

SB 1517 STAFF MEASURE SUMMARY

Senate Committee On Veterans and Emergency Preparedness

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Meeting Dates: 2/3, 2/10

WHAT THE MEASURE DOES:

Requires the Governor to issue a written, public statement detailing reasons, certain supportive facts, and the geographic scope of a declaration of emergency before the declaration is validated. Terminates state of emergency 30 days after it is first declared. Allows Governor to extend a state of emergency one time by a maximum of 30 days. Permits the Governor to extend a state of emergency by a maximum of 60 days an unlimited number of times if the extension is previously approved by a joint resolution adopted by two-thirds of serving members of the Legislative Assembly per extension. Prevents Governor from declaring another state of emergency for the same purpose without authorization by a joint resolution of the Legislative Assembly. Extinguishes rules or orders issued under state of emergency upon termination of the state of emergency. Permits Governor's powers concerning temporary housing during states of emergency to be terminated by proclamation of the Governor or by joint resolution. Requires a declaration of public health emergency to reference specific facts in support of certain conclusions. Requires the declaration of a public health emergency to specify the duration if less than 30 days. Clarifies provisions concerning durational limits of and rules and orders issued under declaration of a public health emergency. Determines termination guidelines of states of emergency and extensions in effect at time of effective date of this measure. Declares emergency, effective on passage.

Fiscal Impact Statement: Not yet issued.

Revenue Impact Statement: Not yet issued.

ISSUES DISCUSSED:

- The alignment of statutory state of emergency timeline(s)
- *Elkhorn Baptist Church vs. Brown* (2020)
- Making procedures to declare emergency uniform

EFFECT OF AMENDMENT:

No amendment.

BACKGROUND:

According to the National Council of State Legislatures, for the first time in American history, each state was simultaneously placed in a state of emergency as a result of the COVID-19 pandemic. In wartime and during prodigious circumstances states authorize governors to declare states of emergency. Current Oregon law grants the Governor authority to declare states of emergency by proclamation at the request of a county governing body or after a determination that an emergency has occurred or is imminent.

Senate Bill 1517 establishes additional requirements around Governor- declared states of emergency and declarations of public health emergencies, including an alternative legislative approval process for unlimited extensions of states of emergency.