
DIGEST

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HB 57 Engrossed

2020 Second Extraordinary Session

Edmonds

Abstract: Requires legislative approval for renewal of gubernatorial emergency declarations continuing beyond 30 days, provides for a procedure for legislative approval of the renewal, and allows the legislature to modify gubernatorial emergency declarations.

Present law provides that a state of disaster, emergency, or public health emergency shall continue until the governor finds that the threat of danger has passed or the disaster or emergency has been dealt with to the extent that the emergency conditions no longer exist and terminates the state of disaster, emergency, or public health emergency by executive order or proclamation.

Present law provides that a majority of the surviving members of either house of the legislature may terminate a state of disaster, emergency, or public health emergency at any time.

Present law authorizes the legislature to terminate an emergency declaration of a state of disaster, emergency, or public health emergency by petition of a majority of the surviving members of either house.

Present law further provides that the petition terminating the state of disaster, emergency, or public health emergency may establish a period during which no other declaration of emergency or disaster may be issued and that the governor shall issue an executive order or proclamation ending the state of disaster or emergency.

Proposed law retains present law but makes renewal of an emergency declaration to extend beyond 30 days subject to legislative approval.

Proposed law amends present law to allow the legislature to terminate or modify emergency declarations.

Proposed law provides that if the legislature is in session then the vote shall take place within 10 days of the executive order or proclamation.

Proposed law further provides that if the legislature is not in session then the vote shall take place within 15 days of the executive order or proclamation by ballot voting as provided by proposed law.

Proposed law provides the procedure to be used to vote when the legislature is not in session.

Effective upon signature of governor or lapse of time for gubernatorial action.

(Amends R.S. 29:724(B) and 768; Adds R.S. 29:724.1)