

DIGEST

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SB 224 Engrossed

2022 Regular Session

Hewitt

Proposed law authorizes the legislature and legislative committees to meet, vote, and transact business via electronic means provided that the governor has declared a state of emergency or disaster and the nature of the emergency or disaster would cause a meeting of the legislature at the state capitol to be detrimental to the health, safety, or welfare of the public.

Proposed law provides that the presiding officer of the house of which he is a member must certify that the agenda of the meeting is limited to criteria specified in proposed law.

Proposed law provides that at least 24 hours in advance of a meeting held via electronic means its notice and agenda must be posted on the legislative website and distributed upon request to members of the public and media.

Proposed law provides that detailed information regarding public participation be posted on the legislative website and distributed upon request to members of the public and media.

Proposed law provides that the legislature will provide a mechanism for public comment prior to and during any meeting held, properly identify and acknowledge all public comments during the meeting, maintain those comments in its record of the meeting, ensure that each person participating in the meeting is properly identified, and ensure that all parts of the meeting, excluding any matter discussed in executive session, are clear and audible to all participants in the meeting including the public.

Proposed law provides that each person appearing before a legislative committee must swear or affirm that his testimony is true and correct prior to providing testimony.

Proposed law defines the following terms:

- (1) "Meeting via electronic means" shall mean a meeting occurring via teleconference or video conference.
- (2) "Teleconference" shall mean a method of communication which enables persons in different locations to participate in a meeting and to hear and otherwise communicate with each other.
- (3) "Video conference" shall mean a method of communication which enables persons in different locations to participate in a meeting and to see, hear, and otherwise communicate with each other.

Present law provides that a public body may conduct and its members may attend and participate in a meeting via electronic means during a gubernatorially declared disaster or emergency. Proposed law provides that this exception does not apply to the legislature or a committee or subcommittee thereof.

Present law provides that during a gubernatorially declared emergency, as necessary to provide for the continuity of government and legislative operations, a member of the legislature or a committee thereof shall be counted for quorum purposes if the member participates through electronic means. Further provides that during a gubernatorially declared emergency a member shall be permitted to participate in the debate and vote through electronic means. The member shall certify each vote in writing and file the certification with the secretary of the Senate or the clerk of the House of Representatives.

Proposed law repeals present law.

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

(Amends R.S. 42:17.1; Adds R.S. 42:17.2; Repeals R.S. 24:7.1)

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Senate and Governmental Affairs to the original bill

1. Provide for legislative committees to meet remotely.
2. Require certification by the presiding officer of the house of which he is a member that a remote meeting of the legislature or legislative committee is limited to certain subject matters.
3. Establish subject matter limitations for remote meetings of the legislature or legislative committee.
4. Require each person testifying before a remote meeting of a legislative committee to swear or affirm that his testimony is true and correct.

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on House and Governmental Affairs to the engrossed bill:

1. Make technical changes.
2. Repeal proposed law relative to participation in certain meetings by teleconferencing or other electronic means for legislative bodies.