

2020 Regular Session

HOUSE BILL NO. 763

BY REPRESENTATIVES MCFARLAND AND DAVIS

1 AN ACT

2 To enact R.S. 29:723(18) and (19) and 724(H), relative to the disruption of certain economic
3 conditions; to provide for abnormal economic disruptions; to provide for definitions;
4 to provide for certain declarations by the governor; to provide relative to the price
5 of certain goods and services; to provide for exceptions; and to provide for related
6 matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 29:723(18) and (19) and 724(H) are hereby enacted to read as
9 follows:

10 §723. Definitions

11 As used in this Chapter:

12 * * *

13 (18) "Abnormal economic disruption" means a disruption or anticipated
14 disruption to usual business conditions caused by a natural or man-made disaster or
15 emergency resulting from a terrorist attack, war, strike, civil disturbance, tornado,
16 earthquake, fire, flood, or any other natural disaster or man-made disaster.

17 (19) "Costs" includes any expense or expenditure directly or indirectly
18 related to the sale of a good or provision of a service or the operation of the person's
19 business.

20 §724. Powers of the governor

21 * * *

22 H.(1) Upon the declaration of an abnormal economic disruption by the
23 governor by proclamation or executive order, and continuing for a maximum of

1 fifteen calendar days, a person is prohibited from charging any other person a price
 2 for any of the following goods or services that is grossly in excess of the price
 3 generally charged for the same or similar goods or services in the usual course of
 4 business:

5 (a) Consumer food items.

6 (b) Repair or construction services.

7 (c) Emergency supplies.

8 (d) Medical supplies.

9 (e) Building materials.

10 (f) Motor vehicle fuels.

11 (g) Transportation, freight, and storage services.

12 (h) Housing.

13 (2) A declaration of an abnormal economic disruption by the governor may
 14 authorize all departments to exercise actions in direct response and specify that only
 15 certain goods or services are covered by the prohibition provided by Paragraph (1)
 16 of this Subsection.

17 (3) A price increase is not grossly excessive if the increase was attributable
 18 to any of the following:

19 (a) Fluctuations of pricing in applicable regional, national, or international
 20 commodity markets.

21 (b) Pricing set forth in any preexisting agreement, including stored and in-
 22 transit inventory.

23 (c) Additional costs imposed on the person by the supplier of the goods or
 24 services.

25 (d) Additional costs for labor, services, or materials used to provide the
 26 goods or services, including costs of replacement inventory, additional costs to
 27 transport goods or services, and additional labor charges.

1 (4) The provisions of R.S. 29:732 shall supersede any conflicting provisions
2 of this Subsection upon the declaration of a state of emergency implementing the
3 provisions of R.S. 29:732.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____