E4 EMERGENCY BILL

4 lr 3557

## By: Senators Simonaire and Salling

Constitutional Requirements Complied with for Introduction in the last 35 Days of Session Introduced and read first time: March 13, 2024

Assigned to: Education, Energy, and the Environment

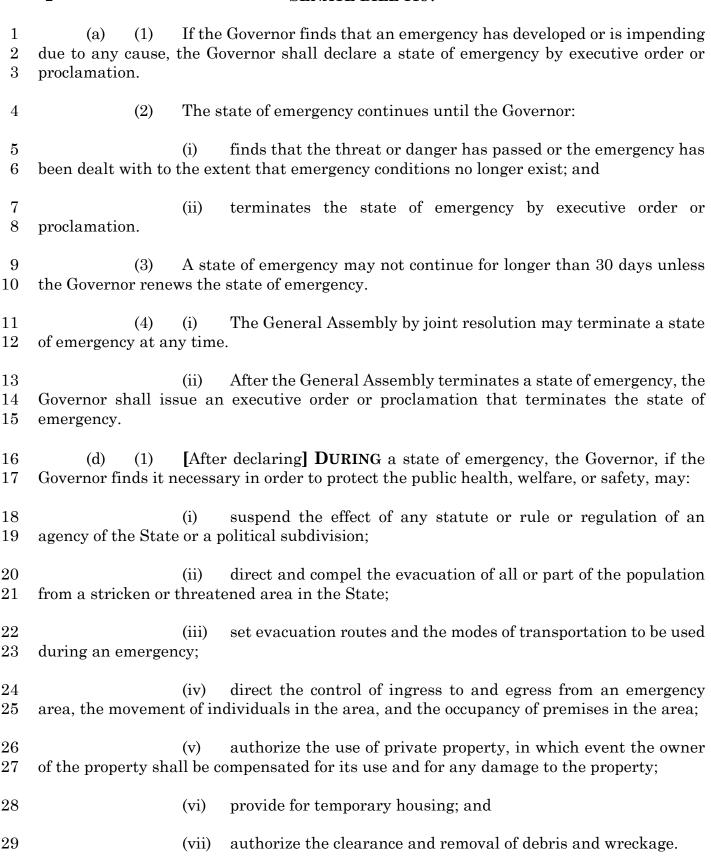
## A BILL ENTITLED

1	AN ACT concerning
2 3	State of Emergency – Restoration, Repair, or Replacement of Critical Infrastructure – Suspension of State or Local Law
4	FOR the purpose of authorizing the Governor to suspend certain State or local law if
5	necessary for the restoration, repair, or replacement of certain critical infrastructure
6	related to a state of emergency, for a certain period of time; authorizing the Governor
7	to extend a suspension of State or local law under this Act under certain
8	circumstances; authorizing the General Assembly to terminate the suspension of
9	State and local law under this Act; applying this Act retroactively; and generally
10	relating to a state of emergency and critical infrastructure.
11	BY repealing and reenacting, without amendments,
12	Article – Public Safety
13	Section 14–107(a)
14	Annotated Code of Maryland
15	(2022 Replacement Volume and 2023 Supplement)
16	BY repealing and reenacting, with amendments,
17	Article – Public Safety
18	Section 14–107(d)
19	Annotated Code of Maryland
20	(2022 Replacement Volume and 2023 Supplement)
21	SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
$\frac{1}{2}$	That the Laws of Maryland read as follows:
23	Article - Public Safety
24	14–107.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.





30 (2) (I) SUBJECT TO SUBPARAGRAPHS (II) AND (III) OF THIS 31 PARAGRAPH, IF THE GOVERNOR FINDS IT NECESSARY TO RESTORE, REPAIR, OR 32 REPLACE CRITICAL INFRASTRUCTURE RELATED TO A STATE OF EMERGENCY, THE

- 1 GOVERNOR MAY SUSPEND THE EFFECT OF ANY STATE OR LOCAL LAW IN ORDER TO
- 2 FACILITATE THE RESTORATION, REPAIR, OR REPLACEMENT OF THE CRITICAL
- 3 INFRASTRUCTURE FOR NOT MORE THAN 1 YEAR AFTER THE DATE THE GOVERNOR
- 4 DECLARED THE STATE OF EMERGENCY.
- 5 (II) NOTWITHSTANDING THE TERMINATION OF A STATE OF
- 6 EMERGENCY, THE GOVERNOR MAY EXTEND THE SUSPENSION OF STATE OR LOCAL
- 7 LAW AUTHORIZED UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH ANNUALLY
- 8 UNTIL THE RESTORATION, REPAIR, OR REPLACEMENT OF CRITICAL
- 9 INFRASTRUCTURE RELATED TO THE STATE OF EMERGENCY IS COMPLETED.
- 10 (III) THE GENERAL ASSEMBLY BY JOINT RESOLUTION MAY
- 11 TERMINATE THE SUSPENSION OF STATE OR LOCAL LAW UNDER SUBPARAGRAPH (I)
- 12 OF THIS PARAGRAPH AT ANY TIME.
- 13 (3) The powers of the Governor under this subsection are in addition to any
- 14 other authority vested in the Governor by law.
- SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall be construed to
- 16 apply retroactively and shall be interpreted to authorize the suspension of State or local
- 17 law necessary for the restoration, repair, or replacement of critical infrastructure related
- 18 to a state of emergency declared by the Governor on or after March 26, 2024.
- SECTION 3. AND BE IT FURTHER ENACTED, That this Act is an emergency
- 20 measure, is necessary for the immediate preservation of the public health or safety, has
- 21 been passed by a yea and nay vote supported by three–fifths of all the members elected to
- 22 each of the two Houses of the General Assembly, and shall take effect from the date it is
- 23 enacted.