

HB 559 - AS INTRODUCED

2021 SESSION

21-0709

05/04

HOUSE BILL                    **559**

AN ACT                    relative to state of emergency declarations.

SPONSORS:            Rep. Hopper, Hills. 2

COMMITTEE:        Legislative Administration

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ANALYSIS

This bill requires the legislature to renew a state of emergency beyond the initial 21-day period.

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Explanation:        Matter added to current law appears in ***bold italics***.  
                         Matter removed from current law appears ~~[in brackets and struckthrough.]~~  
                         Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

STATE OF NEW HAMPSHIRE

*In the Year of Our Lord Two Thousand Twenty One*

AN ACT                    relative to state of emergency declarations.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

1            1 State of Emergency Declaration; Powers; Concurrence by the Legislature. Amend RSA 4:45, II  
2 to read as follows:

3            II.(a) A state of emergency shall terminate automatically 21 days after its declaration unless  
4 it is renewed ~~[under the same procedures set forth in paragraph I of this section. The governor may,~~  
5 ~~by executive order,]~~ **by the legislature. The legislature may renew a state of emergency by**  
6 **concurrent resolution adopted by a majority vote of each chamber. The legislature may**  
7 **vote to** renew a declaration of a state of emergency as many times as the ~~[governor]~~ **legislature**  
8 finds is necessary to protect the safety and welfare of the inhabitants of this state.

9            (b) If the governor finds that maintaining the state of emergency is no longer justified,  
10 the governor shall issue an executive order terminating the state of emergency.

11            (c) The legislature may terminate a state of emergency by concurrent resolution adopted  
12 by a majority vote of each chamber. ~~[The governor's power to renew a declaration of a state of~~  
13 ~~emergency shall terminate upon the adoption of a concurrent resolution under this subparagraph;~~  
14 ~~provided, however, that such resolution]~~ **Failure of the legislature to pass a concurrent**  
15 **resolution renewing a state of emergency** shall not preclude the governor from declaring a new  
16 emergency for different circumstances under paragraph I of this section.

17            2 Effective Date. This act shall take effect 60 days after its passage.