

2020 Second Extraordinary Session

SENATE BILL NO. 71

BY SENATOR PEACOCK

PUBLIC MEETINGS. Provides for participation in certain meetings by teleconferencing or other electronic means for legislative bodies. (gov sig) (Item #25)

1 AN ACT

2 To amend and reenact R.S. 42:17.1(A), relative to meetings of public bodies during a
3 gubernatorially declared state of disaster or emergency; to provide requirements for
4 meeting via electronic means; to provide for an effective date; and to provide for
5 related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 42:17.1(A) is hereby amended and reenacted to read as follows:

8 §17.1. Exception for meetings during a gubernatorially declared disaster or
9 emergency

10 A. Notwithstanding any other provision of this Chapter to the contrary, a
11 public body may conduct and its members may attend and participate in a meeting
12 via electronic means provided ~~all of the following~~:

13 (1) The governor has declared a state of emergency or disaster involving a
14 geographic area within the jurisdiction of the public body and the nature of the
15 emergency or disaster would cause a meeting of the public body conducted pursuant
16 to the other provisions of this Chapter to be detrimental to the health, safety, or
17 welfare of the public.

1 (2) The presiding officer of the public body certifies on the notice of the
2 meeting that the agenda of the meeting is limited to one or more of the following:

3 (a) Matters that are directly related to the public body's response to the
4 disaster or emergency and are critical to the health, safety, or welfare of the public.

5 (b) Matters that if they are delayed will cause curtailment of vital public
6 services or severe economic dislocation and hardship.

7 (c) Matters that are critical to continuation of the business of the public body
8 and that are not able to be postponed to a meeting held in accordance with the other
9 provisions of this Chapter due to a legal requirement or other deadline that cannot
10 be postponed or delayed by the public body.

11 **(d) Other critical or time-sensitive matters that are placed on the agenda**
12 **at least twenty-four hours before the meeting provided that the matters are**
13 **certified at the meeting by a unanimous vote of the body that the matters are**
14 **critical and time-sensitive and there is no reason for delay.**

15 (3) The public body and its presiding officer comply with all of the
16 requirements of this Section.

17 * * *

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

The original instrument was prepared by Matthew Deville. The following
digest, which does not constitute a part of the legislative instrument, was
prepared by Nancy Vicknair.

DIGEST

SB 71 Reengrossed

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Peacock

Present law provides that during a gubernatorially declared state of emergency or disaster involving a geographic area within the jurisdiction of a public body that renders meeting in person to be detrimental to the health, safety, or welfare of the public, a public body may conduct and its members may attend and participate in a meeting via electronic means if the presiding officer certifies on the notice of the agenda of the meeting that it is limited to either matters directly related to the public body's response to the disaster or emergency and critical

to the health, safety, or welfare of the public, matters that will cause curtailment of vital public services or severe economic dislocation and hardship if delayed, or matters that are critical to continuation of the business of the public body.

Proposed law retains present law and adds other critical or time-sensitive matters that are placed on the agenda at least 24 hours before the meeting provided that the matters are certified at the meeting by a unanimous vote of the body that the matters are critical and time-sensitive and there is no reason for delay.

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

(Amends R.S. 42:17.1(A))

Summary of Amendments Adopted by Senate

Senate Floor Amendments to engrossed bill

1. Restore present law language and add other critical or time-sensitive matters that are placed on the agenda at least 24 hours before the meeting provided that the matters are certified at the meeting by a unanimous vote of the body that the matters are critical and time-sensitive and there is no reason for delay.