State of Louisiana

EXECUTIVE DEPARTMENT

PROCLAMATION NUMBER 189 JBE 2019

STATE OF EMERGENCY – CYBERSECURITY INCIDENT

WHERAS, the Louisiana Homeland Security and Emergency Assistance and Disaster Act, La. R.S. 29:721, et seq., confers upon the Governor of the State of Louisiana emergency powers to deal with emergencies, including those caused by breach of cybersecurity, in order to ensure that preparations of this State will be adequate to deal with such emergencies or disasters and to preserve the lives and property of the people of the State of Louisiana;

WHEREAS, when the Governor determines that an emergency has occurred, or the threat thereof is imminent, La. R.S. 29:724(B)(1) empowers the Governor to declare a state of emergency by executive order or proclamation, or both;

WHEREAS, there have been severe, intentional cybersecurity breaches of public entities throughout the State of Louisiana; this includes a cybersecurity attack on the City of New Orleans that occurred on December 13, 2019; and

WHEREAS, the State anticipates various state agencies and political subdivisions will need to work cooperatively to mitigate any damage, current or future, as a result of these cybersecurity breaches.

NOW THEREFORE, I, JOHN BEL EDWARDS, Governor of the State of Louisiana, by virtue of the authority vested by the Constitution and the laws of the State of Louisiana, do hereby order and direct as follows:

SECTION 1: Pursuant to the Louisiana Homeland Security and Emergency Assistance and Disaster Act, La. R.S. 29:721, *et seq.*, a state of emergency is hereby declared to exist statewide in the State of Louisiana as a result of the imminent threat to the citizens of the State.

SECTION 2: Pursuant to La. R.S. 29:732, during a declared state of emergency, the prices charged or value received for goods and services sold within the designated emergency area may not exceed the prices ordinarily charged for comparable goods and services in the same market area at or immediately before the time of the state of emergency, unless the price by the seller is attributable to fluctuations in applicable commodity markets, fluctuations in applicable regional or national market trends, or to reasonable expenses and charges and attendant business risk incurred in procuring or selling the goods or services during the state of emergency.

SECTION 3: All departments, commissions, boards, agencies and officers of the state, or any political subdivision thereof, are authorized and directed to cooperate in actions the state may take in response to the effects of this cybersecurity event.

SECTION 4: All departments, commissions, boards, agencies and officers of the state, or any political subdivision thereof, are further authorized and directed to take all actions necessary to preserve the security and confidentiality of any data related to this emergency, including the execution of Memoranda of Understanding (MOUs), Non-Disclosure Agreements (NDAs), and/or any other related documents.

SECTION 5: Any departments, commissions, boards, agencies and officers of the state, or any political subdivision thereof, that may be affected by this cybersecurity emergency are directed to work with state officials to ensure there is a coordinated response to this event and are further directed to comply with the requirements of the Database Security Breach Notification Law, La. R.S. 51:3071 *et seq.*

SECTION 6: The Secretary of the Department of Revenue is hereby authorized to suspend any applicable statute or regulation where compliance therewith may be impossible or impractical because of this emergency event.

SECTION 7: The Secretary of the Department of Transportation and Development is hereby authorized to suspend any applicable statute or regulation where compliance therewith may be impossible or impractical because of this emergency event.

SECTION 8: With respect to the operation of the Office of Motor Vehicles, the following suspensions shall be applicable:

A. Late Fees for a driver's license which expired on or after November 8, 2019 are suspended until December 30, 2019.

B. Penalties and interest due on state and local sales and use taxes collected by the Office of Motor Vehicles which began on or after November 18, 2019 are suspended and are waived until December 30, 2019.

C. The expiration date of temporary registration plates issued pursuant to La. R.S. 47:519 and La. R.S. 47:519.2 which expired on or after November 18 2019 is suspended and the expiration date is extended until December 30, 2019.

D. The sixty-day period of a notice of default issued pursuant to La. R.S. 32:429.4 on October 11, 2019 and November 11, 2019 is suspended, and the person to whom such notice was issued shall be given until February 1, 2020 to cure the default.

E. The expiration date of an apportioned registration under the International Registration Plan which expires on November 30, 2019 is suspended and the expiration date is extended to January 30, 2020.

F. The sixty-day delay for the Department to submit the administrative hearing record to the Division of Administrative Law pursuant to La. R.S. 32:667(D)(1) is extended for an additional thirty days.

G. The requirement that a person who seeks to receive credit for an ignition interlock device installed on their motor vehicle pursuant to La. R.S. 32:378.2(M)(1)(a) or (b) on or after November 18, 2019, but before December 30, 2019 is suspended and the person shall receive credit from the date of installation up to and including December 30, 2019.

SECTION 9: Pursuant to La. R.S. 29:724(D)(1), the Louisiana Procurement Code (La. R.S. 39:1551 *et seq.*), Louisiana Public Bid Law (La. R.S. 38:2211, *et seq.*), and the Louisiana Information Technology Procurement Code (La. R.S. 39:196-200), and their corresponding rules and regulations are hereby suspended if strict compliance therewith would in any way prevent, hinder, or delay necessary action in coping with this emergency.

SECTION 10: This proclamation is effective upon signature and shall remain in effect from Wednesday, December 18, 2019 to Friday, January 17, 2020, unless terminated sooner.

IN WITNESS WHEREOF, I have set my hand officially and caused to be affixed the Great Seal of Louisiana in the City of Baton Rouge, on this 17th day of December, 2019.

GOVERNOR OF LOUISIANA

ATTEST BY THE SECRETARY OF STATE

SECRETARY OF STATE