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The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Jerry G. Jones.

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DIGEST

SB 43 Original

2020 Second Extraordinary Session

Morris

Present law provides relative to the Louisiana Homeland Security and Emergency Assistance and Disaster Act. Provides that a disaster or emergency, or both, shall be declared by executive order or proclamation of the governor if he finds that a disaster or emergency has occurred or the threat thereof is imminent. The state of disaster or emergency shall continue until the governor finds that the threat of danger has passed or the disaster or emergency has been dealt with to the extent that the emergency conditions no longer exist and terminates the state of disaster or emergency by executive order or proclamation, but no state of disaster or emergency may continue for longer than 30 days unless renewed by the governor.

Proposed law retains present law and adds that after 60 calendar days from the initial declaration of a state of disaster or emergency, each renewal by the governor shall require approval by a majority of the elected members of both houses of the legislature. Failure to obtain approval shall terminate the state of disaster or emergency. Such termination shall be in addition to other means of termination provided by law.

Present law provides relative to the Louisiana Health Emergency Powers Act. Provides that a declared state of public health emergency shall continue until the governor finds that the threat of danger has passed or the disaster or emergency has been dealt with to the extent that the emergency conditions no longer exist and terminates the state of public health or emergency by executive order or proclamation, but no state of public health emergency may continue for longer than 30 days unless renewed by the governor.

Proposed law retains present law and adds that after 60 calendar days from the initial declaration of a state of public health emergency, each renewal by the governor shall require approval by a majority of the elected members of both houses of the legislature. Failure to obtain approval shall terminate the state of public health emergency. Such termination shall be in addition to other means of termination provided by law.

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

(Amends R.S. 29:724(B)(1) and 768(A))