

SENATE BILL 2938

By Stevens

AN ACT to amend Tennessee Code Annotated, Title 4; Title 8; Title 9, Chapter 4, Part 53; Title 10; Title 11; Title 12; Title 41; Title 50; Title 54 and Title 58, relative to state emergencies.

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

SECTION 1. Tennessee Code Annotated, Section 58-2-107(a)(1), is amended by deleting the language "The governor is responsible" and substituting instead the language "Pursuant to the limitations of this section, the governor is responsible".

SECTION 2. Tennessee Code Annotated, Section 58-2-107(a)(2), is amended by deleting the language "subdivision (a)(1)" and substituting instead the language "subdivision (a)(1) and subject to the limitations of this section".

SECTION 3. Tennessee Code Annotated, Section 58-2-107(b)(1), is amended by deleting the language "The governor" and substituting instead the language "Except as otherwise provided in this subsection (b), the governor".

SECTION 4. Tennessee Code Annotated, Section 58-2-107(b)(2), is amended by deleting the second sentence and substituting instead the following:

The state of emergency shall continue until the governor finds that the threat or danger has been dealt with to the extent that the emergency conditions no longer exist and the governor terminates the state of emergency by executive order or proclamation, but no state of emergency shall continue for longer than thirty (30) days unless renewed by the governor pursuant to subdivision (b)(3).

SECTION 5. Tennessee Code Annotated, Section 58-2-107(b), is amended by adding the following new subdivision:

(3) If the governor finds it necessary to continue a state of emergency beyond thirty (30) days, the governor must convene the general assembly into extraordinary session pursuant to Article III, § 9 of the Tennessee Constitution for purposes of approving the continuance of the state of emergency. Approval of a state of emergency beyond thirty (30) days must be by joint resolution adopted by each house of the general assembly. If the general assembly fails to approve the continuance of a state of emergency, any action taken by the governor to declare the state of emergency shall no longer be in effect upon the expiration of the thirty-day period. This subdivision (b)(3) does not prohibit the governor from declaring a state of emergency for some other, unrelated emergency.

SECTION 6. This act shall take effect upon becoming a law, the public welfare requiring it, and shall apply to any state of emergency declared to exist or to continue to exist after June 30, 2020.