

2022 Regular Session

SENATE BILL NO. 224

BY SENATOR HEWITT

LEGIS POWERS/FUNCTIONS. Provides for remote operations of the legislature during a gubernatorially declared state of emergency. (gov sig)

1 AN ACT

2 To enact R.S. 42:17.2, relative to meetings of legislative houses and committees during a
3 gubernatorially declared state of disaster or emergency; to provide for public input;
4 to provide for an effective date; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 42:17.2 is hereby enacted to read as follows:

7 **§17.2. Exception for meetings of legislative houses and committees during a**
8 **gubernatorially declared disaster or emergency**

9 **A. Notwithstanding any other provision of this Chapter to the contrary,**
10 **members of the legislature or legislative committee may remotely attend,**
11 **participate, vote, and transact business via electronic means provided:**

12 **(1) The governor has declared a state of emergency or disaster and the**
13 **nature of the emergency or disaster would cause a meeting of the legislature or**
14 **legislative committee conducted pursuant to the other provisions of this Chapter**
15 **to be detrimental to the health, safety, or welfare of the public.**

16 **(2) The presiding officer of the house of which he is a member certifies**
17 **on the notice of the meeting that the agenda of the meeting is limited to one or**

1 more of the following:

2 (a) Matters that are directly related to the legislature's response to the
3 disaster or emergency and are critical to the health, safety, or welfare of the
4 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
8 legislature and that are not able to be postponed to a meeting held in
9 accordance with the other provisions of this Chapter due to a legal requirement
10 or other deadline that cannot be postponed or delayed by the legislature.

11 B. No later than twenty-four hours prior to a meeting to be conducted
12 pursuant to the provisions of this Section, the legislature or legislative
13 committee shall provide for all of the following:

14 (1) The notice and agenda for the meeting, which shall be posted on the
15 legislative website, emailed to any member of the public who requests notice of
16 the meeting, and widely distributed upon request to every known news media
17 outlet that broadcasts or publishes legislative news.

18 (2) Detailed information regarding how members of the public may
19 participate in the meeting and submit comments regarding matters on the
20 agenda, which information shall be posted on the legislative website, emailed to
21 any member of the public who requests notice of the meeting, and widely
22 distributed upon request to every known news media outlet that broadcasts or
23 publishes legislative news.

24 C. Each meeting conducted pursuant to this Section shall comply with
25 the following:

26 (1) The legislature or legislative committee shall provide a mechanism
27 to receive public comment electronically both prior to and during the meeting.

28 (2) The legislature or legislative committee shall properly identify and
29 acknowledge all public comments during the meeting and shall maintain those

1 comments in its record of the meeting.

2 (3) The presiding officer shall ensure that each person participating in
3 the meeting is properly identified.

4 (4) The presiding officer shall ensure that all parts of the meeting,
5 excluding any matter discussed in executive session, are clear and audible to all
6 participants in the meeting including the public.

7 (5) Before being allowed to testify, each person appearing before a
8 legislative committee shall swear or affirm that his testimony is true and
9 correct. He shall then be considered to be under oath while providing testimony
10 before the committee and subject to punishment for contempt.

11 D. For the purposes of this Section, the following words and phrases shall
12 have the following meanings:

13 (1) "Meeting via electronic means" shall mean a meeting occurring via
14 teleconference or video conference.

15 (2) "Teleconference" shall mean a method of communication which
16 enables persons in different locations to participate in a meeting and to hear
17 and otherwise communicate with each other.

18 (3) "Video conference" shall mean a method of communication which
19 enables persons in different locations to participate in a meeting and to see,
20 hear, and otherwise communicate with each other.

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

member that a remote meeting of the legislature or legislative committee is limited to certain subject matters.

3. Establish subject matter limitations for remote meetings of the legislature or legislative committee.
4. Require each person testifying before a remote meeting of a legislative committee to swear or affirm that his testimony is true and correct.