

HOUSE BILL 701

E4

2lr2443

By: **Delegate Cox**

Introduced and read first time: January 31, 2022

Assigned to: Health and Government Operations

A BILL ENTITLED

1 AN ACT concerning

2 **Public Safety – Governor’s Health Emergency Powers – Repeal**

3 FOR the purpose of repealing the authorization and requirements for the Governor to issue,
4 renew, and rescind a proclamation declaring the existence of a catastrophic health
5 emergency and the Governor’s powers relating to the emergency declaration;
6 repealing the powers of the Secretary of Health relating to a catastrophic health
7 emergency proclamation; and generally relating to the Governor’s powers and
8 catastrophic health emergencies.

9 BY repealing

10 Article – Public Safety

11 Section 14–3A–01 through 14–3A–08 and the subtitle “Subtitle 3A. Governor’s
12 Health Emergency Powers”

13 Annotated Code of Maryland

14 (2018 Replacement Volume and 2021 Supplement)

15 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
16 That Section(s) 14–3A–01 and 14–3A–03 through 14–3A–08 and the subtitle “Subtitle 3A.
17 Governor’s Health Emergency Powers” of Article – Public Safety of the Annotated Code of
18 Maryland be repealed.

19 SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland read
20 as follows:

21 **Article – Public Safety**

22 [14–3A–02.

23 (a) If the Governor determines that a catastrophic health emergency exists, the
24 Governor may issue a proclamation under this subtitle.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



- 1 (b) The proclamation shall indicate:
- 2 (1) the nature of the catastrophic health emergency;
- 3 (2) the areas threatened or affected; and
- 4 (3) the conditions that:
- 5 (i) led to the catastrophic health emergency; or
- 6 (ii) made possible the termination of the emergency.
- 7 (c) (1) The Governor shall rescind a proclamation issued under this section
8 whenever the Governor determines that the catastrophic health emergency no longer
9 exists.
- 10 (2) Unless renewed, the proclamation expires 30 days after issuance.
- 11 (3) The Governor may renew the proclamation for successive periods, each
12 not to exceed 30 days, if the Governor determines that a catastrophic health emergency
13 continues to exist.]
- 14 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
15 October 1, 2022.