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## DIGEST

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HB 701 Reengrossed

2022 Regular Session

Hilferty

**Abstract:** Provides for the declaration of a state of emergency in parishes and municipalities; requires the approval of the governing authority of the parish or municipality before a declaration of a state of emergency may continue for a period exceeding 90 days.

Present law provides that a local disaster or emergency may be declared only by the parish president, except as otherwise provided in present law, and that it shall continue until the parish president finds that the threat of danger has been dealt with to the extent that emergency conditions no longer exist.

Proposed law retains present law and also provides that no state of emergency may continue for longer than 30 days unless extended by the parish president and that no continuous state of emergency may be extended by the parish president for a period exceeding 90 days unless approved by the governing authority of the parish.

Present law provides that whenever a situation develops within or outside of a municipality which the chief executive officer of the municipality determines requires immediate action to preserve the public peace, property, health, or safety within the municipality or to provide for continued operation of municipal government, the chief executive officer of the municipality is authorized to undertake immediate emergency response measures.

Present law provides that the state of emergency shall continue until the mayor or chief executive officer finds that the threat of danger has been dealt with to the extent that emergency conditions no longer exist, but that no state of emergency may continue for longer than 30 days unless extended by the mayor or chief executive officer.

Proposed law retains present law and further provides that no state of emergency may be extended by the mayor or chief executive officer for a period exceeding 90 days unless approved by the governing authority of the municipality.

Present law provides for termination of local emergencies by the governor, either house of the legislature, the parish president, or the local governing authority. Also authorizes the parish president or the parish governing authority to terminate a municipal emergency.

Proposed law provides that termination of an emergency does not affect changes to polling places for an election conducted in accordance with present law regarding emergency election procedures.

(Amends R.S. 29:727(D) and 737(C))

## Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on House and Governmental Affairs to the original bill:

1. Add provision that proposed law does not affect an election being conducted in accordance with present law regarding emergency election procedures.
2. Make technical changes.

The House Floor Amendments to the engrossed bill:

1. Remove proposed law providing for termination of emergencies by both houses of the legislature and procedures related thereto.