

RÉSUMÉ DIGEST

ACT 738 (HB 701)

2022 Regular Session

Hilferty

Existing law authorizes a parish president to declare a local disaster or emergency and authorizes the chief executive officer of a municipality to take immediate emergency response measures to preserve the public peace, property, health, or safety and to provide for continued operation of the government.

Existing law for both parishes and municipalities provides that the state of emergency shall continue until the parish president or municipal chief executive officer finds that the threat of danger has been dealt with to the extent that emergency conditions no longer exist.

Existing law provides that no *municipal* state of emergency may continue for longer than 30 days unless extended by the chief executive officer. New law provides that no *parish* state of emergency may continue for longer than 30 days unless extended by the parish president.

New law for both parish and municipal emergencies provides that no continuous state of emergency may be extended for more than 90 days unless approved by the local governing authority.

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

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

Effective August 1, 2022.

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