

2021 Regular Session

HOUSE BILL NO. 149

BY REPRESENTATIVES FRIEMAN, AMEDEE, CREWS, DEVILLIER, EDMONDS,
EDMONSTON, EMERSON, FARNUM, FIRMENT, GAROFALO, HODGES,
HOLLIS, HORTON, IVEY, MCCORMICK, ORGERON, CHARLES OWEN,
ROBERT OWEN, AND SCHAMERHORN

1 AN ACT

2 To amend and reenact R.S. 29:724(B)(2) and 768(B), relative to emergency declarations; to
3 provide for legislative termination of all or part of an emergency declaration; to
4 provide procedures for terminations; to provide for an effective date; and to provide
5 for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 29:724(B)(2) and 768(B) are hereby amended and reenacted to read
8 as follows:

9 §724. Powers of the governor

10 * * *

11 B.

12 * * *

13 (2)(a) ~~The~~ Both houses of the legislature, by petition signed by a majority
14 of the ~~surviving~~ members of ~~either house~~ both houses, may terminate a the
15 entire state of disaster or emergency or any section or subsection of the executive
16 order or proclamation declaring the state of disaster or emergency at any time. ~~This~~
17 The petition terminating the state of emergency or disaster or any section or
18 subsection of the executive order or proclamation declaring the state of disaster or
19 emergency may establish a period during which no other declaration of emergency
20 or disaster related to the state of disaster or emergency that was terminated or related

1 to any section or subsection of the executive order or proclamation declaring the
 2 state of disaster or emergency that was terminated by the petition may be issued.
 3 ~~Thereupon, the governor shall issue an executive order or proclamation ending the~~
 4 ~~state of disaster or emergency.~~

5 (b) The petition terminating the entire declaration of a state of disaster or
 6 emergency or terminating one or more sections or subsections of the executive order
 7 or proclamation, duly signed by a majority of the members of the House of
 8 Representatives and the Senate, shall be transmitted to the clerk of the House of
 9 Representatives and secretary of the Senate who shall transmit the petition to the
 10 governor. The termination shall become effective upon the transmission of the
 11 petition to the governor.

12 (c) Further, the clerk of the House of Representatives and secretary of the
 13 Senate shall disseminate the petition promptly by means calculated to bring its
 14 contents to the attention of the general public and promptly file it with the
 15 Governor's Office of Homeland Security and Emergency Preparedness and with the
 16 secretary of state.

17 * * *

18 §768. Termination of declaration of public health emergency

19 * * *

20 B.(1) The Both houses of the legislature, in consultation with the public
 21 health authority after consulting with the legislative fiscal office as required by
 22 Paragraph (4) of this Subsection and a public health specialist with a degree from a
 23 school of public health that is accredited by an institutional accrediting agency
 24 recognized by the United States Department of Education, by a petition signed by a
 25 majority of the surviving members of either that house, may terminate a the entire
 26 state of public health emergency or any section or subsection of the executive order
 27 or proclamation declaring the state of public health emergency at any time. This The
 28 petition terminating the public health emergency or any section or subsection of the

1 executive order or proclamation declaring the state of public health emergency may
 2 establish a period during which no other declaration of public health emergency
 3 related to the state of public health emergency that was terminated or related to any
 4 section or subsection of the executive order or proclamation declaring the state of
 5 public health emergency that was terminated by the petition may be issued.
 6 ~~Thereupon, the governor shall issue an executive order or proclamation ending the~~
 7 ~~state of public health or emergency.~~

8 (2) The petition terminating the entire declaration of a state of public health
 9 emergency or terminating one or more sections or subsections of the executive order
 10 or proclamation, duly signed by a majority of the members of the House of
 11 Representatives and the Senate, shall be transmitted to the clerk of the House of
 12 Representatives and secretary of the Senate who shall transmit the petition to the
 13 governor. The termination shall become effective upon the transmission of the
 14 petition to the governor.

15 (3) Further, the clerk of the House of Representatives and secretary of the
 16 Senate shall disseminate the petition promptly by means calculated to bring its
 17 contents to the attention of the general public and promptly file it with the
 18 Governor's Office of Homeland Security and Emergency Preparedness, with the
 19 Louisiana Department of Health, office of public health, and with the secretary of
 20 state.

21 (4) Prior to the filing of a petition to terminate a state of public health
 22 emergency or any section or subsection of the executive order or proclamation
 23 declaring the state of public health emergency, the legislative fiscal office shall
 24 present to the legislature the office's best efforts to estimate the potential fiscal
 25 impact of the early termination of the public health emergency or any section or
 26 subsection of the executive order or proclamation declaring the state of public health
 27 emergency.

1 Section 2. This Act shall become effective on January 8, 2024.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____