order or
proclamation. The state of emergency or disaster may be terminated by the
governor, a petition signed by a majority of the surviving members of either house
of the legislature, or by a majority of the surviving members of the parish governing
authority. The document terminating the state of emergency or disaster may establish a period during which no other declaration of emergency or disaster may be issued. The termination of a state of disaster or emergency pursuant to this Paragraph shall not affect changes to polling places for an election being conducted in accordance with R.S. 18:401.1 or 401.2.

(3) All executive orders or proclamations issued under this Subsection shall indicate the nature of the emergency, the area or areas which are or may be affected, and the conditions which brought it about. Any order or proclamation declaring, continuing, or terminating a local disaster or emergency shall be given prompt and general publicity and shall be filed promptly with the office of emergency preparedness and the office of the clerk of court.

§737. Municipalities; authority to respond to emergencies

C.(1) The state of emergency shall continue until the mayor or chief executive officer finds that the threat of danger has been dealt with to the extent that emergency conditions no longer exist. The state of emergency may be terminated by executive order or proclamation, but However, no state of emergency may continue for longer than thirty days unless extended by the mayor or chief executive officer; and no continuous state of emergency may continue for a period of more than ninety days unless approved by the municipal governing authority.

(2) The state of emergency or disaster may be terminated by the governor, parish president, a petition signed by a majority of the surviving members of either house of the legislature, a majority of the surviving members of the parish governing authority, or a majority of the surviving members of the municipal governing authority. The document terminating the state of emergency or disaster may establish a period during which no other declaration of emergency or disaster may be issued. The termination of a state of disaster or emergency pursuant to this Paragraph shall not affect changes to polling places for an election being conducted in accordance with R.S. 18:401.1 or 401.2.
(3) All executive orders or proclamations issued under this Subsection shall indicate the nature of the emergency, the area or areas which are or may be affected, and the conditions which brought it about. Any order or proclamation declaring, continuing, or terminating a local disaster or emergency shall be given prompt and general publicity and shall be filed promptly with the Governor's Office of Homeland Security and Emergency Preparedness, the local office of homeland security and emergency preparedness, and the office of the clerk of court.

* * *

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: ____________________

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