
The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Brandi Cannon.

DIGEST

SCR 8 Original

2020 Second Extraordinary Session

Fesi

Effective through the 60th day after final adjournment of the 2021 Regular Session, suspends R.S. 29:762(12)(a)(ii) and (b)(iii) which provide relative to the definition of public health emergency for the purposes of the Louisiana Health Emergency Powers Act.

Present law (R.S. 29:760 et seq.) provides for the Louisiana Health Emergency Powers Act.

Present law (R.S. 29:766(A)) provides for a state of public health emergency to be declared by executive order or proclamation of the governor, following consultation with the public health authority, if he finds a public health emergency has occurred or the threat thereof is imminent.

Present law (R.S. 29:762(12)) defines a "public health emergency" as an occurrence or imminent threat of an illness or health condition that meets both of the following criteria:

- (1) Is believed to be caused by any of the following:
 - (a) Bioterrorism.
 - (b) The appearance of a novel or previously controlled or eradicated infectious agent or biological toxin.
 - (c) A disaster, including but not limited to natural disasters such as hurricane, tornado, storm, flood, high winds, and other weather related events, forest and marsh fires, and man-made disasters, including but not limited to, nuclear power plant incidents or nuclear attack, hazardous materials incidents, accidental release or chemical attack, oil spills, explosion, civil disturbances, public calamity, hostile military action, and other events related thereto.
- (2) Poses a high probability of any of the following harms:
 - (a) A large number of deaths in the affected population.
 - (b) A large number of serious or long-term disabilities in the affected population.
 - (c) Widespread exposure to an infectious or toxic agent that poses a significant risk of substantial future harm to a large number of people in the affected population.

(Suspends R.S. 29:762(12)(a)(ii) and (b)(iii))