

2020 Regular Session

SENATE BILL NO. 500

BY SENATOR CONNICK

STATE AGENCIES. Provides relative to state agencies during a declared emergency. (gov sig)

1 AN ACT

2 To enact R.S. 36:104.2, relative to state agencies; to provide relative to the administration  
3 and regulation of state agencies during an emergency; to provide for terms,  
4 conditions, procedures, requirements, and effects; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 36:104.2 is hereby enacted to read as follows:

7 **§104.2. Powers of the secretary of economic development; emergency**

8 **A. In response to the threat posed by COVID-19, the governor of**  
9 **Louisiana March 11, 2020, declared a public health emergency in Proclamation**  
10 **25 JBE 2020. The provisions of this Section are intended to be part of the**  
11 **legislative response to this public health emergency and, notwithstanding any**  
12 **provision of law to the contrary, shall supersede and control to the extent of**  
13 **conflict with any other provision of law.**

14 **B. During the public health emergency declared in Proclamation 25 JBE**  
15 **2020, and any extension thereof, in addition to any other powers specifically**  
16 **authorized, the secretary of the department may, by emergency rule issued in**  
17 **accordance with the Administrative Procedure Act, waive, suspend, or delay**

1           any deadline associated with any statute it is the duty of the department to  
 2           administer or enforce with respect to any program administered by the  
 3           department, if he reasonably deems that meeting the deadline is impossible or  
 4           impractical as a result of conditions created during this declared state of  
 5           emergency.

6                   C. The deadline for any report due by the department to the legislature  
 7           is hereby extended to September 30, 2020.

8                   D. The authority granted to the secretary pursuant to the provisions of  
 9           this Section shall cease when this gubernatorial proclamation of public health  
 10          emergency expires, except any deadline waived, suspended, or delayed may  
 11          extend beyond the expiration of the proclamation.

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

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

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	DIGEST	
SB 500 Original	2020 Regular Session	Connick

Present law provides for the powers and duties of the secretary of the Department of Economic Development.

Proposed law retains present law and provides that during the public health emergency declared in Proclamation 25 JBE 2020, and any extension thereof, in addition to any other powers specifically authorized, the secretary of the department may, by emergency rule issued in accordance with the Administrative Procedure Act, waive, suspend, or delay any deadline associated with any statute it is the duty of the department to administer or enforce with respect to any program administered by the department, if he reasonably deems that meeting such deadlines is impossible or impractical as a result of conditions created during this declared state of emergency.

Proposed law provides that the deadline for any report due by the department to the legislature are hereby extended to September 30, 2020.

Proposed law provides that the authority granted to the secretary pursuant to the provisions of proposed law shall cease when this gubernatorial proclamation of public health emergency expires, except any deadline waived, suspended, or delayed may extend beyond the expiration of the proclamation.

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

(Adds R.S. 36:104.2)