

2020 Regular Session

HOUSE CONCURRENT RESOLUTION NO. 93

BY REPRESENTATIVES CREWS, EDMONSTON, AND AMEDEE

A CONCURRENT RESOLUTION

To urge and request the governor to ensure that the individual liberty and rights of the citizens of Louisiana are protected as the state administers the public health function known as contact tracing.

WHEREAS, the Louisiana Health Emergency Powers Act, R.S. 29:760 et seq., bestows upon the governor of Louisiana extraordinary powers during a public health emergency that he declares; and

WHEREAS, the governor has exercised his emergency powers during the COVID-19 public health emergency; and

WHEREAS, the governor has declared that the state will administer a public health function known as contact tracing as businesses and public places reopen after their period of forced closure; and

WHEREAS, according to the United States Centers for Disease Control and Prevention (CDC), contact tracing involves public health workers communicating with a patient diagnosed with an infectious disease to help that person recall everyone with whom they had close contact during the time in which they may have been infectious; and

WHEREAS, the CDC indicates further that after this communication occurs, the public health staff performing contact tracing then contact the individuals identified by the patient and warn them of their potential exposure to the infectious disease; and

WHEREAS, in considering information that the governor's administration has issued regarding the state's rapidly developed contact tracing program, many Louisiana citizens have serious concerns about how contact tracing will impact their liberty, right to privacy, and other basic rights.

THEREFORE, BE IT RESOLVED that the Legislature of Louisiana does hereby urge and request the governor to ensure that the liberty and individual rights of the citizens

of this state are protected as the state administers the public health function known as contact tracing.

BE IT FURTHER RESOLVED that the Legislature of Louisiana does hereby urge and request the governor to require that the personnel who conduct contact tracing disclose to all persons whom they contact that participation in contact tracing is entirely voluntary before requesting any information from those persons.

BE IT FURTHER RESOLVED that the Legislature of Louisiana does hereby urge and request the governor not to authorize or otherwise impose any penalty for refusal by a person to participate in contact tracing.

BE IT FURTHER RESOLVED that the Legislature of Louisiana does hereby urge and request the governor to prohibit all of the following actions except in instances when the person subject to the action specifically consents to it:

- (1) Tracking of any person's movements through mobile phone geolocation or any other means, electronic or otherwise, in contact tracing.
- (2) Any data mining that would facilitate the tracking of a person's movements.
- (3) The collection of personal identifying information through contact tracing.

BE IT FURTHER RESOLVED that the Legislature of Louisiana does hereby urge and request the governor to give assurance to the people of this state that contact tracing will not entail the compulsory separation of family members or the prohibition of willing association among individuals.

BE IT FURTHER RESOLVED that the Legislature of Louisiana does hereby urge and request the governor not to authorize or otherwise impose any mandate that any individual be tested for the novel coronavirus or antibodies to the virus.

BE IT FURTHER RESOLVED that a copy of this Resolution be transmitted to the governor and to the secretary of the Louisiana Department of Health.

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

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PRESIDENT OF THE SENATE