

2024 Regular Session

SENATE BILL NO. 357

BY SENATOR SEABAUGH

EMERGENCY POWERS. Provides relative to termination of a public health emergency.
(8/1/24)

1 AN ACT

2 To amend and reenact R.S. 29:724(B)(2) and 768(B), relative to emergency declarations;
3 to authorize the legislature to terminate all or part of an emergency declaration; to
4 provide for the procedure by which the petition is signed and transmitted to the
5 governor; to provide for the effectiveness of the petition to terminate; to provide for
6 an effective date; to provide for retroactive application; and to provide for related
7 matters.

8 Be it enacted by the Legislature of Louisiana:

9 Section 1. R.S. 29:724(B)(2) and 768(B) are hereby amended and reenacted to read
10 as follows:

11 §724. Powers of the governor

12 * * *

13 B.

14 * * *

15 (2) ~~The legislature~~ **Either the House of Representatives or the Senate**, by
16 petition signed by a majority of the surviving members of either ~~house~~ **the House**
17 **of Representatives or the Senate**, may terminate a the entire state of disaster or

1 emergency **or any part or subpart of the executive order or proclamation** at any
 2 time. This petition terminating the state of emergency or disaster **or part or subpart**
 3 **of the executive order or proclamation** may establish a period during which no
 4 other declaration of emergency or disaster may be issued. ~~Thereupon, the governor~~
 5 ~~shall issue an executive order or proclamation ending the state of disaster or~~
 6 emergency **The petition terminating the declaration of a state of disaster or**
 7 **emergency or any part or subpart of the executive order or proclamation, duly**
 8 **signed by a majority of the surviving members of the House of Representatives**
 9 **or the Senate shall be transmitted to the clerk of the House of Representatives**
 10 **or secretary of the Senate, as applicable, who shall transmit the petition to the**
 11 **governor. The termination shall be effective upon the transmission of the**
 12 **petition to the governor.**

13 §768. Termination of declaration of public health emergency

14 * * *

15 B. ~~The legislature~~ **Either the House of Representatives or the Senate, in**
 16 ~~consultation with the public health authority,~~ by a petition signed by a majority of
 17 the surviving members of either house **the House of Representatives or the Senate,**
 18 may terminate a ~~the entire~~ state of public health emergency **or any part or subpart**
 19 **of the executive order or proclamation** at any time. This petition terminating the
 20 public health emergency **or any part or subpart of the executive order or**
 21 **proclamation** may establish a period during which no other declaration of public
 22 health emergency may be issued. ~~Thereupon, the governor shall issue an executive~~
 23 ~~order or proclamation ending the state of public health or emergency~~ **The petition**
 24 **terminating the declaration of a state of public health emergency or any part or**
 25 **subpart of the executive order or proclamation, duly signed by a majority of the**
 26 **surviving members of the House of Representatives or the Senate shall be**
 27 **transmitted to the clerk of the House of Representatives or the secretary of the**
 28 **Senate, as applicable, who shall transmit the petition to the governor. The**
 29 **termination shall be effective upon the transmission of the petition to the**

