2020 Regular Session

HOUSE CONCURRENT RESOLUTION NO. 93

BY REPRESENTATIVE CREWS

GOVERNOR: Directs the governor to ensure that individual liberty and rights are protected as the state administers contact tracing

1	A CONCURRENT RESOLUTION	
2	To direct the governor to ensure that the individual liberty and rights of the citizens of	
3	Louisiana are protected as the state administers the public health function known as	
4	contact tracing.	
5	WHEREAS, the Louisiana Health Emergency Powers Act, R.S. 29:760 et seq.,	
6	bestows upon the governor of Louisiana extraordinary powers during a public health	
7	emergency that he declares; and	
8	WHEREAS, the governor has exercised his emergency powers in extreme measure	
9	during the COVID-19 public health emergency; and	
10	WHEREAS, the governor has declared that the state will administer a public health	
11	function known as contact tracing as businesses and public places reopen after their period	
12	of forced closure; and	
13	WHEREAS, according to the United States Centers for Disease Control and	
14	Prevention (CDC), contact tracing involves public health workers communicating with a	
15	patient diagnosed with an infectious disease to help that person recall everyone with whom	
16	they had close contact during the time in which they may have been infectious; and	
17	WHEREAS, the CDC indicates further that after this communication occurs, the	
18	public health staff performing contact tracing then contact the individuals identified by the	
19	patient and warn them of their potential exposure to the infectious disease; and	
20	WHEREAS, in considering information that the governor's administration has issued	
21	regarding the state's rapidly developed contact tracing program, many Louisiana citizens	

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1 have serious concerns about how contact tracing will impact their liberty, right to privacy, 2 and other basic rights. 3 THEREFORE, BE IT RESOLVED that the Legislature of Louisiana does hereby 4 direct the governor to ensure that the liberty and individual rights of the citizens of this state 5 are protected as the state administers the public health function known as contact tracing. 6 BE IT FURTHER RESOLVED that the Legislature of Louisiana does hereby direct 7 the governor to require that the personnel who conduct contact tracing disclose to all persons 8 whom they contact that participation in contact tracing is entirely voluntary before 9 requesting any information from those persons. 10 BE IT FURTHER RESOLVED that the Legislature of Louisiana does hereby direct 11 the governor not to authorize or otherwise impose any penalty for refusal by a person to 12 participate in contact tracing. 13 BE IT FURTHER RESOLVED that the Legislature of Louisiana does hereby direct 14 the governor to strictly prohibit all of the following actions except in instances when the 15 person subject to the action specifically consents to it: 16 (1) Tracking of any person's movements through mobile phone geolocation or any 17 other means, electronic or otherwise, in contact tracing. 18 (2) Any data mining that would facilitate the tracking of a person's movements. 19 (3) The collection of personal identifying information through contact tracing. 20 BE IT FURTHER RESOLVED that the Legislature of Louisiana does hereby direct 21 the governor to give absolute assurance to the people of this state that contact tracing will 22 not entail the compulsory separation of family members or the prohibition of willing 23 association among individuals. 24 BE IT FURTHER RESOLVED that the Legislature of Louisiana does hereby direct 25 the governor not to authorize or otherwise impose any mandate that any individual be tested 26 for the novel coronavirus or antibodies to the virus. 27 BE IT FURTHER RESOLVED that a copy of this Resolution be transmitted to the 28 governor and to the secretary of the Louisiana Department of Health.

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 93 Reengrossed	2020 Regular Session	Crews
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- (1) Tracking of any person's movements through mobile phone geolocation or any other means, electronic or otherwise, in contact tracing.
- (2) Any data mining that would facilitate the tracking of a person's movements.
- (3) The collection of personal identifying information through contact tracing.

Directs the governor to give absolute assurance that contact tracing will not entail the compulsory separation of family members or the prohibition of willing association among individuals.

Directs the governor not to authorize or otherwise impose any mandate that any individual be tested for the novel coronavirus or antibodies to the virus.

Summary of Amendments Adopted by House

The House Floor Amendments to the engrossed bill:

1. Add exception for consented actions.