

2020 First Extraordinary Session

HOUSE CONCURRENT RESOLUTION NO. 5

BY REPRESENTATIVE FREEMAN

A CONCURRENT RESOLUTION

To urge and request the House Committee on House and Governmental Affairs and the Senate Committee on Senate and Governmental Affairs to meet and function as a joint committee to study the provisions of law relative to continuity of government in periods of emergency and to make recommendations relative thereto.

WHEREAS, Article XII, Section 11 of the Constitution of Louisiana requires the legislature to provide for the "orderly and temporary continuity of state government, in periods of emergency, until normal processes of government can be reestablished in accordance with the constitution and laws of the state; and, except as otherwise provided by this constitution, for the prompt and temporary succession to the powers and duties of public offices when incumbents become unavailable to perform their functions"; and

WHEREAS, since the adoption of the constitution, which became effective at midnight on December 31, 1974, the legislature has not updated the provisions of law relative to the continuity of the legislative branch, the executive branch, or the judicial branch of state government or of local government, all of which were enacted in 1963; and

WHEREAS, the worldwide outbreak of COVID-19 has illustrated the need for an examination of the continuity of government provisions beyond the planning for the possibility of an attack; and

WHEREAS, extenuating circumstances such as a natural disaster, pandemic, or attack may make access to public buildings and seats of government, including the state capitol, impractical, undesirable, or impossible; and

WHEREAS, the functionality of government must continue in order to accomplish the essential business of the state and of local government in periods of emergency, regardless of limitations and circumstances.

THEREFORE, BE IT RESOLVED that the Legislature of Louisiana does hereby urge and request the House Committee on House and Governmental Affairs and the Senate Committee on Senate and Governmental Affairs to meet and function as a joint committee to study the provisions of law relative to continuity of government in periods of emergency and to make recommendations relative thereto.

BE IT FURTHER RESOLVED that the joint committee shall solicit the input, recommendations, and advice of any person or organization it deems necessary.

BE IT FURTHER RESOLVED that the joint committee shall make a written report of its findings, together with any specific proposals for legislation, to the legislature no later than thirty days prior to the 2021 Regular Session of the Legislature.

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

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PRESIDENT OF THE SENATE