State of Louisiana

EXECUTIVE DEPARTMENT

PROCLAMATION NUMBER JBE 2020 – 27

ADDITIONAL MEASURES FOR COVID-19 PUBLIC HEALTH EMERGENCY

WHEREAS, pursuant to the Louisiana Homeland Security and Emergency Assistance and Disaster Act, La. R.S. 29:721, *et seq.*, the Governor declared a Public Health emergency in Proclamation Number 25 JBE 2020;

WHEREAS, the worldwide outbreak of COVID-19 and the effects of its extreme risk of person-to-person transmission throughout the United States and Louisiana significantly threatens the safety, health, and security of the citizens of the state, along with public facilities, including, but not limited to schools, workplaces, nursing homes, hospitals, etc.;

WHEREAS, Centers for Disease Control (CDC) guidance for responding to the COVID-19 pandemic suggests aggressive measures for limiting the possible interaction of the public with individuals exposed to or infected with COVID-19, including limiting large public gatherings;

WHEREAS, limitations in interactions between members of the public includes school age children, who may be in a position to pass COVID-19 to vulnerable populations, including the elderly or those with underlying medical conditions;

WHEREAS, CDC guidance also encourages social distancing and prevention of unnecessary personal interactions;

WHEREAS, in only a matter of weeks, COVID-19 has had an economic impact on thousands of workers in the State of Louisiana, and will likely result in impacts to many more;

WHEREAS, individuals who are impacted by COVID-19 may not be able to report to work, they may need to be isolated or quarantined, they may have to care for a sick family member care for a child whose school is closed or be forced to quit their jobs;

WHEREAS, in addition, COVID-19 may cause businesses to shut down due to a slow down or lack of demand, institute temporary or partial layoffs;

WHEREAS, an individuals' inability to report to work due to a COVID-19 diagnosis, an individual being isolated or quarantined, caring for a sick family member, caring for a child whose school is closed and the extraordinary volume of resulting unemployment claims pose serious challenges to the effective and timely administration of the unemployment compensation system;

WHEREAS, the State of Louisiana intends to proactively address the significant emotional and economic impact upon Louisiana workers;

WHEREAS, Louisiana Revised Statute 29:724 confers upon the Governor emergency powers to deal with 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, the Secretary of the Louisiana Workforce Commission has requested the Governor, due to the extreme volume of claims to be processed, suspend the application of La. R.S. 23:1533, 1552, 1600(2) and (3), and 1601(1), (2) and (7)(a), (b) and (d) for emergency-related claims, so as to allow the timely and fair administration of the unemployment insurance program.

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: In an effort to reduce and limit the spread of COVID-19 in Louisiana, and to preserve the health and safety of all members of the public, all gatherings of 250 people or more between Friday, March 13, 2020 and Monday, April 13, 2020 shall be postponed or cancelled. This applies only to gatherings in a single space at the same time where individuals will be in close proximity to one another. It does not apply to normal operations at locations like airports, medical facilities, shopping centers or malls, office buildings, factories or manufacturing facilities, or grocery or department stores. This provision may be extended beyond Monday, April 13, 2020 by further order.

SECTION 2: All public schools in the State of Louisiana shall close facilities to students until April 13, 2020. Schools may offer complete distance learning, as capabilities exist. With appropriate social distancing measures, schools shall, if able, continue to provide meals or other essential services with applicable staff. Instructional minute requirements shall be temporarily suspended for distance education courses and for curriculum delivery. The required 63,720 instructional minute requirement per year shall also be suspended. The Board of Elementary and Secondary Education shall report to the Governor and the Legislature any further actions necessary to ensure that eligible students achieve successful student grading, promotion, and graduation.

SECTION 3: To reduce the burden on members of the public and to limit the interactions of individuals with state employees in governmental offices, the following regulatory statutes are hereby suspended as follows:

A. Department of Public Safety
   1. The deadlines for the period to request an administrative hearing pursuant to La. R.S. 15:542.1.3(B)(4) which expired on or after March 9, 2020 but before May 10, 2020 is suspended and extended until June 9, 2020.
   2. Further, with regard to Concealed Handgun Permits, the rules related to expiration of permits at LAC 55:1.1307(D) and LAC 55: 1.1309(F) shall be suspended until May 10, 2020.

