
The original instrument was prepared by Tracy Sabina Sudduth. The following digest, which does not constitute a part of the legislative instrument, was prepared by Thomas L. Tyler.

DIGEST

Murray (SB 52)

Present law provides for the declaration by the governor of a time of an emergency. Provides for the effectiveness of such declaration. Provides for the termination of such declaration. Provides for the power of the governor and other officials during such time.

Proposed law retains present law and adds a provision that authorizes the attorney general, during a declared time of emergency and pursuant to his finding that the public safety or welfare requires emergency action in the absence of the normal administration of justice, to issue an immediate cease and desist order to any person or business entity to require them to stop an act or a practice adverse to the public safety or welfare.

Requires the order recite the particular underlying facts. Provides that the order is effective upon service and remains so until either terminated by the attorney general; lifted by a court; until the period of declared emergency ends; or upon expiration of three days after the court of proper venue reopens provided the attorney general does not take additional action in the court of proper venue.

Provides that a person or business aggrieved by such an order may request a hearing by filing such request within ten days of service of the order in the 19th JDC or the district court with jurisdiction where the person resides or the business is located.

Provides that violators are subject to assessment of civil penalties not to exceed \$500 per offense with each violation of a cease and desist order constitution a separate offense.

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

(Adds R.S. 29:725.1)

Summary of Amendments Adopted by Senate

Senate Floor Amendments to engrossed bill.

1. Adds provision for termination of cease and desist orders upon expiration of three days after the court of proper venue reopens.
2. Adds civil penalties for \$500. for each violation of a cease and desist order.