

By: Johnson

S.B. No. 98

A BILL TO BE ENTITLED

AN ACT

relating to the renewal of a declared state of disaster.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 418.014, Government Code, is amended by amending Subsections (b) and (c) and adding Subsections (c-1), (c-2), and (c-3) to read as follows:

(b) Except as provided by Subsection (c) or (c-1), the state of disaster continues until the governor:

(1) finds that:

(A) the threat or danger has passed; or

(B) the disaster has been dealt with to the extent that emergency conditions no longer exist; and

(2) terminates the state of disaster by executive order.

(c) A state of disaster may not continue for more than 30 days unless renewed by the governor or the legislature in accordance with Subsection (c-1). The legislature by law may terminate a state of disaster at any time. On termination by the legislature, the governor shall issue an executive order ending the state of disaster.

(c-1) If the legislature is convened in a regular or special session during a state of disaster, only the legislature by law may renew the state of disaster.

(c-2) Notwithstanding any other law, a law enacted by the

1 legislature to renew a state of disaster has the same force and  
2 effect as an executive order or proclamation the governor issues  
3 declaring a state of disaster. A reference in this chapter or other  
4 law to an executive order or proclamation declaring a state of  
5 disaster applies to a law enacted by the legislature under this  
6 section to renew a state of disaster.

7 (c-3) The governor may not declare a new state of disaster  
8 based on the same or a substantially similar finding as a prior  
9 state of disaster that the legislature terminates or does not renew  
10 in accordance with Subsection (c-1).

11 SECTION 2. The change in law made by this Act applies only  
12 to an executive order or proclamation issued or renewed under  
13 Section 418.014, Government Code, as amended by this Act, on or  
14 after the effective date of this Act.

15 SECTION 3. This Act takes effect September 1, 2023.