

State of Disaster and State of Emergency Order Declarations

WHEREAS Governors and state agencies in all 50 states issued orders declaring active emergencies in response to the coronavirus pandemic,

WHEREAS these orders allowed officials to access resources unavailable to them during non-emergencies, like stockpiles of medical goods and equipment, and temporarily waive, suspend or alter certain rules and regulations, including elections laws,

WHEREAS Governors and state agencies relied on emergency power authority to enact lockdown and stay-at-home orders, mask mandates, and other restrictions on businesses and individuals,

WHEREAS between March and April 2020, 43 governors issued orders directing residents to stay at home and nonessential businesses to close in response to the coronavirus pandemic. All Democratic governors (24) issued stay-at-home orders in their states, while 19 of the 26 Republican governors issued stay-at-home orders. Seven states (Arkansas, Iowa, Nebraska, North Dakota, South Dakota, Utah, Wyoming) did not issue statewide stay-at-home orders,

WHEREAS the follow states challenged the constitutionality of the emergency power authority of their state governors, on March 31, 2021, the Wisconsin Supreme Court ruled 4-3 that Gov. [Tony Evers](#) (D) overstepped his authority when he declared several states of emergency since the start of the pandemic without input from the legislature. In the majority opinion, Justice Brian Hagedorn wrote that under the relevant state statute, only a joint resolution from the legislature can extend a state of emergency beyond 60 days. Evers first declared a state of emergency in March 2020. The ruling invalidated the existing emergency order.^[147] On October 5, 2020, the Michigan Supreme Court ruled 4-3 that Gov. [Gretchen Whitmer](#) (D) lacked the authority to issue pandemic-related executive orders after April 30, 2020, when the legislature declined to extend the emergency and disaster declarations. The court ruled the Emergency Powers of the Governor Act (EPGA) of 1945, which was one of two laws on which Whitmer justified her orders, violated the Michigan constitution,^{[148][149]}

WHEREAS overall, COVID-19 emergency orders have expired in **29** states and are active in **21** states. as of March 21, 2022. As of March 23, 2022, Governor Abbott continues to issue 30-day COVID-19 Emergency Declarations since the initial declaration on March 13, 2020.

THEREFORE BE IT RESOLVED for the Texas Legislature to pass legislation that requires a special session to be called for a joint resolution from the legislature to extend a state of disaster or state of emergency beyond 60 days and to take actions to determine constitutionality of emergency orders issued during the coronavirus pandemic.

Choose one:

Adopted by the _____ (Precinct _____) convention on March ____, 2022.

Adopted by the _____ (county/SD _____) convention on March ____, 2022.