

1 supplies, equipment, and materials and facilities assembled,
2 stockpiled, or available pursuant to this act.

3 B. During a state of catastrophic health emergency, the
4 Governor may:

5 1. Suspend the provisions of any regulatory statute prescribing
6 procedures for conducting state business, or the orders and rules of
7 any state agency, to the extent that strict compliance with the same
8 would prevent, hinder, or delay necessary action (including
9 emergency purchases) by the public health authority to respond to
10 the catastrophic health emergency, or increase the health threat to
11 the population;

12 2. Utilize all available resources of the state government and
13 its political subdivisions, as reasonably necessary to respond to
14 the catastrophic health emergency;

15 3. Transfer the direction, personnel, or functions of state
16 departments and agencies in order to perform or facilitate response
17 and recovery programs regarding the catastrophic health emergency;

18 4. Mobilize all or any part of the National Guard into service
19 of the state. An order directing the National Guard to report for
20 active duty shall state the purpose for which it is mobilized and
21 the objectives to be accomplished;

22 5. Provide aid to and seek aid from other states during the
23 catastrophic health emergency in accordance with any interstate
24 emergency compact made with this state; and

1 6. Seek aid from the federal government for the catastrophic
2 health emergency in accordance with federal programs or
3 requirements.

4 C. The public health authority shall coordinate all matters
5 pertaining to the catastrophic health emergency response of the
6 state. The public health authority shall have primary jurisdiction,
7 responsibility, and authority for:

8 1. Planning and executing catastrophic health emergency
9 assessment, mitigation, preparedness response, and recovery for the
10 state;

11 2. Coordinating catastrophic health emergency response between
12 state and local authorities during a catastrophic health emergency;

13 3. Collaborating with relevant federal government authorities,
14 elected officials of other states, private organizations or
15 companies during a catastrophic health emergency;

16 4. Coordinating recovery operations and mitigation initiatives
17 subsequent to catastrophic health emergencies; and

18 5. Organizing public information activities regarding
19 catastrophic health emergency response operations.

20 D. After the declaration of a state of catastrophic health
21 emergency, special identification for all public health personnel
22 working during the catastrophic health emergency shall be issued as
23 soon as possible. The identification shall indicate the authority
24 of the bearer to exercise public health functions and emergency

1 powers during the state of catastrophic health emergency. Public
2 health personnel shall wear the identification in plain view.

3 E. Nothing in the Catastrophic Health Emergency Powers Act
4 shall allow the Governor or any other governmental entity to:

5 1. Force a business to close;

6 2. Limit or in any way restrict the hours of operation of a
7 business; or

8 3. Limit or restrict the number of occupants or patrons allowed
9 in a business.

10 SECTION 2. This act shall become effective November 1, 2021.

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12 COMMITTEE REPORT BY: COMMITTEE ON PUBLIC HEALTH, dated 02/24/2021 -
13 DO PASS, As Coauthored.

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