

HOUSE SUMMARY OF SENATE AMENDMENTS

HB 772

2024 Regular Session

Zeringue

EMERGENCY PREPAREDNESS: Provides relative to cemetery emergency assistance and disaster relief

Synopsis of Senate Amendments

1. Authorizes the task force to adopt rules pursuant to the Administrative Procedure Act.

Digest of Bill as Finally Passed by Senate

Present law provides for the Statewide Cemetery Response Task Force.

Proposed law changes the name of the task force.

Present law provides relative to members of the task force and the appointment of a chairperson.

Proposed law adds that upon approval of the task force, any other state authority may appoint a representative as a member of the task force. The appointing authority of such entity shall make the appointment. Provides further that each member may appoint a designee who shall have all the rights and privileges as a member of the task force when acting in such capacity.

Present law provides relative to the powers and duties of the task force.

Present law provides that the task force shall advise the director of the Governor's Office of Homeland Security and Emergency Preparedness of any public health or other concerns related to disinterred remains for which the person responsible for disposition cannot be located.

Proposed law retains present law and adds that the La. Dept. of Health, office of public health shall be advised of any public health or other concerns related to disinterred remains for which the person responsible for disposition cannot be located.

Proposed law provides exemptions to the task force relative to the vital records registry.

Proposed law requires that the task force be subject to the confidentiality mandates relative to the La. Repository for Unidentified and Missing Persons Information Program.

Proposed law requires the task force to retain and test materials relative to autopsies or any successor law thereof, pursuant to an order of a court of competent jurisdiction or to consent to right of disposing of remains in present law.

Proposed law provides the task force discretion to direct deviations from requirements to repair and restore grave spaces or wall vaults to original condition in present law.

Proposed law provides the task force a right of action and a cause of action to file suit in its own name against private parties for the recovery of federal cemetery recovery funds not allocated according to federal law, regulation, and policy and against individuals or juridical persons for specific performance of the recovery and repair work for which they received such funds.

Proposed law authorizes the task force to adopt rules pursuant to the Administrative Procedure Act.

Proposed law requires the task force to provide for the permanent archiving of its final identification records.

Proposed law authorizes the task force to be activated at the discretion of its chairman to direct or supplement efforts in the search for human remains associated with cold case disinterments and mass fatality events if requested by a state, local, or tribal governmental agency and approved by the director of the Governor's Office of Homeland Security and Emergency Preparedness.

Proposed law authorizes the task force to access both public and private property to abate public health and safety risks posed by human remains, caskets, or burial vaults located thereon and to remove such hazards from both public and private property.

Proposed law authorizes the task force to access both public and private property to reinter or direct the reinterment of human remains, caskets, or burial vaults to their original resting place in order to mitigate risks to human health and safety.

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

(Amends R.S. 29:726.4(A), (C), (E), and (F))