

SENATE BILL 859

By Haile

AN ACT to amend Tennessee Code Annotated, Title 4;  
Title 5; Title 6; Title 7; Title 8; Title 58, Chapter 2  
and Title 68, relative to public health emergencies.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 58-2-101, is amended by adding the following as a new subdivision:

( ) "Public health emergency" means an occurrence or the imminent threat of an illness or health condition, caused by bioterrorism, epidemic or pandemic disease, or a novel and highly fatal infectious agent or biological toxin, that poses a substantial risk of a significant number of human fatalities or incidents of permanent or long-term disability.

SECTION 2. Tennessee Code Annotated, Title 58, Chapter 2, Part 1, is amended by adding the following as a new section:

(a) Notwithstanding any law to the contrary, this section applies to a public health emergency. A provision of law relating to emergency management that does not conflict with this section applies to public health emergencies.

(b) The general assembly may end a state of emergency that is based on a public health emergency by the passage of a joint resolution.

(c) Within twelve (12) hours of the governor declaring a state of emergency based on a public health emergency, the governor shall provide the speaker of the senate, the speaker of the house of representatives, and the majority and minority leader of each house a statement detailing the need for the declaration and the expected duration of the declaration.

(d) After the initial declaration of a state of emergency, the governor shall inform and consult with the speaker of the senate, the speaker of the house of representatives, and the majority and minority leader of each house at least twelve (12) hours prior to issuing an executive order or other major change in policy in response to the public health emergency.

(e) The governor shall provide a fiscal assessment of the anticipated expenditures that may be incurred due to the declared state of emergency and an executive order issued during the state of emergency to the finance, ways and means committees and the government operations committees of the senate and the house of representatives:

(1) Within twelve (12) hours of the governor declaring a state of emergency based on a public health emergency;

(2) At least twelve (12) hours prior to issuing a subsequent executive order in response to the public health emergency; and

(3) For the duration of the state of emergency, at least biweekly after the declaration of the state of emergency.

SECTION 2. This act takes effect upon becoming a law, the public welfare requiring it.