

Department of Legislative Services
Maryland General Assembly
2012 Session

FISCAL AND POLICY NOTE

House Bill 437 (Delegate Malone)
Health and Government Operations Education, Health, and Environmental Affairs

Local States of Emergency - Time Period - Extension

This bill extends, from 7 to 30 days, the time period that a local state of emergency may continue or be renewed without the consent of the local governing body.

Fiscal Summary

State Effect: None.

Local Effect: None. Extending the duration of a local state of emergency declaration will not likely alter State or local aid efforts to the affected jurisdiction. In addition, the extension will not materially affect federal emergency aid, including Federal Emergency Management Agency (FEMA) reimbursements.

Small Business Effect: Minimal.

Analysis

Current Law: In the event of a public emergency in the State, the Governor may proclaim a state of emergency and designate the emergency area (1) if public safety is endangered or on reasonable apprehension of immediate danger to public safety; and (2) on the Governor's own initiative or on application of the chief executive officer or governing body of a county or municipality or the Secretary of State Police.

Only the principal executive officer of a political subdivision may declare a local state of emergency. Except with the consent of the local governing body, a local state of emergency may not continue or be renewed for longer than seven days.

Background: Declared local emergencies in the State can occur with some frequency and have included tornadoes, hurricanes, floods, droughts, snow storms, ice storms, and power outages. According to the Maryland Emergency Management Agency, under current law, if a local state of emergency continues beyond the seven-day statutory limit for a declaration made by the principal executive officer, the affected jurisdiction would continue to receive State and local emergency responses as needed. In addition, the local state of emergency may be extended with the consent of the local governing body.

Additional Information

Prior Introductions: None.

Cross File: SB 88 (Senator Glassman) - Education, Health, and Environmental Affairs.

Information Source(s): Maryland Emergency Management Agency; Calvert, Howard, and Montgomery counties; Maryland Municipal League; Department of Legislative Services

Fiscal Note History: First Reader - February 2, 2012
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