

Session 124 - (2021-2022)

S 0382 General Bill, By Cash, Massey and Rice

Summary: Emergency proclamation by Governor

A BILL TO AMEND SECTION 1-3-420 OF THE 1976 CODE, RELATING TO A PROCLAMATION OF EMERGENCY BY THE GOVERNOR, TO PROVIDE THAT A STATE OF EMERGENCY DECLARED BY THE GOVERNOR MAY NOT LAST MORE THAN FIFTEEN DAYS UNLESS THE GENERAL ASSEMBLY ADOPTS A CONCURRENT RESOLUTION AUTHORIZING THE STATE OF EMERGENCY TO REMAIN IN PLACE FOR A LONGER PERIOD OF TIME, TO PROVIDE THAT INACTION BY THE GENERAL ASSEMBLY DOES NOT CONSTITUTE CONSENT, TO PROVIDE THAT THE GOVERNOR CANNOT DECLARE A NEW STATE OF EMERGENCY FOR CIRCUMSTANCES ARISING FROM THE SAME OR A SIMILAR OR RELATED IMMINENT THREAT, EVENT, OCCURRENCE, OR INCIDENT, AND TO PROVIDE THAT A CHANGE IN THE DEGREE OF IMPACT OF AN UNDERLYING IMMINENT THREAT, EVENT, OCCURRENCE, OR INCIDENT DOES NOT CONSTITUTE GROUNDS FOR A NEW DECLARATION OF A STATE OF EMERGENCY; AND TO AMEND SECTION 25-1-440(a)(1) AND (2) OF THE 1976 CODE, RELATING TO THE GOVERNOR'S ADDITIONAL POWERS AND DUTIES DURING A DECLARED EMERGENCY, TO PROVIDE THAT THE GENERAL ASSEMBLY MUST ADOPT A CONCURRENT RESOLUTION AUTHORIZING A DECLARED STATE OF EMERGENCY IF IT IS TO REMAIN IN PLACE FOR LONGER THAN FIFTEEN DAYS, TO PROVIDE THAT INACTION BY THE GENERAL ASSEMBLY DOES NOT CONSTITUTE CONSENT, TO PROVIDE THAT THE GOVERNOR CANNOT DECLARE A NEW STATE OF EMERGENCY FOR CIRCUMSTANCES ARISING FROM THE SAME OR A SIMILAR OR RELATED IMMINENT THREAT, EVENT, OCCURRENCE, OR INCIDENT, AND TO PROVIDE THAT A CHANGE IN THE DEGREE OF IMPACT OF AN UNDERLYING IMMINENT THREAT, EVENT, OCCURRENCE, OR SIMILAR INCIDENT DOES NOT CONSTITUTE GROUNDS FOR A NEW DECLARATION OF A STATE OF EMERGENCY.

12/09/20 Senate Prefiled

12/09/20 Senate Referred to Committee on Judiciary

01/12/21 Senate Introduced and read first time (Senate Journal-page 293)

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