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AN ACT

To amend and reenact R.S. 42:17.1(A)(introductory paragraph), to enact R.S. 42:17.2, and to repeal R.S. 24:7.1, relative to meetings of public bodies including houses of the legislature and committees thereof during a gubernatorially declared state of disaster or emergency; to provide for public input; to provide relative to participation in certain meetings by teleconferencing; to provide for an effective date; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 42:17.1(A)(introductory paragraph) is hereby amended and reenacted and R.S. 42:17.2 is hereby enacted to read as follows:

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

A. Notwithstanding any other provision of this Chapter to the contrary, a public body, **except the legislature or a committee or subcommittee thereof**, may conduct and its members may attend and participate in a meeting via electronic means provided:

\* \* \*

**§17.2. Exception for meetings of legislative houses and committees during a**

1                    gubernatorially declared disaster or emergency

2                    A. Notwithstanding any other provision of this Chapter to the contrary,  
3                    members of the legislature or a legislative committee may remotely attend,  
4                    participate, vote, and transact business via electronic means provided:

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

9                    (2) The presiding officer of the house of which he is a member certifies  
10                    on the notice of the meeting that the agenda of the meeting is limited to one or  
11                    more of the following:

12                    (a) Matters that are directly related to the legislature's response to the  
13                    disaster or emergency and are critical to the health, safety, or welfare of the  
14                    public.

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

17                    (c) Matters that are critical to continuation of the business of the  
18                    legislature and that are not able to be postponed to a meeting held in  
19                    accordance with the other provisions of this Chapter due to a legal requirement  
20                    or other deadline that cannot be postponed or delayed by the legislature.

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

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

28                    (2) Detailed information regarding how members of the public may  
29                    participate in the meeting and submit comments regarding matters on the  
30                    agenda, which information shall be posted on the legislative website, emailed to

1 any member of the public who requests notice of the meeting, and widely  
2 distributed upon request to every known news media outlet that broadcasts or  
3 publishes legislative news.

4 C. Each meeting conducted pursuant to this Section shall comply with  
5 the following:

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

8 (2) The legislature or a legislative committee shall properly identify and  
9 acknowledge all public comments during the meeting and shall maintain those  
10 comments in its record of the meeting.

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

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

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

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

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

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

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

30 Section 2. R.S. 24:7.1 is hereby repealed in its entirety.

1           Section 3. This Act shall become effective upon signature by the governor or, if not  
2 signed by the governor, upon expiration of the time for bills to become law without signature  
3 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If  
4 vetoed by the governor and subsequently approved by the legislature, this Act shall become  
5 effective on the day following such approval.

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PRESIDENT OF THE SENATE

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

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GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: \_\_\_\_\_

**VETO MESSAGE:**

"Please be advised that I have vetoed Senate Bill 224 of the Regular Session of 2022.

This well-intentioned bill would allow for remote operations of the Louisiana Legislature during a declared emergency. While this bill would certainly allow for needed changes for access of legislative members and the public to the necessary operations of the legislative branch, Article 3, Section 2 (A) of the Louisiana Constitution requires, without exception, the legislature to meet "in the state capital." Thus, without a constitutional amendment, this bill violates this constitutional provision. The companion amendment, Senate Bill 225, did not finally pass the legislature. Thus, this bill cannot become law."