

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2019

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HOUSE BILL 1170

Short Title: Executive Order Limitations/Funds. (Public)

Sponsors: Representative Goodwin.

For a complete list of sponsors, refer to the North Carolina General Assembly web site.

Referred to: Judiciary, if favorable, Rules, Calendar, and Operations of the House

May 22, 2020

1 A BILL TO BE ENTITLED
2 AN ACT TO PROVIDE FOR EXPIRATION OF EXECUTIVE ORDERS AND STATES OF
3 EMERGENCY ISSUED BY THE GOVERNOR.

4 The General Assembly of North Carolina enacts:

5 SECTION 1. G.S. 166A-19.20 reads as rewritten:

6 "§ 166A-19.20. **Gubernatorial or legislative declaration of state of emergency.**

7 (a) Declaration. – A state of emergency may be declared by the Governor or by a
8 resolution of the General Assembly, if either of these finds that an emergency exists.

9 (b) Emergency Area. – An executive order or resolution declaring a state of emergency
10 shall include a definition of the area constituting the emergency area.

11 (c) Expiration of States of Emergency. – Except as provided in subsection (c1) of this
12 section, a state of emergency declared pursuant to this section shall expire when it is rescinded
13 by the authority that issued it.

14 (c1) Expiration of Statewide States of Emergency Declared by the Governor. – A state of
15 emergency declared by the Governor pursuant to this section that contains an emergency area
16 constituting all counties in this State shall expire upon the earliest occurrence of any of the
17 following:

18 (1) The fourteenth day after the date of issuance by the Governor, unless it is
19 approved by joint resolution adopted by a majority vote of each house of the
20 General Assembly.

21 (2) It is rescinded by the authority that issued it.

22 (d) Exercise of Powers Not Contingent on Declaration of Disaster Type. – Once a state
23 of emergency has been declared pursuant to this section, the fact that a declaration of disaster
24 type has not been issued shall not preclude the exercise of powers otherwise conferred during a
25 state of emergency."

26 SECTION 2. G.S. 166A-19.30 reads as rewritten:

27 "§ 166A-19.30. **Additional powers of the Governor during state of emergency.**

28 ...

29 (c1) Expiration of Statewide Executive Orders. – An executive order issued by the
30 Governor during a state of emergency that contains an emergency area constituting all counties
31 in this State shall expire 14 days after the date of issuance, unless approved by joint resolution
32 adopted by a majority vote of each house of the General Assembly.

33"

34 SECTION 3.(a) There is appropriated from the General Fund to the Department of
35 Public Safety, Division of Emergency Management, the sum of twenty-five thousand dollars



1 (\$25,000) in nonrecurring funds for the fiscal year 2020-2021 to implement the provisions of this
2 act.

3 **SECTION 3.(b)** This section becomes effective July 1, 2020.

4 **SECTION 4.** Except as otherwise provided, this act is effective when it becomes law
5 and applies to executive orders and declarations of states of emergency issued after that date.