

SENATE BILL 1861

By Pody

AN ACT to amend Tennessee Code Annotated, Title 58, Chapter 2, Part 1, relative to emergency management powers of the governor.

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

SECTION 1. Tennessee Code Annotated, Section 58-2-107(b)(2), is amended by designating the existing language as subdivision (b)(2)(A) and adding the following new subdivisions:

(B) Notwithstanding subdivision (b)(2)(A), the governor does not have the authority to renew or extend beyond forty-five (45) days an executive order, proclamation, or TEMP issued pursuant to this section and that applies to more than forty-eight (48) counties. The general assembly may authorize the governor to renew or extend an executive order, proclamation, or TEMP declaring a state of emergency by passage of a joint resolution in a regular or extraordinary session.

(C) The governor shall not divide counties into separate declarations of emergency, whether executive orders, proclamations, or TEMPs, based on a disaster or occurrence that impacts forty-eight (48) or more counties in this state for the purpose of avoiding the requirements of subdivision (b)(2)(B).

(D) If a state of emergency as described in subdivision (b)(2)(B) expires and no authorization is granted to renew or extend the state of emergency, the governor shall not declare a new state of emergency for the same disaster or occurrence as the expired emergency within one (1) year following the expiration of the state of emergency.

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