SLS 20RS-894 **ORIGINAL** 

2020 Regular Session

SENATE BILL NO. 507

BY SENATOR WHITE

1

15

16

17

CRIME/PUNISHMENT. Provides additional penalties for certain persons during a gubernatorial declared public health or state of emergency. (gov sig)

AN ACT

2	To amend and reenact R.S. 29:724(E), relative to a declared public health or state of
3	emergency; to provide for additional penalties for certain person; and to provide for
4	related matters.
5	Be it enacted by the Legislature of Louisiana:
6	Section 1. R.S. 29:724 is hereby amended and reenacted to read as follows:
7	§724. Powers of the governor
8	* * *
9	E.(1) In the event of an emergency declared by the governor pursuant to this
10	Chapter, any person or representative of any firm, partnership, or corporation
11	violating any order, rule, or regulation promulgated pursuant to this Chapter, shall
12	be fined not more than five hundred dollars or confined in the parish jail for not more
13	than six months, or both. No executive order, proclamation, or regulation shall create
14	or define a crime or fix penalties.

(2)(a) In addition to penalties provided in Paragraph (1) of this

Subsection, in the event of a public health emergency declared by the governor

pursuant to this Chapter that limits the number of individuals participating in

1 an assembly or gathering in an effort to contain or control the public health 2 emergency, no person shall organize or participate in the gathering or assembly 3 in violation of the proclamation. 4 (b) Any person found in violation of Subparagraph (a) of this Paragraph shall be fined five hundred dollars and may be confined to parish jail for not 5 more than six months. 6 7 Section 2. This Act shall become effective upon signature by the governor or, if not 8 signed by the governor, upon expiration of the time for bills to become law without signature 9 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If 10 vetoed by the governor and subsequently approved by the legislature, this Act shall become 11 effective on the day following such approval.

The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Dawn Romero Watson.

DIGEST 2020 Regular Session

White

SB 507 Original

<u>Present law</u> provides that the governor is responsible for meeting the dangers to the state and people presented by emergencies or disasters, and may issue executive orders, proclamations, and regulations and amend or rescind them. Provides that executive orders, proclamations, and regulations so issued shall have the force and effect of law.

<u>Present law</u> provides that a disaster or emergency, or both, shall be declared by executive order or proclamation of the governor if he finds that a disaster or emergency has occurred or the threat thereof is imminent. The state of disaster or 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 or emergency by executive order or proclamation, but no state of disaster or emergency may continue for longer than thirty days unless renewed by the governor.

<u>Present law</u> provides that all executive orders or proclamations shall indicate the nature of the disaster or emergency, the designated emergency area which is or may be affected, and the conditions which have brought it about or which make possible the termination of the state of disaster or emergency. An executive order or proclamation shall be disseminated promptly by means calculated to bring its contents to the attention of the general public and, unless the circumstances attendant upon the disaster or emergency prevent or impede it, promptly filed with the Governor's Office of Homeland Security and Emergency Preparedness and with the secretary of state.

<u>Present law</u> provides that in the event of an emergency declared by the governor, any person or representative of any firm, partnership, or corporation violating any order, rule, or regulation, shall be fined not more than \$500 or confined in the parish jail for not more than six months, or both.

<u>Proposed law</u> provides that in addition to penalties provided in <u>present law</u>, in the event of a public health emergency declared by the governor that limits the number of individuals

participating in an assembly or gathering in an effort to contain or control the public health emergency, no person shall organize or participate in the gathering or assembly in violation of the proclamation. Provides that any person found in violation of <u>proposed law</u> shall be fined \$500 and may be confined to parish jail for not more than six months.

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

(Amends R.S. 29:724(E))