

First Regular Session  
Seventy-fourth General Assembly  
STATE OF COLORADO

INTRODUCED

LLS NO. 23-0592.01 Pierce Lively x2059

HOUSE BILL 23-1073

---

HOUSE SPONSORSHIP

Hartsook and Bottoms,

SENATE SPONSORSHIP

(None),

---

House Committees

State, Civic, Military, & Veterans Affairs

Senate Committees

---

A BILL FOR AN ACT

101 CONCERNING THE DURATION OF A STATE OF DISASTER EMERGENCY  
102 DECLARED BY THE GOVERNOR, AND, IN CONNECTION  
103 THEREWITH, PROHIBITING THE GOVERNOR FROM RENEWING A  
104 STATE OF DISASTER EMERGENCY AND AUTHORIZING THE  
105 GENERAL ASSEMBLY TO EXTEND A STATE OF DISASTER  
106 EMERGENCY.

---

Bill Summary

*(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov>.)*

The bill prohibits the governor from renewing a state of disaster

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.  
Capital letters or bold & italic numbers indicate new material to be added to existing law.  
Dashes through the words or numbers indicate deletions from existing law.

emergency declared beyond 30 days. Instead, the bill authorizes the general assembly, upon the written request of the governor and by adopting a joint resolution, to extend the state of disaster emergency for up to 30 additional days. The general assembly may continue, at the written request of the governor and by adopting a joint resolution for each extension, to extend a state of disaster emergency for periods of up to 30 days for as long as it deems it necessary to do so. If the general assembly is not scheduled to convene in a regular session when a state of disaster emergency will end as required by the bill, the governor or a two-thirds majority of the members of each house of the general assembly, in accordance with applicable state constitutional provisions, may call the general assembly into an extraordinary session to consider extending the state of disaster emergency.

---

1 *Be it enacted by the General Assembly of the State of Colorado:*

2 **SECTION 1.** In Colorado Revised Statutes, 24-33.5-704, **amend**  
3 (4) as follows:

4 **24-33.5-704. The governor and disaster emergencies - response**  
5 **- duties and limitations - extension of disaster emergency by general**  
6 **assembly.** (4) (a) A disaster emergency shall be declared by executive  
7 order or proclamation of the governor if the governor finds a disaster has  
8 occurred or that this occurrence or the threat thereof is imminent. The  
9 state of disaster emergency shall continue until the governor finds that the  
10 threat of danger has passed or that the disaster has been dealt with to the  
11 extent that emergency conditions no longer exist and the governor  
12 terminates the state of disaster emergency by executive order or  
13 proclamation, but no state of disaster emergency may continue for longer  
14 than thirty days unless ~~renewed~~ REQUESTED IN WRITING by the governor  
15 AND EXTENDED BY THE GENERAL ASSEMBLY AS SPECIFIED IN SUBSECTION  
16 (4)(b) OF THIS SECTION. THE GOVERNOR SHALL NOT EXTEND A STATE OF  
17 DISASTER EMERGENCY.

18 (b) THE GENERAL ASSEMBLY MAY, UPON THE WRITTEN REQUEST

1 OF THE GOVERNOR AND BY ADOPTING A JOINT RESOLUTION, EXTEND A  
2 STATE OF DISASTER EMERGENCY FOR UP TO THIRTY DAYS. THE ADOPTION  
3 OF A JOINT RESOLUTION REQUIRES A TWO-THIRDS VOTE OF THE MEMBERS  
4 OF BOTH THE SENATE AND THE HOUSE OF REPRESENTATIVES. THE GENERAL  
5 ASSEMBLY MAY EXTEND THE STATE OF DISASTER EMERGENCY FOR  
6 PERIODS OF UP TO THIRTY DAYS, FOR AS LONG AS THE GOVERNOR SO  
7 REQUESTS IN WRITING AND FOR AS LONG AS THE GENERAL ASSEMBLY  
8 DEEMS IT NECESSARY TO DO SO, BY ADOPTING A JOINT RESOLUTION FOR  
9 EACH EXTENSION. IF THE GENERAL ASSEMBLY IS NOT SCHEDULED TO  
10 CONVENE IN A REGULAR SESSION WHEN A DECLARED STATE OF DISASTER  
11 EMERGENCY WILL END DUE TO THE OPERATION OF THIS SUBSECTION (4),  
12 THE GOVERNOR, PURSUANT TO SECTION 9 OF ARTICLE IV OF THE STATE  
13 CONSTITUTION, OR THE GENERAL ASSEMBLY, IN ACCORDANCE WITH  
14 SECTION 7 OF ARTICLE V OF THE STATE CONSTITUTION, MAY CALL THE  
15 GENERAL ASSEMBLY INTO AN EXTRAORDINARY SESSION TO CONSIDER  
16 EXTENDING THE STATE OF DISASTER EMERGENCY AS AUTHORIZED BY THIS  
17 SUBSECTION (4)(b).

18 (c) The general assembly, by joint resolution, may terminate a  
19 state of disaster emergency, OR AN EXTENSION OF A STATE OF DISASTER  
20 EMERGENCY AS SPECIFIED IN SUBSECTION (4)(b) OF THIS SECTION, at any  
21 time. Thereupon, the governor shall issue an executive order or  
22 proclamation ending the state of disaster emergency. All executive orders  
23 or proclamations issued under this subsection (4) shall indicate the nature  
24 of the disaster, the area threatened, and the conditions that brought it  
25 about or that make possible termination of the state of disaster  
26 emergency. An executive order or proclamation shall be disseminated  
27 promptly by means calculated to bring its contents to the attention of the

1 general public and, unless the circumstances attendant upon the disaster  
2 prevent or impede, shall be promptly filed with the office of emergency  
3 management in the division of homeland security and emergency  
4 management, the secretary of state, the county clerk and recorder, and  
5 emergency management agencies in the area to which it applies.

6 **SECTION 2. Safety clause.** The general assembly hereby finds,  
7 determines, and declares that this act is necessary for the immediate  
8 preservation of the public peace, health, or safety.