
DIGEST

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HB 15 Original

2020 Second Extraordinary Session

Frieman

Abstract: Authorizes the legislature to terminate any declaration or any portion of the declaration, requires that the petition to terminate be transmitted to the clerk or secretary as applicable and to the governor, and makes the petition to terminate effective upon transmission of the petition to the governor.

Present law provides that a disaster, emergency, or public health emergency shall be declared by executive order or proclamation of the governor if the governor finds that a disaster or emergency has occurred or the threat thereof is imminent.

Present law also provides that the state of disaster, emergency, or public health emergency shall continue until the governor finds that the threat of danger has passed or the disaster or emergency has been dealt with to the extent that the emergency conditions no longer exist and terminates the state of disaster, emergency, or public health emergency by executive order or proclamation.

Present law provides that no state of disaster, emergency, or public health emergency may continue for longer than 30 days unless renewed by the governor.

Present law authorizes the legislature to terminate an emergency declaration of a state of disaster, emergency, or public health emergency by petition of a majority of the surviving members of either house.

Proposed law amends present law to specify that a majority of either the House of Representatives or the Senate may terminate all or any part or subpart of an emergency declaration.

Proposed law requires the petition terminating an emergency declaration be transmitted to the clerk of the House of Representatives or the secretary of the Senate, as applicable, and that the clerk or the secretary shall transmit the petition to the governor.

Proposed law further provides that the petition terminating an emergency declaration is effective upon transmission of the petition to the governor.

Proposed law provides for retroactive and prospective application.

Effective upon signature of governor or lapse of time for gubernatorial action.

(Amends R.S. 29:724(B)(2) and 768(B))