B. Office of Motor Vehicles
   1. Late fees for driver's license which would be charged beginning on March 9, 2020 through May 10, 2020, are suspended until May 20, 2020.
   2. The three-day period mandated in La. R.S. 32:863.1 to appear at an Office of Motor Vehicle field office for a notice of violation served on or after March 9, 2020 but before May 10, 2020, are suspended until May 13, 2020.
   3. 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 before March 9, 2020 is suspended until May 10, 2020.
   4. The expiration date of license plates issued pursuant to La. R.S. 47:462, *et seq.,* which expired on or after March 9, 2020 but before May 10, 2020 is suspended until May 10, 2020.

5. The notice of default issued pursuant to La. R.S. 32:429.4 that would be issued on or after March 9, 2020 but before May 15, 2020 is suspended, and the notices will not be issued until after May 15, 2020.
6. The expiration date of an apportioned registration issued under the International Registration Plan which expires March 31, 2020 is suspended and the expiration date is extended to May 31, 2020.
7. The period to request an administrative hearing submitted to the Department pursuant to La. R.S. 32:667, La. R.S. 32:863, La. R.S. 863.1 and LAC Title 55, Part III, Chapter 1, §159 which expired on or after March 9, 2020 but before May 10, 2020 are suspended and extended until June 10, 2020.
8. 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) for an arrest which occurred on or after March 9, 2020 but before May 10, 2020 is extended until August 8, 2020
9. Office of Motor Vehicles may offer services by remote customer services agent interaction in current Office of Motor Vehicles office locations.

SECTION 4: Any state department or agency or political subdivision is hereby granted authority to extend any non-essential deadline for a period of no longer than 30 days if deemed necessary to respond to the threat of COVID-19.

SECTION 5: The Louisiana Legislature is hereby requested to consider a suspension resolution which would allow for the suspension of any legal requirements to ensure the continued operation of state and local government, including such issues as legal deadlines and quorum requirements for open meetings.

SECTION 6: For the purpose of this executive order, "emergency-related claims" shall mean claims for unemployment compensation filed by persons whose unemployment is directly due to the impact of COVID-19 or due to their inability to get to their job or worksite because they are sick, isolated or quarantined, caring for a sick family member, or when an employees' child's school is closed as determined by the administrator of the state's unemployment compensation program, i.e., the executive director of the Louisiana Workforce Commission. Emergency-related claims will not necessarily include all claims in all parishes included in COVID-19 proclamations, declarations or orders.

SECTION 7: The following statutes relative to unemployment insurance are hereby suspended to the extent and in the manner described below:

A. La. R.S. 23:1533, which provides for claimants' benefits to be charged against base period employers for purposes of employers' tax experience rating and the protesting of such charges by employers, shall be suspended for emergency-related claims made during the effective period of this Order.

B. La. R.S. 23:1552, which provides for the charging of claimants' benefits to certain employers, shall be suspended for emergency-related claims made during the effective period of this Order.

C. La. R.S. 23:1600(2) and (3) shall be suspended while this Order is in effect for emergency-related claims to the extent that they require claimants to register and search for work, but the requirements in La. R.S. 23:1600(2) that claimants continue to report at an employment office in the manner prescribed by the administrator, and in La. R.S. 23:1600(3) that claimants be able to work and be available for work, are not waived. The requirement to continue to report at an employment office, which is accomplished through either an automated telephone system or the Internet, is not impractical and avoids overpayments, which claimants would be liable to repay. Such activities are not practical by an individual who is impacted by COVID-19.

SECTION 8: Any organization licensed by the Louisiana Department of Revenue Office of Charitable Gaming to conduct games of chance pursuant to the Charitable Raffles, Bingo and Keno Licensing Law shall not be authorized to hold or conduct any sessions as defined in La. R.S. 4:740 for the period beginning Friday, March 13, 2020 and ending on Sunday, April 12, 2020.

SECTION 9: 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 event.

SECTION 10: This state of emergency extends from Friday, March 13, 2020 to Thursday, April 9, 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 13th day of March, 2020.

GOVERNOR OF LOUISIANA

ATTEST BY THE
SECRETARY OF STATE

SECRETARY OF STATE