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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-FOURTH SESSION

H. F. No. 21

02/06/2025 Authored by Robbins, Niska, Schultz, Duran, Engen and others
The bill was read for the first time and referred to the Committee on State Government Finance and Policy
02/17/2025 Adoption of Report: Placed on the General Register
Read for the Second Time
02/27/2025 Calendar for the Day, Amended
Read Third Time as Amended
Bill was not passed
Bill was laid on the Table as Amended

A bill for an act

relating to state government; requiring supermajority approval by each house of the legislature to extend a peacetime emergency beyond 14 days; amending Minnesota Statutes 2024, section 12.31, subdivision 2.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. Minnesota Statutes 2024, section 12.31, subdivision 2, is amended to read:

Subd. 2. **Declaration of peacetime emergency.** (a) The governor may declare a peacetime emergency. A peacetime declaration of emergency may be declared only when any of the following endangers life and property and local government resources are inadequate to handle the situation:

(1) an act of nature;

(2) a technological failure or malfunction;

(3) a terrorist incident;

(4) a cyber attack, including a physical or electronic attack on the state's information and telecommunications technology infrastructure, systems, or services;

(5) an industrial accident;

(6) a hazardous materials accident; or

(7) a civil disturbance.

If the peacetime emergency occurs on Indian lands, the governor or state director of emergency management shall consult with tribal authorities before the governor makes such a declaration. Nothing in this section shall be construed to limit the governor's authority to

act without such consultation when the situation calls for prompt and timely action. When the governor declares a peacetime emergency, the governor must immediately notify the majority and minority leaders of the senate and the speaker and majority and minority leaders of the house of representatives. A peacetime emergency must not be continued for more than ~~five~~ 14 days unless ~~extended by resolution of the Executive Council up to 30 days~~ an extension is requested by the governor and approved by the legislature under paragraph (b). An order, or proclamation declaring~~, continuing,~~ or terminating an emergency must be given prompt and general publicity and filed with the secretary of state.

(b) By a three-fifths majority vote of each house of the legislature, the legislature may ~~terminate~~ extend a peacetime emergency ~~extending~~ beyond ~~30~~ 14 days. If the governor ~~determines a need to extend the~~ requests the extension of a peacetime emergency ~~declaration beyond 30 days~~ and the legislature is not sitting in session, the governor must issue a call immediately convening both houses of the legislature. If the governor requests further extension of a peacetime emergency beyond the time approved by the legislature, the governor must submit a new request and the legislature may only extend the emergency further by a three-fifths majority vote of each house. Nothing in this section limits the governor's authority over or command of the National Guard as described in the Military Code, chapters 190 to 192A, and required by the Minnesota Constitution, article V, section 3.