HOUSE CONCURRENT RESOLUTION NO. 58
BY REPRESENTATIVE MIGUEZ

GOVERNOR: Suspend certain provisions of Title 29 of the La. Revised Statutes relative to the governor's authority to declare an emergency, disaster, or public health emergency

A CONCURRENT RESOLUTION

To suspend, until fifteen days after the adoption of this Resolution, the provisions of R.S. 29:721 through 724, 725(H), 726, 760 through 764, 766, 767, and 769, relative to the governor's authority to declare an emergency, disaster, or public health emergency.

WHEREAS, a novel coronavirus named "coronavirus disease 2019", commonly referred to as COVID-19, was first detected in December of 2019; and

WHEREAS, the governor of Louisiana declared a statewide public health emergency on March 11, 2020, due to the risks related to public health associated with COVID-19; and

WHEREAS, the governor of Louisiana has extended his emergency disaster declaration and stay-at-home order until May 15, 2020; and

WHEREAS, the president of the United States has indicated many states can reopen by May 1, 2020, and shared federal guidelines for restarting the economy; and

WHEREAS, on April 15, 2020, the director of the Center of Disease Control and Prevention (CDC) along with members of the White House Coronavirus Task Force have recognized a significantly varied impact among communities all across the nation from the coronavirus, and therefore many lesser impacted areas may be ready to reopen by President Donald Trump's target date; and

WHEREAS, the CDC has worked with the Federal Emergency Management Agency (FEMA) to develop such guidelines for restarting the economy; and
WHEREAS, Louisiana is a diverse state made up of many different communities each of which present different challenges culturally, socioeconomically, and medically; and

WHEREAS, the guidelines of the CDC, public health experts, and President Trump recommend a region by region or county by county (parish by parish) reopening strategy; and

WHEREAS, a single, statewide universal order limits the responsibilities and powers of mayors and parish presidents in areas that otherwise might contemplate the reopening process; and

WHEREAS, it is urged and requested that mayors and parish presidents be empowered to reopen their communities by issuing proclamations and executive orders to provide strategies in accordance with the guidelines provided by the CDC, FEMA, and President Trump; and

WHEREAS, the economic shutdown which has resulted from the stay-at-home order and their restrictions contained in the governor's emergency disaster declaration have resulted in substantial economic loss and historic unemployment numbers for the people of Louisiana; and

WHEREAS, public health indicators across Louisiana show great improvements, including a decreasing rate of positive tests and fewer hospitalizations from all parts of Louisiana; and

WHEREAS, efforts to "flatten the curve" in Louisiana have been largely successful, the original predictions of COVID-19 overwhelming our healthcare system have not proven true, and the health care facilities and workers of Louisiana have proven to be more than capable of properly caring for the patient load presented by COVID-19.

THEREFORE, BE IT RESOLVED that the Legislature of Louisiana hereby suspends the provisions of R.S. 29:721 through 724, 725(H), 726, 760 through 764, 766, 767, and 769, relative to the governor's authority to declare an emergency, disaster, or public health emergency.

BE IT FURTHER RESOLVED that this suspension shall become effective upon adoption of this Resolution and shall extend through the fifteenth day after the adoption of this Resolution.
DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HCR 58 Original 2020 Regular Session Miguez

Suspends the governor's authority to declare an emergency, disaster, or public health emergency as it relates to the coronavirus.

(Suspends R.S. 29:721-724, 725(H), 726, 760-764, 766, 767, and 769)