2020 Regular Session

HOUSE CONCURRENT RESOLUTION NO. 58

BY REPRESENTATIVE MIGUEZ

GOVERNOR: Suspends certain provisions of Title 29 of the La. Revised Statutes relative to the governor's authority to declare an emergency, disaster, or public health emergency

1	A CONCURRENT RESOLUTION
2	To suspend, until fifteen days after the adoption of this Resolution, the provisions of R.S.
3	29:721 through 724, 725(H), 726, 760 through 764, 766, 767, and 769, relative to the
4	governor's authority to declare an emergency, disaster, or public health emergency.
5	WHEREAS, a novel coronavirus named "coronavirus disease 2019", commonly
6	referred to as COVID-19, was first detected in December of 2019; and
7	WHEREAS, the governor of Louisiana declared a statewide public health emergency
8	on March 11, 2020, due to the risks related to public health associated with COVID-19; and
9	WHEREAS, the governor of Louisiana has extended his emergency disaster
10	declaration and stay-at-home order until May 15, 2020; and
11	WHEREAS, the president of the United States has indicated many states can reopen
12	by May 1, 2020, and shared federal guidelines for restarting the economy; and
13	WHEREAS, on April 15, 2020, the director of the Center of Disease Control and
14	Prevention (CDC) along with members of the White House Coronavirus Task Force have
15	recognized a significantly varied impact among communities all across the nation from the
16	coronavirus, and therefore many lesser impacted areas may be ready to reopen by President
17	Donald Trump's target date; and
18	WHEREAS, the CDC has worked with the Federal Emergency Management Agency
19	(FEMA) to develop such guidelines for restarting the economy; and

1	WHEREAS, Louisiana is a diverse state made up of many different communities
2	each of which present different challenges culturally, socioeconomically, and medically; and
3	WHEREAS, the guidelines of the CDC, public health experts, and President Trump
4	recommend a region by region or county by county (parish by parish) reopening strategy;
5	and
6	WHEREAS, a single, statewide universal order limits the responsibilities and powers
7	of mayors and parish presidents in areas that otherwise might contemplate the reopening
8	process; and
9	WHEREAS, it is urged and requested that mayors and parish presidents be
10	empowered to reopen their communities by issuing proclamations and executive orders to
11	provide strategies in accordance with the guidelines provided by the CDC, FEMA, and
12	President Trump; and
13	WHEREAS, the economic shutdown which has resulted from the stay-at-home order
14	and their restrictions contained in the governor's emergency disaster declaration have
15	resulted in substantial economic loss and historic unemployment numbers for the people of
16	Louisiana; and
17	WHEREAS, public health indicators across Louisiana show great improvements,
18	including a decreasing rate of positive tests and fewer hospitalizations from all parts of
19	Louisiana; and
20	WHEREAS, efforts to "flatten the curve" in Louisiana have been largely successful,
21	the original predictions of COVID-19 overwhelming our healthcare system have not proven
22	true, and the health care facilities and workers of Louisiana have proven to be more than
23	capable of properly caring for the patient load presented by COVID-19.
24	THEREFORE, BE IT RESOLVED that the Legislature of Louisiana hereby suspends
25	the provisions of R.S. 29:721 through 724, 725(H), 726, 760 through 764, 766, 767, and 769,
26	relative to the governor's authority to declare an emergency, disaster, or public health
27	emergency.
28	BE IT FURTHER RESOLVED that this suspension shall become effective upon
29	adoption of this Resolution and shall extend through the fifteenth day after the adoption of
30	this Resolution.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HCR 58 Original

2020 Regular Session

Miguez

Suspends the governor's authority to declare an emergency, disaster, or public health emergency as it relates to the coronavirus.

(Suspends R.S. 29:721-724, 725(H), 726, 760-764, 766, 767, and 769)