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## DIGEST

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HB 685 Original

2022 Regular Session

Hilferty

**Abstract:** Changes procedures that the legislature may use to terminate a governor's declaration of an emergency from a petition of one house to a majority vote of both houses.

Present law provides that a state of disaster, emergency, or 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 disaster, emergency, or public health emergency by executive order or proclamation.

Present law provides that a majority of the surviving members of either house of the legislature may terminate a state of disaster, emergency, or public health emergency at any time.

Present law authorizes the legislature to terminate an emergency declaration of a state of disaster, emergency, or public health emergency by petition of a majority of the surviving members of either house.

Present law further provides that the petition terminating the state of disaster, emergency, or public health emergency may establish a period during which no other declaration of emergency or disaster may be issued and that the governor shall issue an executive order or proclamation ending the state of disaster or emergency.

Proposed law retains present law except to change the procedure by which the legislature may terminate a declaration and prohibit issuance of other declarations.

Rather than providing for legislative action by a petition signed by a majority of the surviving members of either house of the legislature, proposed law provides for legislative action by majority vote of both houses.

Proposed law provides that if the legislature is in session, it may, by adoption of a concurrent resolution, direct the governor to terminate a state of disaster or emergency or public health emergency and establish a period during which no other declaration of emergency or disaster or public health emergency may be issued.

Provides that if the legislature is *not* in session, it may take such actions using a ballot voting procedure established for such purpose by proposed law.

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

(Amends R.S. 29:724(B)(2) and 768(B); Adds R.S. 29:724.1)