



Senate Fiscal Agency
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BILL ANALYSIS



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Senate Bill 858 (as introduced 4-16-20)
Sponsor: Senator Tom Barrett
Committee: Government Operations

Date Completed: 4-23-20

CONTENT

The bill would amend the Emergency Management Act to reduce, from 28 days to 14 days, the period that a state of disaster or state of emergency could remain in effect without a resolution from both houses of the Legislature.

Under the Act, the Governor is responsible for coping with dangers to the State or the people of the State presented by a disaster or emergency.

The Governor must, by executive order or proclamation, declare a state of disaster or state of emergency if he or she finds a disaster or emergency has occurred, or that the threat of a disaster or emergency exists (as applicable). The state of disaster or state of emergency must continue until the threat or danger has passed, the emergency or disaster has been dealt with to extent that the conditions no longer exist, or until the declared state of disaster or emergency has been in effect for 28 days. After 28 days, the Governor must issue an executive order or proclamation declaring the state of disaster or emergency terminated, unless a request for an extension of the state of disaster or emergency is granted by a resolution of both houses of the Legislature.

The bill would reduce, from 28 days to 14 days, the period that a state of disaster or state of emergency could remain in effect without a resolution from both houses of the Legislature.

MCL 30.403

Legislative Analyst: Jeff Mann

FISCAL IMPACT

The bill would result in an indeterminate fiscal impact on State and local government. While the bill would limit the effective period of time for a Governor's initial declaration of a disaster, it is difficult to predict whether an original disaster termination date would be extended by approval of both houses of the Legislature, or what the costs of the Governor's actions would be during a particular disaster/emergency declaration period, whatever its length.

In addition, it is unclear to what extent the bill would affect the declaration of emergencies or disasters (and the fiscal impacts of those declarations) in light of Public Act 302 of 1945, which specifies the emergency powers of the Governor.

Fiscal Analyst: Bruce Baker
Joe Carrasco

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