



EXECUTIVE DEPARTMENT

PROCLAMATION NUMBER 238 JBE 2021

***RENEWAL OF STATE OF EMERGENCY
AND EXTENSION OF EMERGENCY PROVISIONS
FOR HURRICANE LAURA***

WHEREAS, 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 and disasters, including those caused by fire, flood, earthquake or other natural or manmade causes, 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, pursuant to the Louisiana Homeland Security and Emergency Assistance and Disaster Act, La. R.S. 29:721, *et seq.*, Governor John Bel Edwards declared a state of emergency in response to the imminent threat posed by Hurricane Laura on August 21, 2020, in Proclamation Number 108 JBE 2020;

WHEREAS, Hurricane Laura made landfall on the Louisiana coast during the early morning hours on Thursday, August 27, 2020, bringing devastating winds, widespread power-outages, and severe damage to Louisiana;

WHEREAS, the State of Louisiana suffered severe flooding and damage to the state which threatens the safety, health, and security of the citizens of the State of Louisiana, along with private property and public facilities;

WHEREAS, Louisiana Revised Statute 29:724 confers upon the Governor emergency powers to address emergencies and disasters and 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 citizens of the State of Louisiana, including the authority to suspend the provisions of any regulatory statute prescribing the procedures for conduct of state business, or the orders, rules, or regulations of any state agency, if strict compliance with the provisions of any statute, order, rule, or regulation would in any way prevent, hinder, or delay necessary action in coping with the emergency; and

WHEREAS, damage from this storm continues to pose a threat to citizens and communities across the Gulf Coast and create conditions which place lives and property in the state in jeopardy.

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: GENERAL PROVISIONS

- A) 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 continue to exist in the State of Louisiana as a result of the continued threat of emergency conditions that threaten the lives and property of the citizens of the State.

- B) The Director of the Governor's Office of Homeland Security and Emergency Preparedness (GOHSEP) is hereby authorized to continue to undertake any activity authorized by law which he deems appropriate in response to this declaration.
- C) Pursuant to La. R.S. 29:732, 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 2: REGULATORY SUSPENSIONS, DEADLINES, AND INSURANCE COMMISSIONER

- A) Pursuant to La. R.S. 29:724(D)(1), suspensions of the Louisiana Procurement Code (La. R.S. 39:1551, *et seq.*) and Louisiana Public Bid Law (La. R.S. 38:2211, *et seq.*) and their corresponding rules and regulations are hereby continued for the purpose of the procurement of any good or services necessary to respond to this emergency, including emergency contracts, cooperative endeavor agreements, and any other emergency amendments to existing contracts.
- B) Pursuant to La. R.S. 29:724(D)(1), the suspensions of the provisions of La. R.S. 39:126 regarding prior approval of change orders are hereby continued.
- C) The Commissioner of Insurance shall continue to have limited transfer of authority from the Governor to suspend provisions of any statute of the Louisiana Insurance Code, Title 22 of the Louisiana Revised Statutes of 1950, concerning the cancellation, termination, nonrenewal, and reinstatement provisions of Title 22, including, but not limited to, R.S. 22:272, 22:887, 22:977, 22:978, 22:1068, 22:1074, 22:1266, 22:1267, 22:1311, and 22:1335, where such statutory requirements may prevent, hinder, or delay necessary action in light of the current emergency relative to Hurricane Laura and its aftermath, including providing additional time for policyholders to complete existing claims and to remit premium payments to avoid cancellation of policies, prohibiting cancellations where policyholders are incapable of fulfilling requirements due to evacuation or inhabitability, providing for continuation of coverage and suspending rate increases, providing for the payment of claims incurred during any prohibition on cancellations imposed under this authority, and providing for provider access and prescription drug benefit requirements necessary to protect public health and welfare. This Order shall not relieve an insured who has a claim caused by Hurricane Laura and its aftermath from compliance with the insured's obligation to provide information and cooperate in the claim adjustment process relative to such claim, or to pay insurance premiums upon termination of the provisions of this Order.

SECTION 3: TEMPORARY HOUSING FOR CONTRACTORS

- A) To ensure adequate access to work-sites for relief efforts in disaster areas, it is necessary to allow for the suspension of the enforcement of certain requirements as they apply to temporary buildings currently being used to house personnel involved in storm-related repair, remediation, and rebuilding efforts in certain areas of the state which were devastated in the 2020 hurricanes.
- B) The provisions of La. R.S. 40:1730.21 through La. R.S. 40:1730.28 are hereby suspended, for the limited purpose of allowing parish or

municipal authorities to extend the provisions of the State Uniform Construction Code as it pertains to temporary occupancy of buildings for disaster recovery purposes.

C) This Section shall apply only in the Parishes of Calcasieu, Cameron, and Beauregard.

SECTION 4: 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 severe weather event.

SECTION 5: This order is effective upon signature and shall remain in effect from Monday, December 27, 2021 to Tuesday, January 25, 2022, 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 22nd day of December, 2021.

A handwritten signature in black ink, appearing to be "John Bel Edwards", is written over a horizontal line.

GOVERNOR OF LOUISIANA

**ATTEST BY THE SECRETARY
OF STATE**

A handwritten signature in blue ink, appearing to be "R. Kelly Moore", is written over a horizontal line.

SECRETARY OF STATE