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# A BILL FOR AN ACT

RELATED TO EMERGENCY MANAGEMENT.

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:**

1           SECTION 1. Chapter 127A, Hawaii Revised Statutes, is  
2 amended by adding a new section to be appropriately designated  
3 and to read as follows:

4           "§127A-           Quarantine or shutdown ordered by the governor;  
5 limited duration; extension procedures. (a) Notwithstanding  
6 any provision of this chapter to the contrary, the governor  
7 shall not issue a proclamation declaring a state of emergency  
8 that requires the:

9           (1) Cessation of operations of any type of business or  
10           other entity; or

11           (2) Quarantine of any person,  
12 for a period of more than twenty-eight days; provided that a  
13 state of emergency may be extended beyond twenty-eight days as  
14 provided in subsections (b) and (c).

15           (b) A state of emergency that is limited in duration by  
16 subsection (a) may be extended for a period of not more than  
17 fourteen days if a request for an extension of the state of



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1 emergency is approved by concurrent resolution by two-thirds  
2 vote of the members to which each house of the legislature is  
3 entitled. If the legislature does not adopt a concurrent  
4 resolution to extend the state of emergency, the state of  
5 emergency shall not be extended. If the legislature is not in  
6 session when an extension of the state of emergency is being  
7 considered by the governor, the governor shall call the  
8 legislature into special session not less than ten days prior to  
9 the expiration of the initial declaration of a state of  
10 emergency.

11 (c) A state of emergency that is limited in duration by  
12 subsection (a) and extended pursuant to subsection (b) may be  
13 extended for additional periods of no more than fourteen days  
14 each; provided that each extension shall require approval by the  
15 legislature using the process described in subsection (b)."

16 SECTION 2. This Act does not affect rights and duties that  
17 matured, penalties that were incurred, and proceedings that were  
18 begun before its effective date.

19 SECTION 3. New statutory material is underscored.



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1 SECTION 4. This Act shall take effect upon its approval.

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INTRODUCED BY:

 (RR)

JAN 25 2021



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**Report Title:**

Governor; Emergency Powers; Shutdown of Businesses; Quarantines; Limits on Duration; Legislative Approval

**Description:**

Prohibits the governor from declaring a state of emergency requiring the shutdown of any type of business or operation, or the quarantine of any person, for a period of more than 28 days. Allows a state of emergency to be extended by periods of 14 days if each extension is approved by a two-thirds vote of each house of the legislature.

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

