

SENATE No. 249

The Commonwealth of Massachusetts

PRESENTED BY:

Diana DiZoglio

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act relative to the duration of a proclaimed state of emergency.

PETITION OF:

NAME:

Diana DiZoglio

DISTRICT/ADDRESS:

First Essex

SENATE No. 249

By Ms. DiZoglio, a petition (accompanied by bill, Senate, No. 249) of Diana DiZoglio for legislation relative to the duration of a proclaimed state of emergency. Covid-19 and Emergency Preparedness and Management.

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Second General Court
(2021-2022)**

An Act relative to the duration of a proclaimed state of emergency.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Chapter 639 of the Acts of 1950 is hereby amended by striking out Section
2 22 thereof, and inserting in place thereof the following section:-

3 § 22. Expiration and Inoperativeness.

4 After 60 days, the state of emergency shall expire, unless a request by the governor for an
5 extension of the state of emergency for a specific number of days, not to exceed 60 days, is
6 approved by resolution of both houses of the legislature within such time period. The resolution
7 of both houses of the legislature may approve less than the number of days requested by the
8 governor. The governor may request additional extensions in the same manner. Although a
9 declaration of a state of emergency by the governor cannot prohibit the legislature from
10 convening, if the president of the senate and the speaker of the house determine that they cannot
11 convene both houses of the legislature during the state of emergency, then the state of emergency
12 shall be automatically extended for 30 days. Upon expiration of the state of emergency, the

13 governor shall issue an executive order or proclamation declaring the state of emergency
14 terminated. At any time, a proclamation of a state of emergency by the governor under this act or
15 any part thereof shall become inoperative by the adoption of a joint resolution to that effect by
16 the house and senate acting concurrently.

17 SECTION 2. Chapter 17 of the General Laws is hereby amended by striking out the last
18 sentence of Section 2A thereof, and inserting in place thereof the following:-

19 After 60 days, the declaration of emergency shall expire, unless a request by the governor
20 for an extension of the declaration of emergency for a specific number of days, not to exceed 60
21 days, is approved by resolution of both houses of the legislature within such time period. The
22 resolution of both houses of the legislature may approve less than the number of days requested
23 by the governor. The governor may request additional extensions in the same manner. Although
24 a declaration of emergency by the governor cannot prohibit the legislature from convening, if the
25 president of the senate and the speaker of the house determine that they cannot convene both
26 houses of the legislature during the state of emergency, then the declaration of emergency shall
27 be automatically extended for 30 days. Upon expiration of the declaration of emergency, the
28 governor shall issue an executive order or proclamation declaring the declaration of emergency
29 terminated. Upon declaration by the governor that such emergency has terminated, all powers
30 granted to and exercised by the commissioner under this section shall terminate.