

SENATE BILL NO. 357

BY SENATOR SEABAUGH AND REPRESENTATIVES AMEDEE, BACALA, BAYHAM, BILLINGS, BOURRIAQUE, BRYANT, CARLSON, CARRIER, COATES, CREWS, DEVILLIER, DICKERSON, EDMONSTON, EGAN, EMERSON, FIRMENT, GALLE, HORTON, MACK, MELERINE, ORGERON, OWEN, ROMERO, SCHAMERHORN, WILDER, WRIGHT AND WYBLE

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AN ACT

To amend and reenact R.S. 29:724(B)(2) and 768(B), relative to emergency declarations; to authorize the legislature to terminate all or part of an emergency declaration; to provide for the procedure by which the petition is signed and transmitted to the governor; to provide for the effectiveness of the petition to terminate; to provide for an effective date; to provide for retroactive application; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 29:724(B)(2) and 768(B) are hereby amended and reenacted to read as follows:

§724. Powers of the governor

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B.

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(2) ~~The legislature~~ **Either the House of Representatives or the Senate**, by petition signed by a majority of the surviving members of ~~either~~ **that** house, may terminate a **the entire** state of disaster or emergency **or any part or subpart of the executive order or proclamation** at any time. This petition terminating the state of

1 emergency or disaster or any part or subpart of the executive order or
 2 proclamation may establish a period during which no other declaration of
 3 emergency or disaster may be issued. ~~Thereupon, the governor shall issue an~~
 4 ~~executive order or proclamation ending the state of disaster or emergency.~~ The
 5 petition terminating the state of emergency or disaster or any part or subpart
 6 of the executive order or proclamation, duly signed by a majority of the
 7 surviving members of the House of Representatives or the Senate shall be
 8 transmitted to the clerk of the House of Representatives or secretary of the
 9 Senate, as applicable, who shall transmit the petition to the governor. The
 10 termination shall be effective upon the transmission of the petition to the
 11 governor.

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13 §768. Termination of declaration of public health emergency

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15 B. ~~The legislature~~ Either the House of Representatives or the Senate, in
 16 ~~consultation with the public health authority, by a petition signed by a majority of~~
 17 ~~the surviving members of either that house, may terminate a~~ the entire state of
 18 public health emergency or any part or subpart of the executive order or
 19 proclamation at any time. This petition terminating the public health emergency or
 20 any part or subpart of the executive order or proclamation may establish a
 21 period during which no other declaration of public health emergency may be issued.
 22 ~~Thereupon, the governor shall issue an executive order or proclamation ending the~~
 23 ~~state of public health or emergency~~ The petition terminating the state of public
 24 health emergency or any part or subpart of the executive order or
 25 proclamation, duly signed by a majority of the surviving members of the House
 26 of Representatives or the Senate shall be transmitted to the clerk of the House
 27 of Representatives or the secretary of the Senate, as applicable, who shall
 28 transmit the petition to the governor. The termination shall be effective upon
 29 the transmission of the petition to the governor.

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1 Section 2. This Act shall become effective upon signature by the governor or, if not
2 signed by the governor, upon expiration of the time for bills to become law without signature
3 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
4 vetoed by the governor and subsequently approved by the legislature, this Act shall become
5 effective on the day following such approval.

PRESIDENT OF THE SENATE

SPEAKER OF THE HOUSE OF REPRESENTATIVES

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____