

House Concurrent Resolution No. 5025

By Representatives Ryckman, Sawyer, Finch, Hawkins and Winn

3-13

1 A CONCURRENT RESOLUTION ratifying the March 12, 2020, State of
2 Disaster Emergency declaration, ***subject to limitations,*** issued by
3 Governor Laura Kelly and providing for the continuation thereof for
4 the entire 105 counties of Kansas through ~~January 25, 2021~~ ***{May 1,***
5 ***2020, subject to additional extensions of time}***.
6

7 WHEREAS, On March 12, 2020, Governor Laura Kelly issued a State
8 of Disaster Emergency declaration in response to confirmed cases of novel
9 coronavirus (COVID-19) in the state of Kansas and considers that a public
10 health emergency exists within the state of Kansas. The United States
11 Centers for Disease Control and Prevention (CDC) identifies the potential
12 public health threat posed by COVID-19 both globally and in the United
13 States as "high," and the United States Department of Health & Human
14 Services declared a public health emergency for COVID-19 beginning
15 January 27, 2020. The World Health Organization (WHO) declared a
16 global pandemic on March 11, 2020: Now, therefore,
17

18 *Be it resolved by the House of Representatives of the State of Kansas,*
19 *the Senate concurring therein:* That the State of Disaster Emergency
20 declaration issued on March 12, 2020, for the entire 105 counties of
21 Kansas in accordance with K.S.A. 48-924, and amendments thereto, is
22 hereby ratified and continued in force and effect on and after March 12,
23 2020, through ~~January 25, 2021, subject to extension by the State Finance~~
24 ~~Council in accordance with K.S.A. 48-924(b)(3), and amendments thereto~~
25 ***{May 1, 2020, subject to additional extensions by concurrent resolution***
26 ***of the Legislature or as further provided in this concurrent resolution. If***
27 ***the Legislature is not in session, upon specific application by the***
28 ***Governor to the State Finance Council, the State Finance Council may***
29 ***authorize additional extensions of such state of disaster emergency by a***
30 ***majority vote of the legislative members thereof for specified periods not***
31 ***to exceed 30 days each; and***
32

33 *Be it further resolved:* That, for the purposes of this ratification, the
34 Governor shall not have the power or authority to temporarily or
35 permanently seize, or authorize seizure of, any ammunition or to
36 suspend or limit the sale, dispensing or transportation of firearms or

1 *ammunition pursuant to K.S.A. 2019 Supp. 48-925(c)(8) or any other*
2 *executive authority; and*

3
4 *Be it further resolved: That, for the purposes of this ratification, the*
5 *Governor shall not have the power or authority to: (1) Utilize all*
6 *available resources of the state government and of each political*
7 *subdivision as reasonably necessary to cope with the disaster pursuant*
8 *to K.S.A. 2019 Supp. 48-925(c)(2) or any other executive authority; (2)*
9 *subject to any applicable requirements for compensation under K.S.A.*
10 *48-933, commandeer or utilize any private property if the governor*
11 *finds such action necessary to cope with the disaster pursuant to K.S.A.*
12 *2019 Supp. 48-925(c)(4) or any other executive authority; (3) control*
13 *ingress and egress of persons and animals to and from a disaster area,*
14 *the movement of persons and animals within the area and the*
15 *occupancy by persons and animals of premises therein pursuant to*
16 *K.S.A. 2019 Supp. 48-925(c)(7) or any other executive authority; (4)*
17 *suspend or limit the sale, dispensing or transportation of alcoholic*
18 *beverages, explosives and combustibles pursuant to K.S.A. 2019 Supp.*
19 *48-925(c)(8) or any other executive authority; or (5) perform and*
20 *exercise such other functions, powers and duties as are necessary to*
21 *promote and secure the safety and protection of the civilian population*
22 *pursuant to K.S.A. 2019 Supp. 48-925(c)(11) or any other executive*
23 *authority}.*