

ASSEMBLY BILL

No. 69

Introduced by Assembly Members Kiley and Gallagher
(Coauthor: Senator Jones)

December 7, 2020

An act to amend Section 8629 of the Government Code, relating to state of emergency.

LEGISLATIVE COUNSEL'S DIGEST

AB 69, as introduced, Kiley. State of emergency: termination after 60 days: extension by the Legislature.

Existing law, the California Emergency Services Act, authorizes the Governor to proclaim a state of emergency when specified conditions of disaster or extreme peril to the safety of persons and property exist, and authorizes the Governor to exercise certain powers in response to that emergency, including, but not limited to, suspending specified statutes, ordinances, orders, regulations, or rules. Existing law requires all of the powers granted the Governor by the California Emergency Services Act with respect to a state of emergency to terminate when the state of emergency has been terminated by proclamation of the Governor or by concurrent resolution of the Legislature declaring it at an end.

This bill would require a state of emergency to terminate 60 days after the Governor's proclamation of the state of emergency unless the Legislature extends it by a concurrent resolution, as specified. The bill would prohibit a concurrent resolution from extending a state of emergency by more than 60 days, as specified.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

SECTION 1. Section 8629 of the Government Code is amended to read:

8629. (a) The Governor shall proclaim the termination of a state of emergency at the earliest possible date that conditions warrant. ~~At~~

(b) (1) *The state of emergency shall terminate 60 days after the Governor's proclamation pursuant to Section 8625 unless the Legislature extends it by a concurrent resolution subject to paragraph (3) before its termination.*

(2) *The Legislature may, by a concurrent resolution subject to paragraph (3), extend a state of emergency before its termination pursuant to paragraph (1) or pursuant to a previous concurrent resolution.*

(3) *A concurrent resolution of the Legislature pursuant to paragraph (1) or (2) shall not extend a state of emergency by more than 60 days beyond the prior date of termination set by paragraph (1) or the most recent concurrent resolution, whichever is later.*

(c) *All of the powers granted the Governor by this chapter with respect to a state of emergency shall terminate when ~~the~~ either of the following occur:*

(1) *The state of emergency has been terminated by proclamation of the Governor or by concurrent resolution of the Legislature declaring it at an end.*

(2) *The state of emergency terminates pursuant to subdivision (b).*